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

Minutes of South Dublin County Council April 2018 County Council Meeting held on 9th April 2018

**PRESENT**

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

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin. |
| Directors/ Heads of Function  A/Director of Function  Head of Finance  County Architect | B. Coman, L. Maxwell, T. Walsh, F. Nevin.  L. Leonard.  R. FitzGerald.  E. Conroy. |
| Senior Engineer  Senior Executive Officer  Financial Management Accountant | B. Keaney.  M. Staunton.  M. Kelly. |
| Administrative Officers | C. Murphy. |
| Staff Officer  Clerical Officer  IT. Support  Sord | P. Brennan, Karol Dunne.  M. Dunne.  R. Saiz, Colin De Cruz.  Gary Redmond. |

The Mayor P. Gogarty Presided.

Apologies were received from Councillors J Graham, D O Brien.

**H1/0418 CONFIRMATION AND RE-AFFIRMATION OF MINUTES**

Minutes of the March County Council Meeting on 12th March 2018 which had been circulated were submitted and **APPROVED** as a true record and signed on the proposition of Councillor P. Gogarty seconded by Councillor D. Richardson.

**H2a)/0418 REPORTS OF AREA COMMITTEES - RATHFARNHAM/TEMPLEOGUE- TERENURE AREA COMMITTEE - 13TH MARCH 2018**

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

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

**H2b)/0418 REPORTS OF AREA COMMITTEES - CLONDALKIN AREA COMMITTEE – 21ST MARCH 2018**

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

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

**H2c)/0418 REPORTS OF AREA COMMITTEES - TALLAGHT AREA COMMITTEE – 26TH MARCH 2018**

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

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

**H2d)/0418 REPORTS OF AREA COMMITTEEAS-** **LUCAN AREA COMMITTEE ` – 27TH MARCH 2018**

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

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

**H3a)/0418 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - 22nd March 2018- DRAFT CALENDAR OF MEETING DATES**

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:**

“The following Draft Calendar of Meeting dates was **APPROVED** by the Members at the Organisation, Procedure & Finance Committee Meeting held on 22nd March 2018

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 30/04 |  |  |  |
| Tue. | 01/05 | ***Environment, Water & climate Change SPC*** | 5.30 pm – 7.00 pm | 29/03/2018 |
| Wed. | 02/05 | **Arts, Culture, Gaeilge, Heritage & Libraries SPC** | 5.30 pm – 7.00 pm | 30/03/2018 |
| Thur. | 03/05 |  |  |  |
| Fri. | 04/05 |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 07/05 | **Bank Holiday** |  |  |
| Tue. | 08/05 | **Corporate Policy Group**  **Rathfarnham/Templeogue-Terenure Area Committee**  *Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 3.00pm – 4.30pm  3.00pm – 6.00pm | 24//04/2018 |
| Wed. | 09/05 | **Economic Enterprise & Tourism Development SPC** | 5.30pm – 7.00pm | 06/04/2018 |
| Thur. | 10/05 | **Housing SPC** | 5.30pm – 7.00pm | 09/04/2018 |
| Fri. | 11/05 |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon | 14/05 | **County Council Meeting** | 3.30pm – 7.00pm | 26/04/2018 |
| Tues | 15/05 | **Social and Community SPC** | 6.00pm – 7.30pm | 12/04/2018 |
| Wed | 16/05 | **Clondalkin Area Committee**  *Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 3.00pm – 6.00pm | 02/05/2018 |
| Thurs | 17/05 | **Land Use Planning & Transportation SPC** |  | 13/04/2018 |
| Fri | 18/05 |  |  |  |
|  | | | | |
| **DATE** | |  | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon | 21/05 | **Traffic Management Meeting**  (Tallaght)  **Tallaght Area Committee**  *Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 2.15pm – 3.00pm  3.00pm - 6.00pm | 08/05/2018 |
| Tues | 22/05 | **Traffic Management Meeting**  (Lucan)  **Lucan Area Committee**  *Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 2.15pm – 3.00pm  3.00pm – 6.00pm | 09/05/2018 |
| Wed | 23/05 | **Deputations** | 2.00pm – 5.00pm |  |
| Thurs | 24/05 | **Traffic Management Meeting** (Rathfarnham/Templeogue –Terenure)  **Traffic Management Meeting (**Clondalkin**)**  **Organisation, Procedure & Finance Committee**  (in committee) | 2.00pm - 2.45pm  2.45pm – 3.30pm  3.30pm – 6.00pm | 11/05/2018 |
| Fri | 25/05 | **Joint Policing Committee** | 3.00pm – 5.00pm |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 28/05 |  |  |  |
| Tue. | 29/05 |  |  |  |
| Wed. | 30/05 |  |  |  |
| Thurs | 31/05 |  |  |  |
| Fri. | 01/06 |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon | 04/06 | **Bank Holiday** |  |  |
| Tue | 05/06 | **Corporate Policy Group Meeting** | 3.00pm – 4.30pm |  |
| Wed | 06/06 |  |  |  |
| Thurs | 07/06 |  |  |  |
| Fri. | 08/06 |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon | 11/06 | **County Council Meeting** | 3.30pm – 7.00pm | 25/05/2018 |
| Tue | 12/06 | **Rathfarnham/Templeogue-Terenure Area Committee**  *Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 3.00pm – 6.00pm | 29/05/2018 |
| Wed | 13/06 |  |  |  |
| Thur. | 14/06 | **Clonburris SDZ Material Alterations Stage** | 3.00pm – 10.00pm |  |
| Fri. | 15/06 |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 18/06 |  |  |  |
| Tue. | 19/06 |  |  |  |
| Wed. | 20/06 | **Audit Committee**  **CLONDALKIN Area Committee**  *Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management* | 8.00am -9.30am | 6/06/2018 |
| Thur. | 21/06 |  |  |  |
| Fri. | 22/06 |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 25/06 | **Tallaght Area Committee**  *Public Realm, Water & Drainage, Housing, Community, Planning\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management* | 3.00pm – 6.00pm | 12/06/2018 |
| Tues | 26/06 | **Lucan Area Committee**  *Public Realm, Water & Drainage, Housing, Community, Planning\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management* | 3.00pm- 6.00pm | 13/06/2018 |
| Wed. | 27/06 | **Deputations** | **3.00pm –6.00pm** |  |
| Thurs. | 28/06 |  |  |  |
| Fri. | 29/06 | **ANNUAL MEETING** | **3.30pm** |  |

**Notes:** The Organisation, Procedure & Finance Committee Meeting is on the 24th May 2018.

The Land Use Planning and Transportation SPC is the 17th May 2018.

The Audit Committee is on the 20th June 2018.

Clonburris SDZ Material Alterations Stage Meeting has been tentatively entered on the Calendar for the 14th June 2018.

The Draft Calendar of Meeting Dates was **APPROVED** on the proposition of Councillor P. Gogarty and seconded by Councillor D. O’Donovan

**H3b)/0418** **STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE – REPORTS ON CONFERENCES/SEMINARS**

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:**

“The following Draft Calendar of Meeting dates was **APPROVED** by the Members at the Organisation, Procedure & Finance Committee Meeting held on 22nd March 2018

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

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

**Conferences Notified**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Conference** | **Host** | **Venue** | **Date** | **Members**  **Attending** |
| Energy Action CLG  European Energy Poverty Conference | Energy Action CLG | Croke Park Conference Centre  Dublin | 29th March 2018 |  |
| LAMA Annual Conference   New National Planning Framework | Local Authority Members Association | Central Hotel Donegal Town | 5th -7th April 2018 | Cllr C. King  Cllr P. Kearns  Cllr D. O’ Donovan  Cllr R. Mc Mahon  Cllr V. Casserly  Cllr K. Egan  Cllr B. Lawlor |
| AILG Annual Conference | Association of Irish Local Government | Park Hotel  Dungarvan | 12th -13th April 2018 |  |
| AILG Training | Association of Irish Local Government | Leixlip | 15/05/2018 |  |
| AILG Training | Association of Irish Local Government | Dundalk | 23rd June 2018 |  |

**Conferences Attended Since January**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Property Tax 2018 | IPPB Consulting | Silver Tassie Hotel, Letterkenny | 12th January -14th January | Cllr B. Lawlor  Cllr V. Casserly  Cllr K Egan  Cllr E. Higgins  Cllr. R, Mc Mahon  Cllr, C. Mc Mahon |
| Councillors & Journalists’ – How best to convey your message as a Member of your Council through local & national media**.** | Association of Irish Local Government | Mullingar Park Hotel.  Mullingar  Seven Oaks Hotel Carlow | 17th February 2018  22nd February 2018 | Cllr V. Casserly  Cllr K. Egan  Cllr B. Lawlor  Cllr G. O’Connell  Cllr P. Donovan  Cllr E. Murphy |
| Colmcille Winter School | Colmcille Heritage Trust | Church Hill  Gartan  Co. Donegal | 23rd -24th February 2018 | Cllr C. King  Cllr. C. McCann  Cllr L. Dunne |
| Citizens Assembly or Assembly of Citizens | IPPB Consulting | Whitford House Hotel  Wexford | 9th -11th March 2018 | Cllr E. Higgins  Cllr R. Mc Mahon  Cllr V. Casserly  Cllr K. Egan  Cllr B. Lawlor |

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 **APPROVED** on the proposition of Councillor P. Gogarty and seconded by Councillor D. O’Donovan

**H3c)/0418** **STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE -**  **RESIGNATION OF COUNCILLOR V. CASSERLY FROM THE PARTICIPATORY BUDGETING STEERING GROUP**

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:**

“The following report went to the March Organisation, Procedure & Finance Committee Meeting 22nd March 2018

A vacancy exists on the Participatory Budgeting Steering Group following Councillor V. Casserly's resignation from this Committee and it is a matter for the Council to nominate a replacement to fill the vacancy.

This is now before the Organisation, Procedure and Finance Committee for consideration.

  It was proposed by Councillor V. Casserly and seconded by Councillor C. King and **AGREED** that Councillor Kenneth Egan be appointed to the Participatory Budgeting Steering Group.

This is now before full Council for approval”

The report was **NOTED** and it was proposed by Councillor B. Lawlor seconded by Councillor W. Lavelle and **AGREED:**

That **Cllr. Kenneth Egan** fill the vacancy on the Participatory Budgeting Steering Group occurring as a result of the resignation of Councillor Vicky Casserly.

**H4/0418 STRATEGIC POLICY COMMITTEES**

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

**H5/0418 REPORTS REQUESTED BY AREA COMMITTEES**

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

**QUESTIONS**

It was proposed by Councillor P. Gogarty seconded by Councillor D. O’Donovan and **RESOLVED**:

“That pursuant to Standing Order No. 13, Questions numbered Q1–Q19 be **ADOPTED** and **APPROVED.”**

**Q1/0418 ACCESSABLE TOILETS IN COUNTY**

**QUESTION:** **Councillor V. Casserly**

To ask the Chief Executive for an update on previous proposal to update accessible bathrooms in County Hall to the standard of a changing place facility, ensuring County Hall as a public building is accessible to all in a dignified manner.

**REPLY:**

The provision of changing places facilities in County Hall has been included as part of our Corporate planned maintenance and upgrade projects list. Work is ongoing in identifying a suitable location that is large enough and easily accessible for those who will avail of the facilities. Once this location is identified Architectural Services will prepare detailed drawings in line with current guidelines.

**Q2/0418 SOCIAL HOUSING AND DELIVERY AND PART V**

**QUESTION:** **Councillor E. O'Brien**

To ask the Chief Executive to detail the Councils current housing output and to specifically detail the following;

How many social housing starts were initiated in 2017?

How many social housing starts in 2018;

How many Part 5 houses were completed in 2017?

How many part 5 are expected to be on offer in 2018.

**REPLY:**

The details are set out below:

|  |  |  |  |
| --- | --- | --- | --- |
| **Social Housing Starts:** |  |  |  |
| Clondalkin | St Marks Green, Clondalkin | 11 | On Site April 2017 |
| Tallaght | MacUilliam (Fortunestown) | 28 | On Site May 2017 |
| Clondalkin | Mayfield Estate | 17 | On Site February 2017 |
| Tallaght | Dromcarra, Tallaght | 14 | On Site May 2017 |
| Tallaght | St. Aidans, Tallaght | 85 | On Site August 2017 |
| Tallaght | Killinarden, Tallaght | 26 | On Site October 2017 |
| Rathfarnham/Templeogue/Terenure | Killininny, Co Dublin | 24 | On Site in 2018 |
| Clondalkin | St. Cuthbert’s, Clondalkin | 63 | Due to start in 2018 |
| Clondalkin | Letts Field, Neilstown, Clondalkin | 37 | On Site in 2017 |
| Rathfarnham/Templeogue/Terenure | Ballyboden, Rathfarnham | 40 | Due on Site Late September 2018 |

**Part 5 Details:**

There were 51 residential units provided throughout the County in 2017 under Part V.

Part V Agreements have been made in respect of 14 housing schemes.  A total of 94 units will be delivered through Part V for social housing until the end of 2018.  Further agreements are currently being negotiated and it is expected that additional units will be delivered through Part V in these areas.

**Q3/0418 PART 8 HOUSING SCHEMES**

**QUESTION:** **Councillor E. O'Brien**

To ask the Chief Executive to detail the number of Part 8 Housing schemes currently under construction in the County and the number of Part 8 schemes it is anticipated will be commenced before the end of 2019?

**REPLY:**

To date there are nine Part 8 housing development schemes currently under construction as detailed below:

|  |  |  |
| --- | --- | --- |
| **Scheme** | **No. of units** | **Development Type** |
| Mayfield Estate, Clondalkin | 17 | Traditional |
| St. Marks Green, Clondalkin | 11 | Traditional |
| Dromcarra, Tallaght | 14 | Traditional |
| MacUilliam (Fortunestown) | 28 | Traditional |
| Killininny, Co. Dublin | 24 | Rapid build |
| Killinarden, Tallaght | 26 | Traditional |
| Letts Field, Neilstown, Clondalkin | 37 | Traditional |
| Ballyboden/Owendoher, Rathfarnham | 40 | Traditional |
| St. Aidans, Tallaght | 90 | Rapid Build |
|  | **287** |  |

It is anticipated that St Cuthbert’s which will deliver 63 Units will start on site in the coming weeks.

With regard to proposed Part 8 schemes for possible construction commencement before end 2019, a list of proposed schemes were presented to the relevant Area Committees in February.  When these designs are developed, they will be presented again to the Area Committees by way of Part 8 Planning Process.

**Q4/0418 PLANNING APPLICATIONS**

**QUESTION:** **Councillor E. O'Brien**

To ask the Chief Executive to detail the number of planning applications received for housing schemes of 10 or more houses throughout the County since the 1st of January 2017 and to further detail the number of those applications which were approved and the number of those schemes which have commenced.

**REPLY:**

There were 47 planning applications lodged relating to 10 or more units since 1st January 2017 for a total of 2,564 residential units, of which 5 of those applications are active, whereby 402 units are under construction.

Of the 47 planning applications lodged, there are 25 decisions pending, which collectively relate to 1,302 units.  Six of the 47 planning applications lodged were refused permission, whilst 11 of the granted planning applications have yet to commence construction.

**Q5/0418 CIRCULAR PL 02-2018**

**QUESTION:** **Councillor E. O'Brien**

To ask the Chief Executive if he will be responding to Department of Housing, Planning and Local Government circular PL 02-2018

**REPLY:**

The views expressed in the circular letter relate to the consideration by elected members of planning applications to be determined by the Chief Executive.

The Chief Executive was requested to bring the Circular letter to the attention of the elected members and to the planning staff.  No response to the Department of Housing, Planning and Local Government was requested or required.

**Q6/0418 COMHAIRLE NA NOG**

**QUESTION:** **Councillor G. O'Connell**

To ask the Chief Executive to write to Leitrim Comhairle na nOg complimenting them on their work in addressing means of combating personal violence against the person and in particular for the production of the Video “Use your Brain not your Fist” and that South Dublin Comhairle na nOg be invited to make a presentation to the chamber, on the same subject including the Video, at a suitable and early occasion.

**REPLY:**

A letter will issue to Leitrim Comhairle na nÓg complimenting them on their work addressing personal violence and the production of the video "Use your Brain not your Fist".  Under Standing Order 52 (b) requests for presentations must be submitted in the first instance through the Mayor’s Office which will then be considered at the next CPG Meeting.  A date will then be decided in conjunction with the Community Department if approved.

**Deputations/Presentation**

**52**. (a) The Council may set aside days on which deputations will be received. 5 persons may speak on behalf of the deputation for not more than 45 minutes.

  Request for a deputation to be heard by the Council shall not be considered unless the subject matter to be raised be notified in writing at least SEVEN clear days before the date of the meeting.

  (b)        Request for presentations at a deputation.

(i) Establish a number of meetings (twice yearly) to facilitate the making of presentations by groups to the full Council Membership. These meeting to be serviced by the Community Department in conjunction with the current deputation’s process.

            (ii) Applications should be submitted by a Member on behalf of a group through the Mayor’s office giving details of the group and the proposed content of the presentation.

            (iii) Applications will be considered at CPG Meetings and dates decided if approved.

**Q7/0418 ANTI DUMPING INITATIVE**

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

To ask the Chief Executive to outline actions he proposes if the Council qualifies for Government funding under the 2018 Anti-Dumping Initiative recently announced. Will he appreciate the interest of many in our communities regarding the menace of dumping and will he make a statement.

**REPLY:**

On 2nd February 2018, South Dublin County Council was advised by the Department of Communications, Climate Action & Environment (DCCAE) of the call for the submission of proposals under the 2018 Anti-Dumping Initiative.

From the Department guidelines the projects submitted should include the following

* Clean up of illegally dumped material.
* Implementation of preventative measures to prevent reoccurrence.
* Demonstrate an integrated approach to dealing with the issue with other state agencies and community groups.
* Investigations into the source of the illegally dumped material and where possible prosecutions to be carried out.

Based on the funding allocation for 2018 and typical projects previously funded through the 2017 Anti-Dumping Initiative, South Dublin County Council submitted 5 Projects for consideration.  The following projects were submitted for consideration.

* Meile an Rí- The project aims to address repetitive illegal dumping, littering and burning in and around the playground located at Meile an Ri, Balgaddy, Lucan, Co. Dublin through a collaborative approach with local stakeholders. It is proposed to clean up and remove all illegal dumping in the area, install audio devices to deter further dumping/littering/burning and to install signage.  A request for funding of €11,000 was made.
* Clonburris - The project aims to eliminate the abandonment of vehicles on lands within the proposed Clonburris SDZ. Over the last 6 months approximately 100 vehicles have been illegally driven onto the lands, raced and subsequently burnt out. The scheme proposes to utilise existing road side barriers and provide additional barriers to prevent access onto the lands. A request for funding of €26,000 was made.
* St Cuthbert Park - Carry out measures at St Cuthbert’s Park to eliminate illegal dumping and burning of household waste.  This area is prone to repetitive incidences of anti-social behaviour, illegal dumping/littering which currently requires significant input from SDCC Public Realm section yet despite these persistent clean-up and operational activities the problem persists.  The scheme proposes to strengthen boundaries and carry out some hedge removal in the problematic areas.  A request for funding of €25,000 was made.
* Rathfarnham Big Belly Bins – The project is for the installation of 2 number big belly bins in Rathfarnham Village.  The performance of the bins will be monitored for consideration for larger role out throughout the county.  A request for funding of €12,000 was made
* Knockmore/Donomore Anti-Dumping Initiative - Illegal dumping of household waste is evident in areas of Killinarden Park lands in particular adjacent to Knockmore and Donomore. The project will provide for the removal of the waste followed by the installation of signage and CCTV cameras. CCTV will be rotated to other areas of the Park to monitor other areas prone to dumping.  A request for funding of €15,000 was made.

WERLA is currently assessing the submissions made by all local authorities on behalf of DCCAE.  A decision on the submissions is expected in mid-April 2018.  If approved, works will be programmed once funding is confirmed.

Unlike in 2017, there will be no further calls by DCCAE for submission of projects under this scheme later in 2018.

**Q8/0418 CONTROL OF HORSES**

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

To ask the Chief Executive to detail the number of Horses seized by the Council in the last calendar year; will he detail how many of the horses were reclaimed and in reporting will he also make a broad statement in respect of the issue.

**REPLY:**

During 2017 227 horses were seized on behalf of South Dublin County Council of which 11 were rehomed and 5 were reclaimed.

The Council engages a competent contractor for the provision and operation of the horse seizure service and horse pound facility, and as such all seized horses are taken to the horse pound facility where (if not already) they are microchipped on arrival, and examined by a veterinary practitioner.  Their veterinary practitioner assesses the horses for their suitability for rehoming during that examination.

Details of all horses seized and impounded are published in efforts to identify the owners so that, where possible, horses may be reclaimed. Horses seized and not reclaimed by their owners within a period of five days from the date of seizure and detention the Council (or Garda Superintendent) may be disposed of by way of sale or re-homing. Horses which are unsuitable for re-homing are euthanised.

A new rehoming policy is being finalised with this contractor engaged by South Dublin County Council and a draft policy is currently in operation. The rehoming of horses is organised by the contractor through a number of reputable horse charities.  Only charities that have a premises that is registered under the Department of Agriculture, Food and Marine Equine Premises Registration (EPR) are included on the re homing list used by the contractor.

The Council also works in very close collaboration with the DSPCA and is in constant contact with the DSPCA Inspectors who monitor the welfare of horses reported to us.

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

The Council's [(Control of Horses) Bye-Laws 2014](http://www.sdcc.ie/2014-control-of-horses-bye-laws) were adopted on 10th February 2014 and implemented with effect from 12th March 2014. These Byelaws are actively enforced and provide the Council with stronger tools to deal with issues which impact negatively on communities and animals alike, and we also administer the [Control of Horses Act 1996.](http://www.irishstatutebook.ie/eli/1996/act/37/enacted/en/html) The provisions of the Act and the Bye-Laws are fully utilised to reduce the number of horses that are being kept unlawfully (without licence / passport) in unsuitable conditions, or in areas where their presence has an adverse effect on the community.

It is acknowledged that this Council is particularly proactive in the management of, and promotion of responsible urban horse ownership.

The Council has developed a state of the art equine facility at Ballyowen Park for the stabling of up to 20 horses, with significant assistance from Department of Agriculture, Food and the Marine.  This facility is being managed by the Clondalkin Equine Club under a management licence subject to strict conditions relative to oversight / governance, application of equality legislation, membership / use of the facility, and application of strict animal welfare protection.  Animal welfare remains a priority and ongoing education and awareness forms part of the urban horse project programme.

In 2017, in collaboration with the Department of Agriculture Food & the Marine, Dublin City Council, Fingal County Council, An Garda Siochána and DSPCA, SDCC also was instrumental in the establishment of the Dublin Region Horse Welfare Task Force.   Membership of this task force also includes Fettercairn Youth Horse Project, Clondalkin Equine Club, Traveller Development Group, Voluntary groups/rescue centres and Veterinary Services and the primary objective is to develop a concerted collaborative programme aimed at promoting responsible horse ownership across the Dublin region with a particular focus on the following issues:

* Indiscriminate breeding,
* Animal welfare,
* Education and awareness,
* Legislation and regulation (acts and Byelaws) pertaining to animal welfare and control of horses

59 horses have been seized to date in 2018 of which 8 have been rehomed and none have been reclaimed.  In terms of rehoming a number of charities are currently full which poses a challenge to South Dublin County Council's commitment to rehome as many horses as possible.

**Q9/0418 STORM EMMA**

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

To ask the Chief Executive if he would table a further report on the Council's response to the recent Severe Weather Alert arising from the Storm Emma/Beast from the East event. Will he detail lessons learnt and will he make a statement.

An [**Interim Report**](http://intranet/cmas/documentsbyitem.aspx?itemid=57366) on the council’s Severe Weather Response to Storm Emma was given at the March Council Meeting

Staff from across all sections and departments of SDCC that were involved in the management of the Storm Emma and the remediation and clean up post the storm are meeting on Thursday 29th March to complete a full debrief of this severe weather event. This exercise will include examining areas of good practice, areas/items that require improvement and a list of recommendations to be put in place for future extreme weather events.

An assessment of the cost of responding to the storm and also the longer term financial impact including the repair that will now be required to infrastructure and to vehicles will also be collated.

Following this debrief meeting and review, a final report will issue to Council

**Q10/0418 ROUGH SLEEPERS**

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

To ask the Chief Executive if he has any information on the number of rough sleepers throughout our County and in responding will he detail assistance being afforded in the matter.

**REPLY:**

There are two ‘rough sleeper’ counts each year. These are done in spring and winter.   Areas identified by Councillors and members of the public are visited to ensure an accurate count.

The Council operates an outreach service and multi-agency approach to address rough sleepers across the County.  The Outreach worker works closely with the HSE in particular in identifying rough sleepers and sourcing appropriate accommodation and support services. The needs of rough sleepers are often very complex and challenging and require a comprehensive and coordinated approach. The Homeless Forum under the auspice of the South Dublin County Partnership established a Homeless Action Team which focuses on single persons and known rough sleepers.

Killininny House offers accommodation for single men and additional placements as step down/transitional in Glenn na Horna in Springfield. Other hostel type accommodation is operated through the Central Placement Services and is not in the control of this local authority, and as a result the service can only offer the accommodation that is available on any given day.

During the recent cold spell additional emergency accommodation was put in place to ensure the safety of those sleeping rough. The services became aware of homeless persons at this time that had not previously been accessing services and engaged with where possible.

**Q11/0418 HOUSING APPLICATIONS**

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

To ask the Chief Executive to confirm how many new housing applications have been received in 2018; will he detail if these applicants are being made aware of how long they might be waiting for housing and in responding to the question will he take the opportunity again of updating the Council on his ongoing efforts to deal with the housing crisis.

**REPLY:**

379 applications for social housing have been received to date in 2018.  130 did not supply necessary documentation to carry out a housing assessment, they have been contacted to re- submit application with full documentation.  7 have availed of the Housing Assistance Payment (HAP) with a further 11 HAP applications in process.

On approval of eligibility for social housing applicants are issued with a letter confirming same, this letter informs that South Dublin County Council is not in a position to provide accommodation at this time.  Length of time on list depends on applicant's preference for housing areas and engagement with the Choice Based Letting process.

South Dublin County Council provides social housing support through a variety of means including an extensive building programme, Part V properties, Council Housing Stock, Approved Housing Bodies, Housing Assistance Payment Scheme and the RAS scheme.

**Q12/0418 SPEED DISPLAY SIGNS**

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

To ask Chief Executive to report on how many speed indicator signs are in place within the County, and to comment on their effectiveness and if there are plans to increase the number of signs.

**REPLY:**

There are 16 no. Speed Display signs throughout the county. The signs are at locations identified by An Garda Siochána as having compliance issues with speeding.

Indications are that the signs have a positive effect on speeding which is close to the posted limit but less so at higher speeds. Is also appears that effectiveness decreases with time.

An additional sixteen sockets are being installed to allow rotation of the existing stock of signs and a limited number of new signs will be considered**.**

**Q13/0418 COMMUNITY CLEANUPS**

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

To ask the Chief Executive to provide a report on the number of planned clean ups organised by the relevant residents groups etc. within the County over the last few years which are requested through the community section. Many of these clean up involve painting of boundary railings and washing/cleaning of boundary walls. Has the Council in the past ever carried out the painting of railings etc.?

**REPLY:**

The Social Credits Scheme operated through Environment Department provides support on an ongoing basis to community groups carrying out local clean-ups through the provisions of support materials and the collection of waste by Public Realm crews from dedicated collection points following the clean-ups.   Such supports include but is not limited to litter pickers, bags, hi-vis vests, shovels and brushes, paint and paint brushes.

|  |  |
| --- | --- |
| **Year** | **Social Credits Clean-ups** |
| 2017 | |  | | --- | | 2600 | |
| 2016 | |  | | --- | | 2459 | |
| 2015 | |  | | --- | | 2517 | |
| 2014 | |  | | --- | | 2595 | |

Painting of railings within Council parks and open spaces has been undertaken by Public Realm in the past and will be examined for the future.

**Q14/0418 DOG WARDENS**

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

To ask the Chief Executive to issue a report on Dog wardens, how many there is? How many fines have been issued and how much the council has earned from fines? Also to ask if residents associations can ask for bin you dog poo signs and to ask for a contact re this? Also to ask for the dog wardens contact details?

**REPLY:**

South Dublin County Council currently employs two full time Dog Wardens

The Dog Warden's role is the enforcement of the Control of Dogs Act 1986 as amended.  This includes:

* responding to complaints relating to dogs not under effectual control and/or dangerous dogs
* carrying out of Licence Checks and the initiation of enforcement proceedings where possible
* seizure and collection of unwanted/stray dogs and removal to the Dog Pound.

In 2018, one fine was issued which is currently with the Council's Law Department.

Dog fouling is an offence under [**Section 22 of the Litter Pollution Act, 1997**](http://www.irishstatutebook.ie/eli/1997/act/12/section/22/enacted/en/html), as amended. Under this Act the person in charge of the dog is subject to a fine or prosecution if he/ she does not immediately remove any faeces deposited by their dog in certain places, and/or if that person fails to ensure that their dog litter is properly disposed of in a suitable sanitary manner.

The difficulty with enforcement of this particular section of the Act is the requirement for witness testimony, to report that the offence happened and that an identified person is the person in charge of the dog. Therefore the Council continues to encourage residents groups and/or individuals to assist the Warden Service in this regard.

Signage is considered on a case by case basis and is only erected following inspection of the location and where there is demonstrable need.

Registered group(s)in existence in this area, may be provided with signage through the Social Credit Scheme with the caveat that such signage erected must have due regard for public health and safety, and must not impede visibility or restrict traffic, cycling and pedestrian flow. Similarly, if it is proposed to co-use a pole, authorisation will be required.

The Dog Wardens can be contacted on 01 414 9000.

**Q15/0418 LITTER FINES**

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

To ask that the Chief executive gives a detailed reports on litter fines for this year how many have been issued and how many are been paid? Also to provide the names and contact for litter wardens for the County

**REPLY:**

Total number of litter fines issued in 2018, (up to 28th February)

|  |  |
| --- | --- |
| **Fines issued in 2018** | **125** |
| Paid in full | 35 |
| Fines that have been part paid to date | 14 |
| Fines not paid to date | 65 |
| Fines written off as Appeals Granted | 8 |
| Fines cancelled | 2 |
| Fine returned and written off | 1 |
| **TOTAL** | **125** |

The Litter Wardens can be contacted on 01 414 9220.

It should be noted that where fines are not paid cases may be referred to the district court.  In such circumstances collection of any fine imposed by the court becomes a matter for the court to collect, and is subsequent recouped to the Council.

**Q16/0418 DOWNSIZING HOMES**

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

To ask for a report into how many people are looking to downsize within SDCC and age groups e.g. over 65s and under 65s and to detail community area they live and how SDCC intend to deal with this to free up much needed housing?

**REPLY:**

There are 224 applicants on the Council's transfer list on downsizing grounds

Of these 39 applicants are 65+ years of age, area as follows:-

13 applications from those living North of the Naas Road

26 applications from those living South of the Naas Road

Of these 185 applicants are less than 65 years of age, area as follows:

 64 applications from those living North of the Naas Road

120 applications from those living South of the Naas Road

  Please note there are 275 applicants on the Council's transfer list on overcrowding grounds.  The Council maintains a list of those interested in availing of a mutual transfer i.e. a swap between two tenancies, this is available on request and at the Customer Care counters.

As vacancies arise the Council endeavours to transfer applicants to suitable accommodation having cognizance of the social housing waiting list.

**Q17/0418 PHONE/MEDIA PYLONS**

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

To ask what is the legal required safe distance for Electric and Phone/Media Pylons to be from a house and how SDCC will address any public concerns in regards to this?

**REPLY:**

The main planning guidance for telecommunication infrastructure comes from the Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities (1996)

South Dublin County Council Development Plan 2016 - 2022 Key Objectives:

IE4 Objective 3:

To permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity.

IE4 Objective 4:

To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

IE4 Objective 6:

To require the identification of adjacent Public Rights of Way and established walking routes by applicants prior to any new telecommunication developments (including associated processes) and to prohibit telecommunications developments that impinge thereon or on recreational amenities, public access to the countryside or the natural environment.

  Development Management Plan Considerations:

In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate:

* Compliance with the Planning Guidelines for Telecommunications Antennae and Support Structures (1996) and Circular Letter PL 07/12 issued by the DECLG (as may be amended), and to other publications and material as may be relevant in the circumstances,
* On a map, the location of all existing telecommunications structures within a 2km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulation (2003),
* Degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc.) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree-type masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements, and
* The significance of the proposed development as part of the telecommunications network.

Matters relating to pylons etc. are subject to the requirements of the Energy Regulator

**Q18/0418 DOGS IN PARKS**

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

That a report is issued into the issue of dog on leads within our parks and what enforcement measures are been done to ensure the health and safety of park users what is SDCC policy?

**REPLY:**

The primary legislation pertaining to dogs is the [Control of Dogs Act 1986](http://www.irishstatutebook.ie/eli/1986/act/32/section/9/enacted/en/html#sec9).  Under Section 9 of that act the owner of a dog, or the person in control of that dog, must keep the dog under effectual control. This does not specify being on a lead.

Similarly under the [Control of Dogs Regulations 1998](http://www.irishstatutebook.ie/eli/1998/si/442/made/en/print) there are specific rules relating to certain breeds of dogs.  The rules state that these dogs (or strains and crosses of them) must be kept on a short strong lead by a person over 16 years who is capable of controlling them.

Section 4.1 of the Council's Parks and Open Spaces Bye Laws provide as follows in relation to Dogs**:**

**4.1       Dogs:-**

**4.1.1    No person:**

1. **a)** Shall take into or allow to remain in a Park any dog unless it is under effective control on a leash other than in areas designated (dog runs) or at times specified by the County Council.
2. **b)** In charge of a dog in a Park shall engage it in coursing or permit it to be engaged in coursing in a Park.

**4.1.2** Persons in charge of a dog in a park shall

1. **a)** Take reasonable care to prevent it from causing annoyance to any person using the Park or worrying, chasing, injuring or disturbing any animals, birds or other creatures in the Park.
2. **b)** Be liable for any damage or injury which may be caused by the dog.
3. **c)** Remove it from the Park if so directed by an Employee of the Council or an Authorised Person.

The Council operates under an approved Work Force Plan staff compliment, and currently there is an approved number of Park Rangers (14).

Because of the large size of many of our parks and open spaces it is not always possible for personnel to be at that particular location as an incident arises. To ensure that our parks and open spaces (as provided as public amenities) are used by members of the public to the maximum extent in safety and comfort, we are committed to activation of a promotion campaign to reinforce the regulation of the Bye Laws in relation to dogs.

**Q19/0418 CHOICE BASED LETTINGS**

**QUESTION:** **Councillor M. Ward**

Can the Chief Executive provide a report on the amount people on the housing list that have access to Choice Based Lettings in 2018, 2017, 2016. 2015 and 2014.

Can these figures be further broken down to size of dwellings i.e., 4 beds, 3 beds, 2 beds and 1 bed properties for each year stated? And what is the average waiting time for each size of property?

**REPLY:**

There are currently 9,156 applicants on the various Council lists who have access to Choice Based letting, including Housing List, Homeless List, Medical List for standard housing, HAP Transfer List and RAS Fixed Transfer List. Those on the HAP Transfer List were given access to CBL in May 2017 and Medical List in January 2018.

As the housing list is a live list it is not possible to provide figures for those with access to CBL over the years, however, numbers on list for each year are as below:-

|  |  |
| --- | --- |
| **YEAR** | **Nos. on the Housing list at year end** |
| **2014** | 8,564 |
| **2015** | 8,944 |
| **2016** | 7,850 |
| **2017** | 8,172 |
| **2018 to 31/03/18** | 8,040 |

Current dwelling size need for those with access to CBL:-

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NOS. With access to CBL @ 21/03/18** | | | | |
| **TOTAL = 9,156** | **1 BED** | **2 BED** | **3 BED** | **4 BED** |
|  | 2,496 | 4,237 | 2,236 | 187 |

South Dublin County Council introduced the Choice Based Letting (CBL) scheme in October 2011, the first allocation under the scheme being on 8th November 2011.  To date 582 allocations have been made under CBL.

The table below shows allocations through the CBL scheme annually since 2014 to 31/03/2018

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **YEAR** | **1 BEDROOM** | **2 BEDROOM** | **3 BEDROOM** | **4 BEDROOM** | **TOTALS** |
| 2014 | 5 | 41 | 19 | 1 | ***66*** |
| 2015 | 1 | 41 | 19 | 0 | ***61*** |
| 2016 | 9 | 51 | 33 | 2 | ***95*** |
| 2017 | 10 | 35 | 30 | 1 | ***76*** |
| 2018 to 31/03/2018 | 2 | 8 | 4 | 1 | ***15*** |

The average time on the Council's housing waiting list for those successful CBL applicants is shown below by accommodation size:-

|  |  |
| --- | --- |
| **SIZE OF DWELLING** | **AVERAGE YEARS ON LIST** |
| 1 Bedroom | 9 |
|  |  |
| 2 Bedroom | 7 |
| 3 Bedroom | 8 |
| 4 Bedroom | 10 |

**H6/0418 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS**

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

**H7a)/0418 PROPOSED DISPOSAL OF PROPERTIES/SITES - PROPOSED DISPOSAL OF FEE SIMPLE INTEREST IN 285, BALROTHERY ESTATE, TALLAGHT, DUBLIN, 24**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. F. Nevin, Director of Economic, Enterprise and Tourism Development were **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 Bernard and Bernadette Sheffield to whom the site has been leased under the terms of the Council's Small Builders Scheme. Bernard and Bernadette Sheffield 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** |
| *285, Balrothery Estate, Tallaght, Dublin, 24* | *Bernard and Bernadette Sheffield* | *15th June 1974* | *Siobhan O’Dea* | *€971.00* |

D. McLoughlin

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

Chief Executive”

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

“That the proposed Disposal of Fee Simple Interest in 285, Balrothery Estate, Tallaght, Dublin, 24 be **ADOPTED** and **APPROVED.”**

**H7b)/0418**  **PROPOSED DISPOSAL OF PROPERTIES/SITES – PROPOSED DISPOSAL OF FEE SIMPLE INTEREST IN 8 COOLDRINAGH LANE, LUCAN, CO. DUBLIN**

“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 |
| 8 Cooldrinagh Lane, Lucan, Co. Dublin | Gerard Flannery & Catriona Flannery | €43.30 |

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

**Daniel McLoughlin**

**Chief Executive”**

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

“That the proposed disposal of free Simple Interest 8 Cooldrinagh Lane, Lucan, Co. Dublin be **ADOPTED** and **APPROVED.”**

**H8) 0418 MANAGEMENT REPORT**

The following Reports by the Chief Executive, which has been circulated, was **CONSIDERED:**

1. **Finance Report**

**Billing and Collection Statement**





**Use of overdraft facility**

Approved overdraft facility = €25,000,000

No of days in Overdraft from 1st January to 23rd March 2018 = 0

The Report was **NOTED:**

1. [Strategy Report](http://intranet/cmas/documents/County%20Council/2018/April/April2018CountyCouncilMeeting/bb796e3f-2d7d-4b77-aa86-4134dadac233.pdf)
2. [Statistics Report](http://intranet/cmas/documents/County%20Council/2018/April/April2018CountyCouncilMeeting/b645108b-9440-4387-ac5e-7a030299cbf7.pdf)

**H9/0418 DRAFT ANNUAL REPORT**

The following Report by the Chief Executive, which has been circulated was presented by Loran Maxwell and was **CONSIDERED:**

[Draft Annual Report](http://intranet/cmas/documents/County%20Council/2018/April/April2018CountyCouncilMeeting/f600158a-e61b-4e77-9771-46284f9f8c55.docx)

The Report was **NOTED**

**H10a)/0418 DRAFT ANNUAL FINANCIAL STATEMENT 2018**

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

[Draft Annual Financial Statement 2018](http://intranet/cmas/documents/County%20Council/2018/April/April2018CountyCouncilMeeting/c5011dee-b275-4f49-bd82-88cf6b6089ba.pdf)

The Report was **NOTED:**

**H10b)/0418 APPROVAL OF ADDITIONAL EXPENDITURE**

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

**“**As anticipated in the Revised Budget process, there was a small increase in expenditure for 2017 over the Adopted Budget and the Annual Financial Statement for 2017 has recorded a surpluses of €35,104. Actual expenditure compared to budget,

for a number of services and divisions, differed from projections. This is a normal part of service provision and the excess expenditure is offset by additional receipts, grants/recoupments or savings in other areas. It is important to note that circumstances did not require an overall increase in expenditure from the revised budget and the changes relate to a combination of increased incomes and transfers of resources from operational budgets.

The approval of the members is required, in accordance with Section 104 of the Local Government Act 2001, for changes to the 2017 budget as outlined in the table below.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Service | | Actual 2017 | Revised Budget 2017 | Actual vs Revised Budget 2017 |
| A01 | Maintenance & Improvement of LA Housing Units | €14,880,304 | €14,797,568 | -€82,736 |
| A05 | Administration of Homeless Service | €3,469,152 | €2,799,979 | -€669,173 |
| A09 | Housing Grants | €2,217,381 | €2,108,114 | -€109,267 |
| A11 | Agency & Recoupable Services | €576,014 | €562,674 | -€13,340 |
| A12 | HAP Programme | €291,747 | €277,015 | -€14,732 |
| B02 | NS Road - Maintenance and Improvement | €353,536 | €138,273 | -€215,263 |
| B03 | Regional Road - Maintenance and Improvement | €2,760,404 | €2,756,230 | -€4,174 |
| B05 | Public Lighting | €5,004,183 | €4,874,763 | -€129,420 |
| B09 | Maintenance & Management of Car Parking | €513,786 | €478,181 | -€35,605 |
| B10 | Support to Roads Capital Prog | €1,036,419 | €1,024,240 | -€12,179 |
| C05 | Admin of Group and Private Installations | €7,825 | €0 | -€7,825 |
| D04 | Industrial and Commercial Facilities | €1,239,503 | €1,206,165 | -€33,338 |
| D06 | Community and Enterprise Function | €3,635,897 | €3,611,810 | -€24,087 |
| D09 | Economic Development and Promotion | €3,790,749 | €3,750,703 | -€40,046 |
| E02 | Recovery and Recycling Facilities Operations | €651,667 | €638,950 | -€12,717 |
| E03 | Waste to Energy Facilities Operations | €1,021,268 | €1,021,236 | -€32 |
| E04 | Provision of Waste to Collection Services | €897,756 | €872,143 | -€25,613 |
| E05 | Litter Management | €1,846,477 | €1,788,088 | -€58,389 |
| E06 | Street Cleaning | €6,877,246 | €6,857,012 | -€20,234 |
| E09 | Maintenance of Burial Grounds | €1,471,572 | €1,398,135 | -€73,437 |
| E11 | Operation of Fire Service | €19,460,924 | €19,401,123 | -€59,801 |
| F02 | Operation of Library and Archival Service | €10,608,958 | €10,481,310 | -€127,648 |
| F03 | Outdoor Leisure Areas Operations | €16,553,488 | €16,516,661 | -€36,827 |
| F05 | Operation of Arts Programme | €2,020,136 | €2,000,780 | -€19,356 |
| H04 | Franchise Costs | €365,390 | €334,882 | -€30,508 |
| H05 | Operation of Morgue and Coroner Expenses | €377,425 | €360,481 | -€16,944 |
| H11 | Agency & Recoupable Services | €359,729 | €16,965 | -€342,764” |

It was proposed by the Mayor Councillor P. Gogarty and seconded by Cllr G. O Connell and **RESOLVED:**

“That in accordance with section 104 of the Local Government Act, 2001 the additional expenditure for 2017 be **ADOPTED** and **APPROVED”**

**H11/0418 ENTERPRISE SPACE REPORT -OUTCOMES /RECOMMONDATIONS**

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

[Draft Enterprise Report](http://intranet/cmas/documents/County%20Council/2018/April/April2018CountyCouncilMeeting/cb6fe842-649a-481a-9997-d310f159ba4a.ppt)

A discussion followed with contributions from Councillors M. Murphy, D. Looney, W. Lavelle, C. McMahon.

Mr. Frank Nevin, Director Economic, Enterprise & Tourism Development responded to the members queries.

The Report was **NOTED.**

**H12/0418** **APPLICATION FOR FINANCIAL ASSISTANCE UNDER THE CAPITAL ASSISTANCE SCHEME FROM  CIRCLE VHA IN ACCORDANCE WITH SECTION 6 OF THE HOUSING (MISCELLANEOUS PROVISIONS) ACT, 1992 FOR THE PURCHASE OF A RESIDENTIAL PROPERTY 21 TUANSGATE, BELGARD SQUARE EAST, TALLAGHT, DUBLIN 24**

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

“The Department of Housing, Planning, Community and Local Government have given delegated sanction to all local authorities to approve the acquisition of properties under CAS 2017 by Approved Housing Bodies without the prior approval of the Department.

In December 2017 proposals were received from Circle Voluntary Housing Association to acquire 2 housing units under the Capital Assistance Scheme; 7 De Selby Lane, Tallaght, Dublin 24 and 21 Tuansgate, Belgard Square East, Tallaght, Dublin 24.  The Application for Financial Assistance under the Capital Assistance Scheme was Adopted and Approved at the Council Meeting of 15th January 2018. Due to changes in costs the Section 6 approved grant amount of €185,000 in respect of one of the properties, 21 Tuansgate, Belgard Square East, Tallaght is under budget. Accordingly approval is now sought for a grant of the revised sum in respect of this property in accordance with the requirements of Section 6 of the Housing (Miscellaneous) Act, 1992.

The proposal for acquisition is in line with unit ceiling costs and will address priority need housing in accordance with the Capital Assistance Scheme. Circle voluntary Housing is an Approved Housing Body under Section 6 of the Housing (Miscellaneous Provision) Act 1992 and is signed up to the Voluntary Regulatory Code for Approved Housing Bodies in Ireland. South Dublin County Council have used the delegated sanction per Circular Housing 30/2017 to approve this acquisition as listed below subject to compliance with the terms of that Circular with particular regard to verifying housing need, providing independent valuations, working within the acquisition ceilings and establishing deliverability.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **AHB** | **Address of Acquisition** | **No of Units** | **Category of Need** | **Unit Type** | **CAS Grant** | **Local Electoral Area** |
| Circle VHA | 21 Tuansgate  Belgard Square East, Tallaght, Dublin 24 | 1 | Homeless/Disability | 2 Bed apartment | €190,000.00 | Tallaght |
|  |  |  |  |  |  |  |

Under Section 6(8) of the Housing (Miscellaneous Provision) Act 1992 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 application for a grant in the sum of **€190,000** under the Capital Assistance Scheme to Circle Voluntary Housing Association for the acquisition of 21 Tuansgate, Belgard Square East, Tallaght, Dublin 24 or any substitute property up to a similar amount, 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 C. King and seconded by Councillor D. Richardson and **RESOLVED:**

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

**C1/0418 Ministerial**

Letter dated 26th February 2018 from Minister of Health regarding the name of the New Children’s Hospital

**C2/0418 Departmental**

Letter dated 8th March 2018 from Department of Health regarding Freestyle Libre for Diabetics

**C3/0418**  Letter dated 26th February 2018 from Owen Keegan Chief Executive Dublin City Council regarding Fire Safety Issues.

**C4/0418** Letter dated 8th March 2018 from Dublin City Council regarding letter sent from South Dublin County Council regarding Fire Safety Issues

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 and M10** (of similar subject matter) in tandem.

Motion 1 and 10 taken together.

**M1/0418 MAYORS BUSINESS – CONNECTING FOR LIFE**

It was proposed by Councillor P. Gogarty and seconded by Councillor G. O’Connell:

“That South Dublin Council reports on its interactions with the HSE to help develop, implement and complement the “Connecting for Life“ Dublin South Suicide Prevention Action Plan 2018-2020; to outline how improvements can be made in the future towards a more integrated and cooperative and thus effective approach; and if a statement can be made on the matter.

[https://www.hse.ie/eng/services/list/4/mental-health-services/connecting-for- life/strategy-implementation/local-action-plans/connecting-for-life-dublin- south.html](https://www.hse.ie/eng/services/list/4/mental-health-services/connecting-for-%09life/strategy-implementation/local-action-plans/connecting-for-life-dublin-%09south.html)”

**REPORT:**

*Connecting for Life Dublin South* is a local suicide prevention action plan based on the same vision, goals, objectives and measurable outcomes as outlined in *Connecting for Life,* Ireland’s National Strategy to Reduce Suicide 2015 – 2020.  *Connecting for Life* sets out a vision where fewer lives are lost through suicide, and where communities and individuals are empowered to improve their mental health and wellbeing. Details on the consultation for *Connecting for Life Dublin South* can be found here:

 This is the link to the National Strategy: [*Connecting for Life, Ireland’s National Strategy to Reduce Suicide 2015-2020*](http://www.hse.ie/eng/services/list/4/Mental_Health_Services/NOSP/preventionstrategy/connectingforlife.pdf)

[Connecting for Life Dublin South](https://www.hse.ie/eng/services/list/4/mental-health-services/connecting-for-life/publications/connecting-for-life-dublin-south.pdf) is based on the same vision, goals, objectives and measurable outcomes as outlined in the national strategy, Connecting for Life, Ireland’s National Strategy to Reduce Suicide 2015-2020. Connecting for Life, sets out a vision where fewer lives are lost through suicide, and where communities and individuals are empowered to improve their mental health and wellbeing.

This vision is to be realised through seven goals:

* Better understanding of suicidal behaviour
* Supporting communities to prevent and respond to suicidal behaviour
* Targeted approaches for those vulnerable to suicide
* Improved access, consistency and integration of services
* Safe and high-quality services
* Reduce access to means
* Better data and research

SDCC is participating with relevant stakeholders including the HSE and TUSLA through the South Dublin CYPSC on a Child and Youth Mental Health Working Group.

The overall purpose of the South Dublin Child & Youth Mental Health Working Group is to ensure:

* The mental health and well-being of children and young people in South Dublin will be improved.
* All children and young people will be able to access appropriate mental health care supports when they require them.
* Services and professionals will have the capacity, knowledge and skills to intervene appropriately with children and young people

A number of meetings have already been held to share and gather information on the number and types of mental health initiatives taking place in South Dublin and to ensure that there is consistency of planning and messaging across organisations.

The South Dublin CYPSC is also working with the South Dublin Local Community Development Committee (LCDC) and Healthy South Dublin County committee under funding from Healthy Ireland to develop a South Dublin Health and Well-Being Strategy. It was noted that the broad health and well-being outcomes of Healthy Ireland tie in closely with the objectives of this sub-group. The plan is to reflect the national Healthy Ireland Framework, National policy objectives and related plans. It aims to meet locally identified needs and priorities of the general health population together with those that experience health inequalities outlined in the South Dublin Local Economic Community Plan (LECP) and forthcoming research from the South Dublin CYPSC and South Dublin Healthy Counties Committee. A presentation to the South Dublin County LCDC is also arranged for its meeting of 11th April 2018. The objective is to understand and assess the Action Plan for how it complements actions within the Local Economic and Community Plan and whether there are actions that should be incorporated into the Plan as part of the annual review of the LECP, which will be considered at the Local Community Development Committee (LCDC). It is also appropriate to consider how *Connecting for Life Dublin South* relates to other strategies like the South Dublin County Joint Policing Committee Strategic Plan 2016-2022 and the Age Friendly County Strategy. The South Dublin Children and Young Peoples Services Committee, CYPSC, will also be considering the Action Plan in terms of the Children and Young People’s Plan of that committee.

As part of the development of the Healthy Ireland Strategy there were 6 innovative workshops held on Friday 23rd March. Three workshops (Physical Activity, Sexual Health and Mental Health) held in the morning and three workshops (Drugs & Alcohol, Health Weight and Tobacco) held in the afternoon. This strategy will provide the framework for pursuing activities relating to health and well-being in South Dublin over the coming year and Connecting for Life will be an important element of the project.

The aim of the Local Healthy Ireland Strategic Plan for South Dublin is to provide an evidence-based, inclusive, outcome focused, strategically aligned plan that is targeted at disadvantaged communities and other vulnerable groups that experience health inequalities, but also beneficial to the wider population.  The development of the strategy will be collaborative and cross-sectoral in nature and include a health needs assessment.

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

The Motion was **AGREED:**

**M10/0418 SUICIDE**

It was proposed by Councillor C. O'Connor and seconded by Councillor P. Foley:

“That this South Dublin County Council expresses genuine and serious concerns regarding reports of multiple suicides in the County in recent times and expresses sympathy to the families involved and asks for assurances from the Minister for Health and HSE that Mental Health Services in our County are properly resourced to respond effectively to the concerns of our communities in respect of the matter.”

**REPORT:**

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

A discussion followed with contributions from Councillors P Gogarty, C. O Connor, V. Casserly, C. King, G. O Connell, K. Mahon, B. Leech and D. Richardson.

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

The Motion was **AGREED.**

**M2/0418 NEUROLOGICAL CONDITIONS**

It was proposed by Councillor M. Ward and seconded by Councillor C. Mc Cann:

“800,000 people in Ireland are living with neurological conditions such as migraine, epilepsy, multiple sclerosis, stroke, Parkinson’s disease and rare and genetic conditions .This Council supports The Invest in Neurology campaign and writes to the Minister for Health in calling for a Government commitment for

• Immediate investment to address critical deficits in neurology staffing, including neurologists, specialist nurses and health and social care professionals to recommended levels.

• Targeted long term investment in neurology services to support implementation of the Neurology & Epilepsy Models of Care.

• Dedicated resources to support the development of clinical pathways for headache, multiple sclerosis, Parkinson’s disease and rare and genetic neurological conditions”

**REPORT:**

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

A discussion followed with contributions from Councillors M. Ward, S. Holland, B. Bonner, L. Dunne, D. Richardson, P. Gogarty, V. Casserly and C. McCann

The Motion was **AGREED.**

**M3/0418 RETAIL WAREHOUSE ZONING**

**It** was proposed by Councillor E. Higgins, Councillor T. Gilligan, Councillor W. Lavelle and seconded by Councillor V. Casserly:

“That this Council requests the Chief Executive to initiate a variation to the Development Plan to alter the zoning matrix for the RW (Retail Warehouse) zoning by making ‘Shop Neighbourhood’ open for consideration and by the insertion of ‘Specialist Forms of Retailing’ as open for consideration.”

**REPORT:**

The Retail Planning Guidelines (the Guidelines), the Retail Strategy for the Greater Dublin Area 2008-2016 (the Retail Strategy) and the South Dublin County Council Development Plan 2016-2022 (the Development Plan) set out planning policy in relation to retail development.

  The Guidelines define retail goods into two (2) categories: (i) convenience goods; and (ii) comparison goods.

Convenience goods include food, alcoholic and non-alcoholic beverages, tobacco and non- durable household goods.

Comparison goods include clothing and footwear, furniture, furnishings and household equipment (excluding non-durable household goods), medical and pharmaceutical products, therapeutic appliances and equipment, educational and recreation equipment and accessories, books, newspapers and magazines, goods for personal care, goods not elsewhere classified, and bulky goods.

The Guidelines define a “Retail Park” as “A single development of a least three retail warehouses with associated car parking” and a “Retail Warehouse” as “A large single-level store specialising in the sale of bulky household goods such as carpets, furniture and electrical goods, and bulky DIY items, catering mainly for car-borne customers”. A retail park is a location where comparison goods are sold.

The Guidelines state that the number of retail parks has grown substantially over the past decade and have reached saturation point in some cases. This has led to vacancy in some retail parks and the blurring of the definition of the goods permitted to be sold in retail parks. Furthermore, due to the fact that the range of goods being sold from retail parks often includes non-bulky durables, there is potential for a detrimental impact on city/town centres as indicated by the number of vacant units in urban centres where retail parks exist on the periphery. The Guidelines recommend that the impact of this type of development on retail parks should be assessed. This assessment was undertaken as part of the review of the Development Plan. As a result the Development Plan zoned the lands “RW” which is in accordance with national planning policy as set down in the Guidelines.

The aim of lands subject to Retail Warehousing “RW” zoning objective is to accommodate the consolidation of existing retail warehousing in SDCC and provide suitable locations for new retail warehousing floor space. The Development Plan zones four (4) locations in SDCC “RW”:

* Fonthill Retail Park;
* Lucan Retail Park;
* Avoca Outlet, Rathcoole; and
* Old Foxhunter site (N4).

The Fonthill Retail Park consists of a mix of uses including retail warehousing and discount food stores. The existing discount food stores were granted planning permission under planning policy which has been superseded by the Guidelines and the Development Plan.

On 15 February 2018, (under file ref SD17A/0094 / PL06S.248674) An Bord Pleanála (An Bord) refused planning permission for retention of change of use of 670 sq. m of retail warehouse to shop, internal alterations consisting internal walls and associated works at Dealz, Unit 3, Fonthill Retail Park, Fonthill Road, Dublin 22.

An Bord upheld South Dublin County Council’s (SDCC) decision to refuse planning permission for this application. An Bord refused planning permission for the following reason:

“Having regard to the zoning provisions of the Development Plan for the area within which the site is located, ‘Objective RW – to provide for and consolidate Retail Warehousing’, the ‘Retail Planning Guidelines for Planning Authorities’, issued by the Department of the Environment, Heritage and Local Government in January, 2012, the Retail Strategy for the Greater Dublin Area 2008-2016 and the retail hierarchy set out in the South Dublin County Development Plan 2016-2022, it is considered that the change of use to be retained would be contrary to policies and objectives aimed at restricting the role of retail warehousing to the retailing of bulky goods and would seriously injure the vitality and viability of existing designated town centres and major retail centres in the vicinity. The change of use to be retained would, therefore, materially contravene the development plan and would be contrary to the proper planning and sustainable development of the area”.

Since the adoption of the Development Plan, neither SDCC nor An Bord have granted planning permission for any other similar comparable type of planning application on lands zoned “RW”.

It should be noted that there are instances throughout SDCC where land uses do not conform to the zoning objective of a site. These include instances where such uses were in existence on 1st October 1964 (prior to planning legislation), or have valid permission, or have no permission and may or may not be subject of enforcement proceedings.

Fonthill Retail Park is identified as an established cluster and the Development Plan’s “RW” zoning is promotes the consolidation of the cluster. The Development Plan zoning table for “Retail Warehousing” aligns with the Guidelines in terms of the nature and type of retail development that can be permitted, open for consideration and not permitted.

The Development Plan defines “Shop-Neighbourhood” as “smaller shops giving a localised service in a range of retail trades or businesses such as butcher, grocer, newsagent, hairdresser, dry cleaning or launderette, and designed to cater for normal neighbourhood requirements. It can also include a small supermarket on a scale directly related to the role and function of the settlement and its catchment and not exceeding 2,500sq.m. net retail floor space”. The Development Plan does not permit “Shop-Neighbourhood” is the “RW” zoning. The inclusion of a “Shop-Neighbourhood” use as an “open for consideration” use on “RW” zoned lands would therefore not be consistent with the objective of RW zoned lands which is “to provide for and consolidate retail warehousing”.

A “Shop-Neighbourhood” use would be more appropriately accommodated adjacent to existing or new residential development and within the Urban Centres of SDCC as reflected in the land use zoning objectives and tables where the use is generally permitted in principle or open for consideration in the following zonings: Existing Residential “RES”, New Residential “RES-N”, Regeneration “REGEN”, Town Centre “TC”, District Centre “DC”, Village Centre “VC”, Major Retail Centre “MRC” and Local Centre ‘LC’.

The Guidelines and Development Plan do not define “Specialist Forms of Retailing”. However this type of retail use is generally identified as shops that specialise in a single product (e.g. Carpets, furniture and electrical goods). These types of uses are permitted in principle in “RW” zone. The Planning Inspector’s Report associated with An Bord decision under file ref SD17A/0094 / PL06S.248674 did not support the proposition that the products on offer in Dealz are specialised.

As a result it is not considered appropriate that the Development Plan is subject to a variation as proposed by virtue of the fact that there is no policy support for such a change. A variation as proposed would be contrary to the Guidelines, the Retail Strategy and the Development Plan policies and objectives which are aimed at restricting the role of retail warehousing to the sale of bulky goods. Furthermore it would seriously impact on the vitality and viability of existing designated town centres and major retail centres in the area and would be contrary to the proper planning and sustainable development.

  A discussion followed with contributions from Councillors W. Lavelle, C. King, E. Higgins, D. Looney, L. O Toole, P. Gogarty, D. Richardson and G. O Connell.

Mr D. Mc Loughlin, Chief Executive & Ms. Laura Leonard A/Director of Land Use, Planning and Transportation responded to the members queries.

A show of hands vote was taken on the motion and the results was as follows:

**FOR: 19 (NINETEEN)**

**AGAINST: 11 (ELEVEN)**

**ABSTAINED: 5 (FIVE)**

The report was **NOTED.**

**M4/0418 RENT SCHEME 2018**

It was proposed by Councillor B. Leech, Councillor K. Mahon, and Councillor M. Murphy and seconded by Councillor P. Gogarty**:**

“Management have reported in the “South Dublin County Council Rent Scheme 2018” report that, “A €10 per household discount applies to dwellings where occupants are 65 years and above.  The discount will no longer apply with effect from 31/12/18.”

This represents a retrograde step in the existing rent differential scheme. Member’s note that this has been taken by executive decision and call on Management to reverse their decision to end this provision.

Councillors will not note report and oppose any attempt to pursue arrears arising through non-payment or inability to pay this increase, or any attempts to subsequently diminish local authority services to tenants based on non- payment or inability to pay this increase.

Given alternative options open to South Dublin County Council to raise funds through rates and the necessity for substantial funding for Local Authority Housing, management should withdraw this decision."

**REPORT:**

The Differential Rent Scheme was revised in 2017 and this is an executive function. It was brought to the Housing SPC for noting. However following discussion at the Housing SPC it was agreed that the €10 discount would apply for 2017 and 2018 only.

In terms of the 2018 Differential Rent Scheme the only changes from the previous year are the availability of rent statements at [**https://rents.southdublin.ie**](https://rents.southdublin.ie/) and a free South Dublin Rent App made available for tenants.

South Dublin County Council will review the Differential Rent Scheme annually and will be brought to the SPC for noting.

A discussion followed with contributions from Councillors K. Mahon, M. Murphy, B Lawlor, C King, L Dunne, R Nolan, M. Genockey, M. Ward, G. O Connell, E Murphy, D. Looney, B Ferron, B. Leech, R. McMahon, L. O Toole, P. Gogarty, and E. Higgins.

Mr. Billy Coman, Director of Housing, Social and Community Development responded to the members queries.

A roll call vote was taken on the motion and the results was as follows:

**FOR: 27 (TWENTY SEVEN)**

Councillors B. Bonner, M. Duff, F. Duffy, B. Ferron, L. Dunne, P. Foley, M. Genockey, P. Gogarty, E. Hendrick, S. Holland, M. Johansson, C. King, B. Leech, D. Looney, C. Mc Cann, K. Mahon, M. Murphy, E. Murphy, R. Nolan, E. O’Brien, G. O’Connell, D. O Donovan, L. O’Toole, D. Richardson, R. Russell F. Timmons and M. Ward.

**AGAINST: 0 (ZERO)**

**ABSTAINED: 7 (SEVEN)**

Councillors V Casserly, K. Egan, E. Higgins, W. Lavelle, B. Lawlor, C. Mc Mahon, and R. Mc Mahon.

The report was **NOTED.**

**M5/0418** As Councillor C. King was absent from the Chamber the following motion **FELL** accordance to Standing Order No 19.

“That this Council recognises that homes to rent and to purchase are becoming increasingly unaffordable and calls on Government to; Immediately introduce ambitious affordable rental and purchase housing schemes led by Local Authorities, and where appropriate, Approved Housing Bodies and Housing Co-operatives with clear annual targets for all Local Authorities; and to

Design the Home Building Finance Ireland fund to prioritise loan finance to small and medium sized builders participating in Council led affordable housing schemes.”

**M6/0418 GENERAL DATA PROTECTION REGULATIONS**

**It was proposed by Councillor D. O'Donovan and seconded by Councillor L. O’Toole:**

“That the Chief Executive organises training for Members to help understand the new General Data Protection Regulations which will come into force on the 25th of May next, replacing the existing date protection framework under the EU Data Protection Directive.”

**REPORT:**

The Data Protection Bill is currently going through the Oireachtas with a number of amendments listed.  Some of these relate to public representatives and there is uncertainty at the moment as to whether the Elected Members will be regarded as data controllers for the purposes of the GDPR.

Based on this information it looks premature to arrange training at this time but once there is clarification any training required will be arranged.

The Report was **NOTED.**

**M7/0418 ASSISTIVE TECHNOLOGY**

It was proposed by Councillor V. Casserly and seconded by Councillor E. Higgins:

“To state that Members commend South Dublin Libraries on the provision of library services to all who live, work or go to school in South Dublin County. To call on the Chief Executive to further develop our county libraries to include an AT Loan Library similar to that provided in for example Kildare County Council Libraries. Further information can be found at [http://www.kildare.ie/Library/ReadersPages/SpecialCollectionsPartnerships/TTTC olLection/Kildare%20Library%20Catalogue%20Final%20Interactive%20for%20w ebsite.pdf](http://www.kildare.ie/Library/ReadersPages/SpecialCollectionsPartnerships/TTTC%09olLection/Kildare%20Library%20Catalogue%20Final%20Interactive%20for%20w%09ebsite.pdf)

**REPORT:**

"There are a range of assistive technologies available in our branch libraries for use in the library which include: Zoomtext; Scanner & Kurzweil software; Adapted Keyboard & Mouse; Touch Screens; CCTV, Print Magnifier; Universal Access Computer Tables; TTRS (Touch Type Read Spell) a computer based training programme especially for people with dyslexia or other reading difficulties, participants also have access to this service from home; Large Print & Audio Books. Pre-loaded, portable audio books which operate like an MP3 player are also available. Library desks and seminar rooms have induction loop hearing systems. Online services home delivery service for people who are unable to leave the house to come to the library. Staff visit their homes once a month with a selection of tailored stock to suit their needs. In addition we provide a range of talks and activities to parents and children which offer guidance, support and networking opportunities on learning difficulties and other needs.

The toys, technology and training project in Kildare Library Service was supported from an allocation of funding from the Disability Strategy Fund in 2007-2009. Currently there is no provision in our revenue budget for the purchase of toys and technology for loan. New items, both book and non-book, identified to aid the development of speech and language can be requested and purchased though our book fund allocation".

Cllr. V. Casserly spoke on her Motion.

Mr. Frank Nevin, Director of Economic, Enterprise & Tourism Development responded to members queries.

The Report was **NOTED.**

**M8/0418 GREEN BIN CHARGES**

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

“This Council writes to the Minister and asks him to halt the introduction of charges for green bins, which will lead to an increase in illegal dumping and instead to examine the policies on recycling of Finland or Sweden which incentivises recycling with returns gains for citizens and manufacturers.”

**REPORT:**

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

A discussion followed with contributions from Councillors S. Holland, M. Duff, R. Nolan, M. Ward, D. Richardson, B. Leech, E. O Brien, P. Foley, E. Higgins, K. Mahon, M. Murphy, P. Donovan and P. Gogarty.

Ms Teresa Walsh, Director of Environment, Water & Climate Change responded to the member queries.

Councillor P. Donovan then proposed and Councillor P. Gogarty seconded an **amendment** to the Motion as follows:

Amendment: That the Council writes to the Minister and asks him to halt the introduction of charges for green bins, which will lead to an increase in illegal dumping and instead to examine **both** policies on recycling in Finland or Sweden **and** **innovative solutions** which incentivises recycling with returns gains for citizens and manufactures. **We further ask the Minister to consider trialling/piloting innovative solutions to this problem in South Dublin County Council**.

The Amendment was **AGREED.**

The Amended motion was **AGREED**.

**M9/0418 BLOOD DONATIONS**

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

"That SDCC support LGBT Irelands calls and campaign to end discrimination in regards to Blood donations by Gay and Bisexual men and ask that the minister introduce an evidence based system, which includes an individual risk assessment, when deciding who is able to give blood rather than having a blanket 12 month restriction for men who have sex with men and we commit to writing to the Minister for Health on this"

**REPORT:**

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

A discussion followed with contributions from Councillors F. Timmons, M. Duff, G. O Connell, E. Hendrick, M. Genockey, E. Higgins, K. Mahon, P. Foley, B. Leech and P. Gogarty.

The Motion was **AGREED.**

**M11/0418 BOILER SERVICING**

It was proposed by Councillor B. Lawlor and seconded by Councillor C. McMahon:

“This Council introduces a charge of €2 / week for boiler maintenance for Council tenants. This will bring SDCC somewhat in line with the other three Local Authorities, Dublin City Council who charge €4 /week, Fingal €3/week and Dun Laoghaire/Rathdown €3.”

**REPORT:**

The budget allocated to the Boiler servicing programme for 2018 is as follows.

Boiler Maintenance €1M

Boiler Servicing €450,000

If the Motion is passed the charge will be implemented

A discussion followed with contributions from Councillors B. Lawlor, R. Nolan, M. Duff, B. Ferron, K. Mahon, M. Genockey, D. Richardson, E. Higgins, E. O Brien, P. Gogarty and B. Leech.

Mr Billy Coman, Director of Housing, Social and Community Development responded to the member queries.

A show of hands vote was taken on the motion and the results was as follows:

**FOR 4 FOUR)**

**AGAINST 17 (SEVENTEEN)**

**ABSTAINED 0 (ZERO)**

The Motion **FELL**

**M14/0418 CIRCULAR LETTER PL2/ 2018**

It was proposed by Councillor B. Bonner, Councillor M. Duff, Councillor P**.** Kearnsand seconded by Councillor P. Gogarty and **MOVED** without **DEBATE**

“This Council is concerned at the impact that Circular Letter PL 02/2018, issued by Minister Eoghan Murphy will have on the ability of elected members to properly understand the technical and planning implications of planning applications in their area. These presentations at our Area Committee are essential in informing our submissions as part of the formal planning process and helping us advise residents on their planning submissions.

We ask that the Chief Executive send a letter to the Minister, outlining our concerns about the impact that this decision will have on our ability to properly carry out our functions as elected representatives, and asking for the following clarification from the Minister in relation to the Circular

(1) Does the ability of Planners to give technical and planning advice to developers in pre planning consultation meetings remain un-effected?

(2)Has the Department received legal advice on how this Circular impacts on the Aarhus Convention which guarantees Public Access to information, Public Participation in decision making and access to Justice and Environmental matters, while issuing no direction to Local Authority planning staff on their pre Part 3 consultation with private developers on the parameters of their application?

(3) What impact does this circular have on holding planning information meetings with Residents etc.?

(4) On what legal basis was this direction, which allows the Minister to direct officials about the manner in which they exercise their powers and how they inform elected members regarding planning applications made?

We further propose that in the event of this circular not being withdrawn, that all pre planning proposals which will have a significant impact on our local areas be presented to the area committee in advance of a formal planning application being lodged.”

**REPORT:**

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

### **M16/0418 COMMUNITY TWINNING**

### The following motion in the name of Councillor G. O Connell was **WITHDRAWN**.

Chun aitheantas a thabhairt do mhuintir labhartha na Gaeilge I g Cluain Dolcáin atá ag iarraidh Stáidéis Líonra Ghaeilge a bhaint amach, go dtuga an Chomhairle seo deontas don nascadh pobal idir Cluain Dolcáin agus Carna I nGaeltacht Chonamara.

That in view and in support of the wonderful achievements of the Clondaklin Community in both restoring the use of the Irish Language and traditional Irish Culture in all its manifestations, this Council will provide support, calculated to be very modest, to enable a “Community Twinning (or Nascadh Pobal) that formalises the existing cultural and language connections and identity between Clondalkin Community and the Carna Community, the Connemara Gaealtach.

Councillor G. O Connell proposed to **WITHDRAW** the motion and the members **AGREED**.

**MOTIONS NOT REACHED**

**(M12 ) HIGHER EDUCATION**

**Councillor M. Johansson**

That the Elected Members of this Council expresses its support for the students of Trinity College Dublin who have protested against a new €450 fee for re-sitting exams, and agrees to write to the Provost Patrick Prendergast informing him of the same. This Council notes that registration fees in Higher Education has been increasing dramatically during the recession creating barriers to access to education for low income families.

(**M13)** **NATIONAL DRUGS STRATEGY**

**Councillor M. Genockey**

That this Council calls on the Minister with responsibility for the National Drugs Strategy to provide full free GP access (through the medical card scheme) within community drug services in order to provide more holistic healthcare for the clients of these services.

**(M15) SPORTS GRANTS**

**Councillor E. O’Brien**

This County Council calls on the Minister for Transport, Tourism and Sport to immediately suspend the Sports Capital Grants scheme pending a full review of the scheme and introduction of the National Sports Policy

**(M17) WASTE MANAGEMENT**

**Councillor R. Nolan**

Following the Motion passed unanimously by Fingal County Council, to return waste management back to the Local Authority, this Council agrees to do the same and lobby's Minister Denis Naughton on this issue.

**(M18 ) RECYCLING**

**Councillor P. Donovan**

'That this committee requests the Chief Executive to write to REPAK inviting them to make a presentation to the members regarding the current recycling process in Ireland including measures to improve recycling and the impact these measures may have on consumers.

To also request details on any planned future initiatives or campaigns by REPAK or any of its business members to reduce waste.'

Meeting finished at 7.02pm.

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

Mayor