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

Minutes of South Dublin County Council February 2019 County Council Meeting held on 11 February 2019

**PRESENT**

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

**OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin. |
| Directors/ Heads of Function  Head of Finance  County Architect | L. Maxwell, T. Walsh, F. Nevin. C. Ward  R. FitzGerald.  E. Conroy. |
| Senior Executive Officers  Senior Executive Planner | C. Hurson, Neil Hanly,  J. Frehill, S. Duff, E. Burke |
| Administrative Officers  Senior Staff Officers  Executive Planner  Staff Officers  Assistant Planner  Clerical Officers  I.T Support  Sord | S. Kelly  N. Noonan.  J. Phelan  L. Abbey  D. Kirwan  D. Murphy  R. Saiz, D, Cairnduff, D. McAuley  A. O’Brien |

The Mayor, Councillor Mark Ward, presided

Apologies were received from Councillors M. Genockey, M. Johansson, C. King, W. Lavelle, E. O’Brien and D. Richardson,

### Prior to the commencement of the meeting a minutes silence was observed as a mark of respect on the recent loss of Councillor E. Murphy’s sister Colleen.

### At the outset of the Meeting the Mayor Councillor M. Ward reminded the Members of the closing date for Members Public Liability Insurance was Friday 15th February 2019.

### **H1/0219 CONFIRMATION AND RE-AFFIRMATION OF MINUTES**

### Minutes of the January Council Meeting - 11th January 2019 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor M. Ward seconded by Councillor L. Dunne.

### **H2/0219 REPORTS OF AREA COMMITTIES**

**a) Rathfarnham/Templeogue- Terenure Area Committee – 8th January 2019**

*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.

**b) Clondalkin Area Committee – 16th January 2019**

*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.

**c) Tallaght Area Committee – 28th January 2019**

*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.

**d) Lucan Area Committee – 29th January 2019**

*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.

### **H3/0219 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE**

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:**

1. Draft Calendar of Meetings Dates

**Draft Calendar of Meeting Dates**

**March – April 2019**

**March 2019**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 4th March | **Corporate Policy Group** | 3.00pm - 4.30pm |  |
| Tue. | 5th March |  |  |  |
| Wed. | 6th March |  |  |  |
| Thur. | 7th March |  |  |  |
| Fri. | 8th March |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 11th March | **County Council Meeting** | 3.30pm - 7.00pm | 25/02/2019 |
| Tue. | 12th March | **Rathfarnham /Templeogue-Terenure Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 26/02/2019 |
| Wed. | 13th March |  |  |  |
| Thur. | 14th March |  |  |  |
| Fri. | 15th March |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 18st  March | **Bank Holiday** |  |  |
| Tue. | 19th March |  |  |  |
| Wed. | 20th  March | **Clondalkin Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 05/03/2019 |
| Thur. | 21st March | **Traffic Management Meeting**  **Rathfarnham/Templeogue-Terenure**  **Traffic Management Meeting**  **Clondalkin**  **Organisation, Procedure & Finance Committee** | 2.00pm - 2.45pm  2.45pm - 3.30pm  3.30pm - 6.00pm | 06/03/2019 |
| Fri. | 22th March |  | 3:00pm – 5:00pm |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 25th  March | **Traffic Management Meeting (Tallaght)**  **Tallaght Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 2.15pm - 3.00pm  3.00pm - 6.00pm | 08/03/2019 |
| Tue. | 26th March | **Traffic Management Meeting (Lucan)**  **Lucan Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 2.15pm - 3.00pm  3.00pm - 6.00pm | 12/03/2019 |
| Wed. | 27th March | **Deputations** | 2.00pm – 5.00pm |  |
| Thur. | 28st March |  |  |  |
| Fri. | 29th March |  |  |  |
| **April 2019** | | | | |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 1st April | **Corporate Policy Group** | 3.00pm - 4.30pm |  |
| Tue. | 2nd April |  |  |  |
| Wed. | 3rd April |  |  |  |
| Thur. | 4th April |  |  |  |
| Fri. | 5th April |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 8th April | **County Council Meeting** | 3.30pm - 7.00pm | 25/03/2019 |
| Tue. | 9th April | **Rathfarnham/Templeogue-Terenure Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 26/03/2019 |
| Wed. | 10th April |  |  |  |
| Thur. | 11th April |  |  |  |
| Fri. | 12th April |  |  |  |
|  | | | | |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 15th April | **Tallaght Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 01/04/2019 |
| Tue. | 16th April |  |  |  |
| Wed. | 17th April | **Clondalkin Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 03/04/2019 |
| Thur. | 18th April |  |  |  |
| Fri | 19th April | **Good Friday** |  |  |

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| --- | --- | --- | --- | --- |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 22nd April | **Bank Holiday** |  |  |
| Tue. | 23rd April | **Lucan Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 05/04/2019 |
| Wed. | 24th April | **Deputations** | 2.00pm – 5.00pm |  |
| Thur. | 25th April |  |  |  |
| Fri | 26th April |  |  |  |

1. Report on Conferences/Seminars

**REPORT ON CONFERENCES/TRAINING**

“[**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 & Training Notified**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| AILG 2019 Annual Conference | AILG | Longford Arms Hotel, Longford. | 21/02/2019 – 22/02/2019 |  |

**Conferences & Training Attended Since November**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Local Government - Restoration of Town Councils | Institute of Professional Training | Whitford Hotel Wexford | 14/12/2018 - 16/12/2018 | Cllr Ronan McMahon Cllr. Brian Lawlor Cllr. Conor McMahon Cllr Jonathan Graham Cllr Kenneth Egan Cllr. Emer Higgins |
| AILG Training - Draft Regional Spatial and Economic Strategies | AILG | Mullingar Park Hotel, Co Westmeath | 19/01/2019 | Cllr. Guss O'Connell  Cllr Brian 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.”

A discussion followed with contributions from Councillor D. Looney

Ms. Lorna Maxwell, Director of Corporate Performance and Change Management responded to the Members query.

The above Reports were **NOTED**.

### **H4/0219 STRATEGIC POLICY COMMITTEES**

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

(No reports)

### **H5/0219 REPORT REQUESTED FROM AREA COMMITTEES**

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

(No Reports)

It was proposed by Councillor M. Ward, seconded by Councillor F. Timmons and **RESOLVED**:

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

### **Q1/0219 PARKING FEES /FINES**

### **QUESTION: Councillor T. Gilligan**

To ask the Chief Executive, how much has the council received in 2018 and 2017 in parking fees, broken down in electoral areas? Also how much has been received in parking fines?

**REPLY:**

The following is a breakdown in respect of income received from Parking Fees and Parking Fines for 2017 and 2018:

2017:

Parking Fees - €453,058.01

Parking Permits - €12,296.28

Parking Fines - €261,807

Total 2017 - €727,161.29

2018:

Parking Fees - €407,819.59

Parking Permits - €15,280.20

Parking Fines - €266,299.37

Total 2018 - €689,399.16

We are unable to breakdown the figures into electoral areas.

### **Q2/0219 PLANNING ENFORCEMENT**

### **QUESTION: Councillor E. Higgins**

To ask for the number of planning enforcement complained in 2018, the number ongoing and the number resolved and the number of legacy complaints made prior to 2017 but not yet closed

**REPLY:**

233 Planning Enforcement files were opened in 2018 and 121 files were closed. Currently there are 361 ongoing enforcement files of which 182 files pre-date 2018. 

### **Q3/0219 HORSES 2018**

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

Could the Chief Executive outline how many roaming horses were seized by the council in 2018, and of those, how many were euthanized?

**REPLY:**

All reports of loose/stray horses which are received from elected representatives, members of the public and Council staff are considered in a timely manner and, as appropriate, are referred to the contractor engaged by the Council for the provision and operation of the horse seizure service and horse pound facility.

All seized horses are taken to the horse pound facility where they are microchipped on arrival, (if not already microchipped) and examined by a veterinary practitioner.

In accordance with the Council's Control of Horses Bye-Laws, attempts are made to trace the owners of all horses seized with a view to potential reclaim.

It should be noted that not all animals seized are suitable for rehoming.  Therefore horses which are unsuitable for re-homing,  or those which are 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, re-homing or animal euthanasia.

The statistics for 2018 are set out below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | Number Of Horses Seized By SDCC | No. of Horses Re-claimed by owner | No. Of Horses Re-homed | No. of Horses Euthanised |
| 2018 | 147 | 5 | 34 | 108 |

### **Q4/0219 REBUILDING IRELAND LOAN APPLICATIONS**

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

The Rebuilding Ireland homeloan was launched in February 2018. In the last year, how many applications have been received? How many were approved, how many rejected?

**REPLY:**

The relevant 2018 data for Rebuilding Ireland Home Loans with this Council is as follows:

* 268 applications received;
* 116 applications provisionally approved;
* 124 applications declined;
* 26 loans advanced to applicants.

### **Q5/0219 DOGS 2018**

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

Under the terms of the Councils contract with Ashton Dog Pound, could the Chief Executive please outline how many dogs were euthanised, and how many rehomed in 2018?

**REPLY:**

Under the terms of the contract with Ashton Dog Pound the policy is to re-home dogs that are suitable for re-homing and that the homes are commensurate with the wellbeing of the dogs.

The Pound operators work with the public and a number of rescue groups to achieve a high level of re-homing. The statistics is respect of 2018 are as follows:

|  |  |
| --- | --- |
| No of Dogs in Pound on 31/12/2017 | 61 |
| No of Stray/Seized/Surrendered Dogs Entering Pound | 473 |
| No of Dogs Reclaimed by Owners | 134 |
| Rehomed | 329 |
| Euthanised | 52 |
| Died Naturally | 3 |
| Dogs in Pound 31/12/2018 | 16 |

### **Q6/0219 LITTER CASES 2018**

### **QUESTION: Councillor R. McMahon**

To ask the Chief Executive to give a report on the outcomes of the 50 court appearances last year in relation to litter to cover such items as to how many prosecutions and a summary of penalties imposed.

**REPLY:**

A total of 55 cases taken by South Dublin County Council in respect of litter offences were heard in 2018, 34 of which were successful.

In total, SDCC was awarded €13,150 in fines and €7,492 for legal costs in respect of these cases.

It should be noted that fines imposed and costs awarded through court cases are managed through the court system, and recouped to the Council when payment is made through the court system.

### **Q7/0219 CLEANING OF COUNCIL HOUSING ESTATES**

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

To ask the Chief Executive to outline the Council's policy for maintaining Council Housing Estates and to include in his report details such as how often the roads are swept and the schedule for the litter picking per estate.

**REPLY:**

Cleansing services provided by this Council consist of road sweeping services which are provided to the Council on contract by Oxigen Environmental Ltd, and general litter picking and cleaning services which are provided by the Council's own staff.

The road sweeping service provided by Oxigen is currently provided on a quarterly basis in all housing estates around the County and this requires the contractor to clean footpaths and open spaces as well as the estate roads.  In addition to the quarterly sweeping of housing estates Oxigen also carry out annual cleaning of road gullies, weed control twice per year as well as the removal of leaves as required over the period of September to January.  The Council will be putting in place new contractual arrangements for road sweeping early in 2019.  Additional funding has been provided in the 2019 budget to improve the service provided to those Council housing estates which suffer most from littering and illegal dumping, and this will involve the provision of the sweeping and cleaning service increasing from 4 times per year to 8 times per year in those areas.

The cleaning services provided by Council staff in Council housing estates includes litter picking, removal of illegal dumping, collection of materials gathered by residents groups and cleaning in conjunction with the grass cutting programme.  Those housing estates worst affected by littering and illegal dumping are scheduled for regular clean ups which take place weekly or fortnightly as is required.  It should be noted that the nature and extent of the illegal dumping and illegal burning of household waste in some areas is such that machinery is required to be assigned to dig this material out and load it onto trucks.  Collection of materials from residents groups is co-ordinated with the efforts of those residents and will take place as and when they are required.  The grass cutting programme which in general runs from February to November requires that grass areas which are to be cut need to be cleaned in advance.  The cleaning associated with the grass cutting programme takes place on a fortnightly basis, at the same frequency as the grass cutting itself.  In addition to the above these estates are patrolled by the Council's litter wardens who will request a response from the Public Realm Section to certain issues that they encounter on their patrols such as litter and illegal dumping and these requests are in general responded to within 24 or 48 hours depending on the nature of the request.

### **Q8/0219** [**SPEED DISPLAY SIGNS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62392)

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

To ask the Chief Executive for a report into the new speed signs for SDCC what is total cost of signs for 2018 and how speed will be monitored in each area?

**REPLY:**

The expenditure on speed display signs in 2018 was €19,856 exclusive of VAT. There are now 27 such signs throughout the county.

The majority of these signs can be remotely accessed for the purpose of gathering and analysing speed data

### **Q9/0219** [**ANTI-SOCIAL BEHAVIOUR**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62444)

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

To ask the Chief Executive for a report into what procedure is in place so Residents can report Anti-Social behaviour without fear of reprisal and intimidation and what supports SDCC have in place for such residents to protect them?

**REPLY:**

Complaints of anti-social behaviour and/or breaches of tenancy can be made by:

* Contacting our Estate Management team by phoning 01-414 9000, by e-mailing [**cccounter@sdublincoco.ie**](mailto:cccounter@sdublincoco.ie)or by submitting a [Customer Care Contact Form](http://www.sdublincoco.ie/CustomerCare/ContactUs); or,
* Calling in to one of our Estate Management Clinics (details of venues, dates and times of clinics are available online [here](https://www.sdcc.ie/en/services/housing/estate-management/estate-management.html)); or,
* Completing our [Anti-Social incident report form](https://www.sdcc.ie/en/services/housing/estate-management/anti-social-incident-report-form.doc) and returning this form to our Customer Care Centres in County Hall, Tallaght or Clondalkin Civic Offices; or
* Using the Freephone number 1800 200 245 to leave a message with relevant details.

In accordance with our [Anti-Social Behaviour Strategy](http://intranet/cmas/documents/County%20Council/2018/December/December2018CountyCouncilMeeting/d76b3410-5e02-43f8-88b7-ab6190e4f3e0.pdf), we will respond to all complaints within 5 working days (serious cases will be prioritised) and commence an investigation into complaints received within 10 working days.

All complaints relating to anti-social behaviour and/or breaches of tenancy will be dealt with by our team of Allocations Support/Anti-Social Officers in a confidential manner subject to law.

### **Q10/0219** [**PROVISION OF COMMUNITY FACILITIES**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62393)

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

“To ask the Chief Executive for a report into what new community centres/spaces are currently planned for SDCC how they will be funded and to estimate the timeframe when they will be delivered?”

**REPLY:**

The completion of the purchase of the Old National Primary School in Saggart is expected to be completed imminently and this building has been acquired to provide a multi-purpose community facility for Saggart Village and surrounding areas.

In addition, a proposal under Part 8 of the Local Government Planning and [Development Regulations 2001](http://www.sdublincoco.ie/viewdocument.aspx?id=fca2537f-bded-4b06-8526-a94b00fde0c5) (as amended) is being prepared for publication for a new housing development in Balgaddy area of Clondalkin which will include proposals for a new community facility for the area.

Funding provision has also been made in the Council's [Three-Year Capital Programme 2019-2021](http://intranet/cmas/documents/County%20Council/2018/December/December2018CountyCouncilMeeting/b82ce565-d6ae-4eba-92a5-d4b896280b5f.pdf) to provide community facilities and upgrades in the County where necessary and where there are appropriate opportunities to do so.

### **Q11/0219** [**CONSULTATION PORTAL**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62388)

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

To ask the Chief Executive to review the consultation portal with communications department and look at any way of making it more user friendly and simple

**REPLY:**

The consultation platform used for all Council consultations enable quality and informed interaction and feedback from the public. The system was selected for its particular facilities that facilitate ease of use, such as a one-off registration where the citizen can participate quicker and then keep track of all consultations that they have participated in and from a council point of view we can include the full range of documents including often complex maps or present a survey to get more meaningful, focused engagement from the public. Through the system the public have a more rounded view of the range of areas the Council consults on as all consultations that are currently live can be seen together. The system is also fully mobile friendly, accessible to visually impaired participants and multi-lingual to communicate with all citizens in South Dublin County.

Since the launch of South Dublin County Council’s online consultation portal in 2016, the Council has received 1,434 responses through the portal to consultations with a further 618 responses to public surveys, such as the Teen Facility Survey and €300k Have Your Say feedback survey. The Council does not only take in submissions through the online portal, as options of posted submissions are given for anyone not confident in their own digital skills to be able to use the online submission process.

Whilst every effort is made to ensure the information provided is clear and accurate, it should be noted that there is a requirement that the Council include a level of technical detail in relevant consultations. For anyone who has difficulty with that level of detail, the Council operates a newly remodelled Planning counter in County Hall where members of the public can drop in, inspect proposed plans or housing developments and discuss with a member of staff of the relevant department (housing, planning, roads etc.) related to their query. The Council has also made efforts to make zoning and potential zoning information available to the public through a visual mapping format on [www.MyDoorStep.ie](http://www.mydoorstep.ie/), which can be accessed in County Hall, libraries or from a person’s own laptop, PC or mobile device. This mapping system also includes information on any new housing development in the County.

The Communications Unit continuously review the portal and monitor those of other local authorities to ensure best practice is maintained. Of note, many local authorities, such as Fingal County Council, Kilkenny County Council and Cork City Council operate consultation platforms using the same system South Dublin County Council does. The Communications Unit will continue to review how this information is delivered to the public and update the Council’s methods accordingly. If the Councillor has particular concerns on the use of the system it is suggested you communicate these directly to the Communications office.

### **Q12/0219** [**REBUILDING IRELAND HOME LOAN**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62443)

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

To ask the Chief Executive to give an outline of the number of applications for the Rebuilding Ireland Home Loan scheme received in 2018, how many were approved and how many were drawn down?

**REPLY:**

The relevant 2018 data for Rebuilding Ireland Home Loans with this Council is as follows:

* 268 applications received;
* 116 applications provisionally approved;
* 124 applications declined;
* 26 loans advanced to applicants.

### **Q13/0219** [**REBUILDING IRELAND HOME LOAN**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62441)

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

To ask the Chief Executive to outline the average waiting time from application to approval for the Rebuilding Ireland Home Loan scheme, and to clarify if there were any delays in approvals due to lack of funding approval by central government?

**REPLY:**

The average waiting time from application date to approval for the Rebuilding Ireland Home Loan scheme with this Council in 2018 was 13 weeks.

The time frame for processing and approving such applications is contingent on a number of factors including the applicant(s) submitting supporting documentation and clarifying information contained on applications, the scheduling of credit committee meetings, notification of approvals for funding for the scheme etc.

### **Q14/0219** [**HOUSING ACQUISITIONS DELIVERY**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62433)

### **QUESTION: Councillor K. Mahon**

Can the Chief Executive update on the current approach to housing acquisitions and how many units have been purchased directly by the Council each year since 2014?

**REPLY:**

Under the Rebuilding Ireland policy, delivery of housing by Local Authorities and Approved Housing Bodies is classified under build, acquisition and leasing categories.

The "Acquisition" category covers single dwelling acquisitions, i.e. the purchase of existing, second-hand homes.

This Council's main housing supply focus is in progressing our direct build programme as well as developing projects and proposals for housing delivery on the larger sites in our ownership.  This approach is supplemented by ongoing examination of other supply options including opportunities to purchase existing second-hand homes in the County that meet housing needs in terms of home size and location as well as value for money.

A total of 149 second-hand homes have been acquired by the Council between 2014 and 2018 as follows:

|  |  |
| --- | --- |
| **Year** | **No. of Single Dwelling Acquisitions** |
| 2014 | 0 |
| 2015 | 27 |
| 2016 | 63 |
| 2017 | 40 |
| 2018 | 19 |
| **Total** | **149** |

It should be noted that the purchase of newly built homes either directly or through Part V agreements are included in the "Build" category and therefore are not included in the “Acquisition” figures above.

### **Q15/0219** [**BREXIT**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62402)

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

To ask the Chief Executive to update the Council of his plans to deal with the challenges of Brexit noting the widespread concerns in respect of the matter and in reporting will he detail what assistance is available to local businesses in our County to deal with the matter and will he make a statement.

**REPLY:**

The South Dublin Local Enterprise Office (LEO) offers significant supports and assistance to companies preparing for the challenges of Brexit.

A LEO National Seminar on Brexit was held on 25th January and presenters provided updates on key challenges coming from businesses around the country and provided an update on supports available.

We continue to host seminars, workshops information days in conjunction with the other 3 Dublin LEO's for the region. The next Regional event will take place in February and will focus on – ‘Customs Clearance.

Prepare for Brexit website now has a new Helpline <https://www.prepareforbrexit.com/> and webinars are being organised for individual business sectors on supports and assistance.

A Brexit Workshop is planned locally for South Dublin for March and a presentation ‘How to Brexit Proof Your Business’ is included in our Local Enterprise Week programme (4-8th March next).

Brexit SME Scorecard (<https://prepareforbrexit.virtual-adviser.com/> ) is an essential first step for businesses to take and we continue to encourage clients to use it.

The LEO offers supports to businesses within the county including; Technical Assistance to Micro Enterprise (TAME), Trading Online Vouchers (TOV's) and Lean for Micro and LEO businesses.

Enterprise Ireland has just launched a national programme of half-day Masterclasses on ‘Essentials of Exporting’ for LEO businesses which will run from 7th February starting in Cork to support businesses who are interested in growing their export business.

Additionally the LEO offers specific Brexit preparations for businesses such as the Brexit Mentor programme.

The full range of Brexit related supports can be found at the following website link; [**https://www.localenterprise.ie/Discover-Business-Supports/Brexit-Information/**](https://www.localenterprise.ie/Discover-Business-Supports/Brexit-Information/)

A Summary of all of the supports for all agencies and departments can be found at the following website link; [**https://www.dfa.ie/brexit/getting-ireland-brexit-ready/brexit-and-business/financial-supports-for-business/**](https://www.dfa.ie/brexit/getting-ireland-brexit-ready/brexit-and-business/financial-supports-for-business/)

### **Q16/0219** [**HORSES**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62385)

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

To ask the Chief Executive to outline actions being taken in respect of education around horse ownership which is clearly essential in reducing the number of horses that are neglected and abused in our County and in reporting will he detail the number of horses seized, reclaimed, re-homed and euthanised in 2018 and will he confirm the cost to the Council of the complete operation and will he make a statement.

**REPLY:**

Under the [Control of Horses Act, 1996](http://www.irishstatutebook.ie/eli/1996/act/37/enacted/en/html?q=horses), all local authorities are responsible for the control of horses in their areas. In accordance with the provisions of this Act, South Dublin County Council's [Control of Horses Bye-Laws, 2014](https://www.sdcc.ie/en/services/environment/animal-welfare/horses/seized-horses/2014-control-of-horses-bye-laws.pdf) were made on 10th February 2014 and implemented with effect from 12th March 2014. These Byelaws are actively enforced and provide the Council with tools to deal with issues which impact negatively on communities and animals alike.

Problems associated with keeping horses in an urban area may include neglect and cruelty to the animals, damage to public property including parks, sports pitches and grass verges, danger posed to public safety and general nuisance posed by presence of horses in public places.

South Dublin County Council has a proven track record in the effective management of this service, and also works closely with the DSPCA in monitoring horses from an animal welfare perspective within South Dublin County.

All reports of loose/stray horses which are received from elected representatives, members of the public and Council staff are considered in a timely manner and, as appropriate, are referred to the contractor engaged by the Council for the provision and operation of the horse seizure service and horse pound facility.

All seized horses are taken to the horse pound facility where they are microchipped on arrival, (if not already microchipped) and examined by a veterinary practitioner. Horses which are unsuitable for re-homing or those which are 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, re-homing or animal euthanasia. (It should be noted that not all animals seized are suitable for rehoming).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Year** | **Number Of Horses Seized By SDCC** | **No. of Horses Re-claimed by owner** | **No. Of Horses Re-homed** | **No. of Horses Euthanised** |
| 2018 | 147 | 5 | 34 | 108 |

As set out in the bye-laws, a horse may be reclaimed on production of the following:

1. proof of identification of owner or keeper by passport, drivers licence or other form of legitimate official photographic identification which the Council in its absolute discretion deems to be acceptable
2. proof of ownership of the horse
3. a valid passport of the horse where such passport has been issued
4. proof of permission from the landowner where the horse is to be kept
5. proof of entry on Register of Horse Premises of the premises where the horse is to be kept, in accordance with the provisions of the Diseases of Animals Act 1966 (Registration of Horse Premises) Order 2012, S.I. No. 8 of 2012
6. a horse licence for the time being in force granted by the Council if the horse is kept in the control area or by another local authority if the horse is proposed to be kept in the control area of that authority
7. evidence that the horse is microchipped and registered in accordance with the provisions of the European Communities (Equine) Regulations 2011, S.I. No. 357 of 2011 and
8. payment of all fees due to the local authority arising from the seizure and detention of the horse demanded pursuant to the provisions of these Bye-Laws

Where the owner of a horse is known and can be found a notice is served setting out the above requirements. Where the owner is not known, notice of seizure is displayed at County Hall and Civic Centre, Clondalkin, the local Garda station and on the Council’s website <https://www.sdcc.ie/en/services/environment/animal-welfare/horses/seized-horses/>

Statistics in relation to horse seizures nationally are available from the Department of Agriculture, Food and the Marine through the following link: <https://www.agriculture.gov.ie/animalhealthwelfare/animalwelfare/controlofhorses/>

**The Dublin Region Horse Welfare Working Group** was established by South Dublin County Council in August 2017 in collaboration with the Department of Agriculture, Food & the Marine; Dublin City Council; Fingal County Council; Dun Laoghaire Rathdown County Council and An Garda Síochána. The group was established to develop a concerted collaborative programme aimed at promoting and facilitating responsible horse ownership across the Dublin region.

The membership of the group includes:

* Dublin Local Authorities: South Dublin County, Dublin City, Fingal County & Dun Laoghaire Rathdown County.
* Department of Agriculture, Food and the Marine
* An Garda Síochána
* DSPCA
* Fettercairn Youth Horse Project
* Clondalkin Equine Club
* Traveller Development Groups
* Voluntary Groups/rescue centres e.g. My Lovely Horse and Irish Horse Welfare Trust
* UCD Veterinary Services

The group has met on seven occasions, with the most recent meeting held on 6th December 2018. The next meeting is scheduled for the 7th March.

Four dedicated working groups in the following areas are in place:

* Improving Animal Welfare through increased liaison with key stakeholders
* Increasing education and awareness through planned programmes delivered at equestrian centres
* Minimising indiscriminate breeding through regulated supervised castration programmes
* Current review of legislation with a view to making submission to DAFM on new draft legislation currently being considered by a higher level national working group

South Dublin County Council receives subvention from the Department of Agriculture, Food and the Marine (DAFM) for it’s the delivery of the service under the Control of Horses Act 1996, specifically in relation to the cost of seizures.  Expenditure in 2018 for the administration and management of the service in South Dublin County was approximately €212,000.

**Ballyowen Equine Centre:**

This urban equine facility comprises a single storey building of 20 stalls providing stabling for twenty (20) horses, exercise paddocks (2), toilets/showers, a meeting/class room, a kitchenette and small informal meeting area which provides a welcoming community and learning space for young horse owners from the urban environs of North and South West Clondalkin***.***

The facility was developed by South Dublin County Council in collaboration with Department of Agriculture Food and the Marine (DAFM) and Clondalkin Equine Club in order to address the keeping of horses in an unregulated and uncontrolled manner resulting in serious animal welfare and public safety issues which were a cause of concern for both the Council, Gardaí, central government and the communities of these areas.

The facility gives young horse owners the opportunity to take responsibility and care for their animals in a safe environment.

**Fettercairn Youth Horse Project:**

FYHP continues to operate as a community based horse riding centre in Tallaght; they run public or private horse riding lessons and pony camps for all ages.

<http://fyhp.ie/about/history/>

### **Q17/0219** [**DUBLIN MOUNTAINS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62387)

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

To ask the Chief Executive if he shares the concerns of members in respect of the serious illegal dumping of household waste in the Dublin mountains in recent times; will he outline what actions are being taken in respect of the matter and in responding will he also take the opportunity to confirm what assistance is available from the Council to local volunteers working to combat such disgraceful behaviour.

**REPLY:**

The [PURE - Protecting Uplands and Rural Environments](http://www.pureproject.ie/)project is a regional initiative involving South Dublin, Wicklow, Dun Laoghaire Rathdown County Councils and as well as Coillte, National Parks & Wildlife Service, and a number of non-statutory organisations including the Wicklow Uplands Council with the aim of halting incidents of small scale illegal dumping/fly-tipping.

The Pure project focuses directly on combating illegal dumping/fly-tipping in the Wicklow/Dublin Uplands, incorporating a number of enforcement and preventative measures, media/PR campaigns, public awareness campaigns, community projects, and educational initiatives.

The PURE project utilises a dedicated clean-up vehicle which responds to incidents of fly-tipping/illegal dumping, PURE also work with the Councils to identify the illegal dumpers for follow up action including prosecution by the Local Authorities.

***PURE Collections 2014-2018***

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Description** | **2018** | **2017** | **2016** | **2015** | **2014** | **TOTAL** |
| Number of Complaints Received by Pure across all areas | 1072 | 1102 | 1141 | 800 | 1074 |  |
| Pure Collections (No. of collections carried out following complaints and monitoring) | 777 | 908 | 935 | 1010 | 973 | 4603 |
| Tonnes Collected (No. of tonnes collected across all areas – not possible to break down to SDCC only) | 161 | 203 | 252 | 233 | 212 |  |
| South Dublin area (No. of complaints received by PURE within the SDCC region) | 211 | 256 | 258 | 299 | 297 | 1321 |
| SDCC Contribution | €20,000 | €12,193 | €10,000 | €10,000 | €10,000 | €62,193 |

In conjunction with removing illegal dumping in the Dublin and Wicklow mountains PURE have a strong communications and awareness programme, including:

Website and social media – providing information on all aspects of Pure <http://www.pureproject.ie/>

Facebook – <https://www.facebook.com/Pureproject.ie/>

Twitter – <https://twitter.com/PureProject1>

The Pure Mile – an environmental project that encourages communities, groups, individuals, walking groups, cycling groups, scout groups, and all members of society to adopt rural roads and work together to improve and enhance the environment.

An extensive regional and national P.R. and media campaign to create awareness of the effects of illegal dumping

In addition the Council's Social Credits Scheme (SCS) is available to assist community groups and individuals who take ownership of their environment and improve their local area by carrying out pro-environmental actions such as community clean-ups (2,800 in 2018), collection of material by Council following clean up, maintenance of community gardens, graffiti removal and weeding of footpaths. The following materials are available to local volunteers in such groups: litter pickers, bags, hi-vis vests, shovels, brushes, gloves, paint, blub, plants etc. Groups interested in availing of the above supports can contact Environmental Awareness @ envawareness@SDUBLINCOCO.ie

### **Q18/0219** [**TRAVELLER ACCOMMODATION PROGRAMME**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62493)

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

To ask the Chief Executive to update the Council on the implementation of the Travellers Accommodation Programme and will he make a detailed statement.

**REPLY:**

The Traveller Accommodation Programme 2014-2018 planned accommodation for families identified in the Assessment of Needs Survey carried out in 2013. It set out to provide for appropriate options such as Group Housing and Bays in Residential Caravan Parks as well as access to Standard Council Housing.  The Programme identified accommodation provision in three separate sections:

**1. New Developments:**To provide accommodation at greenfield sites at identified locations;

**2. Redevelopments:** To redevelop temporary sites or to provide for Group Housing options instead of bays.

**3. Infill Developments:** To create extra bays at locations where family numbers dictate there may be future requirements.

Since the beginning of the 2014-20108 programme eight Group Houses were completed at Belgard Road (3) and St. Aidan's Close (5) while a further seven families were accommodated in standard Social Housing.  In addition three families were provided with chalet type accommodation on medical grounds. The Council will also shortly publish three Part 8's for medical adaptations at Belgard and Kishogue. Consultation has commenced with the residents of Owendoher Haven for the redevelopment of the existing site.

Work has now commenced on the new Traveller Accommodation Programme 2019-2024 and an Assessment of Needs to inform the programme was undertaken in late 2018.

### **Q19/0219** [**RESPONSES TO HOUSING NEED & HOMELESSNESS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62487)

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

To ask the Chief Executive to present an updated report on his actions to deal with the ongoing housing/homeless crisis and in reporting will he confirm the number of applications from each Electoral Area currently under consideration and will he make a statement.

**REPLY:**

There are currently 7,224 applications on the Council's social housing waiting list of which 624 are homeless applicants. The electoral areas from which these applicants are from is as follows:

|  |  |
| --- | --- |
| **Electoral Area** | **No. Applications** |
| Clondalkin | 1,334 |
| Lucan | 812 |
| Rathfarnham | 252 |
| Tallaght Central | 1,217 |
| Tallaght South | 1,208 |
| Rathfarnham-Templeogue-Terenure | 244 |
| Outside South Dublin | 2,157 |

Increased supply of accommodation options including permanent and long-term homes as well as appropriate temporary and emergency homeless accommodation is critical to responding to the current demand for housing.

In 2019 it is anticipated that there will be delivery of 444 additional homes for social housing applicants in the County (348 Build, 46 Acquisitions & 50 Leasing) through our housing supply capital programme will be complemented by over 100 re-lets of existing housing stock and some 700 Housing Assistance Payment (HAP) tenancies.

The 2019 delivery is being supplemented by the progression of a number of larger projects for delivery of homes in the County including:

* Construction of 109 social homes at Corkagh Grange under the national PPP bundle - construction scheduled to commence in March;
* The Kilcarberry Integrated Housing Project to deliver 978 homes including 294 social homes - currently at pre-planning stage with An Bord Pleanala;
* Master-planning of large Council owned sites at Rathcoole, Belgard Square North, Killinarden and Clonburris for housing development.

The Council continues to progress our social housing construction plans at the sites identified to the Elected Members at the Special Council Meeting on Housing last October as well examining ongoing opportunities for delivery of additional homes through build, acquisition and leasing including through Part V and in partnership with Approved Housing Bodies.

Family hubs are considered part of the current response to homelessness by providing improved security of tenure for families progressing from self-accommodation and emergency accommodation with the Council having provided 135 family hub spaces to date at Springfield, Tallaght Cross, Abberly/High Street and Firhouse. The improved security of tenure offered by family hubs allows such families time to be supported by the Council’s place-finder team and by key-workers in family hubs to source more secure accommodation through Housing Assistance Payment (HAP) tenancies or social housing. Spaces in family hubs subsequently freed up are then generally allocated on a time-on-list basis to other homeless families that have spent time in emergency, night-by-night accommodation and/or have been self-accommodating.

Having regard for the current levels of homeless applicants, the Council continues to examine potential sites for developing further supported accommodation for homeless persons across the County who also are supported by:

* Advice, information, signposting to central placement and other emergency/temporary accommodation options by our Homeless Unit.
* Our outreach support service to link with support services, other agencies and accommodation options.

### **H6/0219 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS**

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

### **H7/0219 PROPOSED DISPOSAL OF PROPERTIES/SITES**

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

1. Proposed disposal of plot of land at Cuthbert's Meadow, Clondalkin, Dublin 22 to ESB Networks

**LD 1488 Proposed disposal of plot of land at Cuthbert’s Meadow to ESB Networks**

The Council at its meeting on 13th February 2017 approved a Part 8 infill housing development currently under construction on lands at Cuthbert’s Meadow, Clondalkin, Dublin 22 – Certified Minute H11b)/0217 refers.

An application has been received from the ESB to acquire a plot of Council owned land adjacent the housing development for the erection of a substation to serve the development. The location of the proposed substation within the overall development is as indicated outlined hatched red on drawing P18019D-RAU-ZZ-ZZ-DR-A-MPL-81004. The plot of land to be acquired by the ESB is identified outlined in red on PRA compliant drawing LR/61/18.

I recommend that the Council dispose of its freehold interest in the plot of land outlined in red on Drawing No. LR/61/18 comprising 6.21sq. m. or thereabouts, in accordance with Section 211 of the Planning and Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001 subject to the following terms and conditions:-

1. That the Council dispose of its interest in the plot of land outlined in red on Drawing No. LR/61/18 comprising 6.21 sq. m. or thereabouts for the consideration of €10 (ten euro).
2. That the ESB shall pay a contribution in respect of the Council’s legal fees.
3. That in the event of any name change to applicant prior to formal completion of the legal transfer, the applicant must provide documentary evidence to the Council proving that the new named party is one and the same as the named applicant heretofore to enable the transfer to complete.
4. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
5. That the Law Agent shall draft the necessary documents and shall include any further terms deemed appropriate in Agreements of this nature.
6. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
7. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of the lands acquired from Daniel and Johanna Moynihan in 1974, for Housing purposes.

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**Daniel McLoughlin**

**Chief Executive**

1. Disposal of plot of land at Monastery Rd., Clondalkin, Dublin 22 to T & H Dempsey

**Re:**

**Disposal of plot of land at Monastery Road, Clondalkin, Dublin 22 to Thomas & Hilary Dempsey, Hunters Lodge, Daars North, Straffan, County Kildare as agreed and negotiated at Arbitration hearing in relation to acquisition of Plots 134c1, 134c2 &134c3 pursuant to Dun Laoghaire Rathdown County Council (M50 Motorway Upgrade Scheme) Order 2004**

Dun Laoghaire Rathdown County Council (M50 Motorway Upgrade Scheme) Order 2004 was made by Dun Laoghaire Rathdown County Council on 22nd September, 2004. Notice of Confirmation was served on 10th May, 2005. Notice to Treat was served on 15th August, 2005. Notice of Intention to Enter was served on 2nd December, 2005 and the Council entered and took possession of the plots on 29th March, 2006.

Following lengthy negotiations and a subsequent Arbitration Hearing on the 7th November, 2016, the Property Arbitrator made an award based on the acceptance of an unconditional offer made by the Council to Mr and Mrs Dempsey. The terms of which are binding on both parties to conclude the acquisition from Thomas & Hillary Dempsey of lands identified as Plots 134c.1, 134c.2 and 134c.3 on drawing no. M50 – 134c having a total area of 0.030 ha or thereabouts. The legalities for the transfer of the three plots into Council ownership is ongoing.

During negotiations at the arbitration hearing, the Council through legal representation agreed in principle that an area of Council owned land comprising 116 sq. m which had been incorporated into the curtilage of Thomas & Hillary Dempsey’s adjacent property could be regularised. This agreement was subject to acceptance by the Claimants of the Council’s unconditional offer of acquisition of the CPO’d lands.

Thomas & Hillary Dempsey have now made a formal application to the Council to have the matter regularised. The subject area which is a strip of land at a junction embankment is of no strategic or economic value to the Council. However a public lighting standard is contained within this strip of land and Thomas & Hillary Dempsey have agreed to cover the Council costs for removal and relocation of the lighting standard estimated at €7,000 plus VAT.

In order to regularise matters and comply with agreement reached which enabled a settlement award be recommended at the Arbitration Hearing I recommend that the Council disposes of the area of land outlined in red on drawing LA/01/19 measuring 116 sq m or thereabouts to Thomas & Hillary Dempsey in accordance with Section 211 of the Planning and Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001 subject to the following terms and conditions:-

1. That the subject area comprises 116sq m or thereabouts and is outlined and hatched in red on the Drawing No LA/01/19.
2. That the Council disposes of the subject area for the nominal consideration of €10 (if demanded) on the basis that the area is of no strategic and or economic value to the Council.
3. That the subject area is disposed of with full freehold title.
4. That the Applicants hold the freehold or equivalent interest in the lands adjacent to the disposal plot.
5. That the Council will recoup from the Applicants the full costs of removal and re-location of the lighting standard on the disposal plot estimated in the sum of €7,000 plus VAT.
6. That all boundary features shall be in accordance with the Planning & Development and the Building Control legislation.
7. That each party shall be responsible for their own legal fees plus VAT and outlay.
8. That in the event of any name change to Applicants prior to formal completion of the legal transfer, the Applicants must provide documentary evidence to the Council proving that the new named party is one and the same as the named Applicants heretofore to enable the transfer to complete.
9. That all parties use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
10. That the Law Agent drafts the necessary legal agreements and includes any further terms deemed appropriate in Agreements of this nature.
11. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
12. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of the lands acquired from A.C. Boles Limited in 2015 for road development purposes.

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**Daniel McLoughlin**

**Chief Executive**

1. Disposal of site at Grange Castle Business Park to Gas Networks Ireland

**GC21 -Disposal of site comprising 0.107 acres at Grange Castle Business Park to Gas Networks Ireland**

Gas Networks Ireland (GNI) have developed an Above Ground Installation (AGI) gas pressure reducing station on lands within Grange Castle Business Park to serve the supply needs of businesses located within the park and adjacent areas. In order to cater for increased demand, GNI propose to further develop the AGI in the business park and in this regard have made an application to acquire a further area of lands in Council ownership adjacent to their existing site as identified outlined in red on Drawing No. BGE/90/ACQ/01/01A and comprising 0.107 acres or thereabouts. The extension of the AGI station within the Park will be of benefit to existing and potential clients of Grange Castle Business Park as it will cater for future increases of Natural Gas supply demands.

I recommend that subject to the provisions of Section 183 of the Local Government Act 2001 and in accordance with Section 211 of the Planning & Development Act 2000 that the Council dispose of the site to Gas Networks Ireland lands subject to the following terms and conditions

**1**. That the lands being disposed of comprise approximately 0.107 acres (0.0435 hectares) or thereabouts. The precise boundaries have yet to be established. A formal disposal map shall be prepared in due course by the Council for inclusion with the legal documents but in the interim a draft plan for identification purposes Drawing No ­­­BGE/90/ACQ/01/01A is annexed showing the site outlined in red.

The Council has also agreed to grant GNI a temporary working area on Council owned lands as identified and shaded green on Drawing No. BGE/90/WW/01/01A.

**2.** The land to be disposed of by way of a 999 year lease comprising of approximately

0.11 acres on the basis of the sum of €400,000 (four hundred thousand euro) per

acre (the ‘Purchase Price’), payable, as to the amounts described at (a), (b and (c)

below:-

* 1. 10% of the Purchase Price on signing and exchange of a Contract for Sale / an Agreement for Lease in respect of the site. Such amount to be refunded in the event that the terms and conditions of the disposal not having been satisfied.
  2. 80% of the Purchase Price within 15 business days of date of Gas Networks Ireland entry onto the site for the purpose of commencing construction works on foot of the final grant of planning permission (provided that, for the avoidance of doubt, Gas Networks Ireland shall be entitled to carry out due diligence and engineering analysis activities (including, but not limited to geotechnical analysis and studies, soils testing, water analysis, site borings, environmental assessments, etc.) prior to the payment of this sum in accordance with any building licence to that effect as described in term no. 5.
  3. The remaining 10% of the Purchase Price on the grant of the Master Lease which shall occur at the time and in the manner set out in term no. 10 below.

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

**3**. That the extension to the above ground natural gas installation and associated works is to be carried out in compliance with relevant planning permission Reg. Ref. SD18A/0269. The applicant shall forward to the Council within nine months of the date of final grant of planning permission, and in any event, no later than one month prior to the applicant commencing works on foot of the final grant of planning permission, a copy of the outline building programme for such works describing the key construction milestones.

* 1. That: (i) if the construction works (meaning site preparation and shell and core construction) have not commenced within nine months of the date of final grant of planning permission for the development, or such later date as may be agreed in writing with South Dublin County Council; or (ii) if shell and core construction works are not substantially completed in accordance with the final grant of planning permission within thirty (30) months from the date of commencement of such works then either party may by written notification on the other rescind the agreement for lease / contract for sale.
  2. That the Council shall enter into an agreement for lease or contract for sale in respect of the sale of the site to Gas Networks Ireland (by way of grant of the Master Lease), based on and to give effect to these heads of terms, and which agreement / contract shall contain a licence authorising the applicant to enter into the site from the date thereof prior to the grant of the Master Lease, to carry out due diligence and site analysis (including, but not limited to geotechnical analysis and studies, soils testing, water analysis, site borings, environmental assessments, etc.) prior to the grant of final planning permission, and after the issue of such permission, to construct the extension to the above ground natural gas installation. The agreement / contract shall contain further reasonable obligations upon Gas Networks Ireland with respect to that construction to ensure the satisfactory completion of the approved development on the site.
  3. The Applicant will be responsible for all planning levies and contributions payable in accordance with the Council’s Development Contribution Scheme made under the Planning and Development Act 2000, as amended, and agrees not to exercise any right to appeal against the financial contributions. The contributions under the Scheme are payable prior to entry on to the site or as otherwise agreed by the Council. The Applicant must satisfy themselves as to the capacity of all services to service the proposed development.

**7**. That all site investigations (including archaeological investigations), groundwork’s, overhead and underground cable diversions, demolitions/site clearance/septic site removal (such works are subject to regulations and to obtaining the relevant statutory licences), services connections, development and associated costs incurred in the delivery of the entire completed development shall be borne by the Applicant.

**8**. That the Applicant shall undertake not to use the site for any purposes other than that of carrying out the proposed development, i.e. extension to above ground installation, ancillary services and site works which contain its substantial operations and subject to the terms of the “Master Lease” (see term no. 10 below). All buildings shall be occupied by the applicants or their tenants, agents, employees, invitees and/or assigns in accordance with the terms of the Master Lease.

**9**. That the Applicant shall build nothing (except with the prior written approval of the Council) on the site except the buildings shown on the approved drawings and for which Planning Permission has been granted, as outlined in term no. 3. Full ‘as constructed’ drawings shall be appended to the Master Lease. A maintenance Plan for the external areas and buildings shall be submitted to the Council.

**10**. That as soon as building works have reached eaves level (in other words the “topping-out” phase of construction, meaning that all foundations are in place, the structural system is erected and inspected, and the building is weather-tight with roof complete) in accordance with relevant planning permission(s) in the development on the site, and if the works have been carried out to the satisfaction of the Councils Consultant Engineers acting reasonably, the Council will grant the applicants a lease of that site. The lease shall be for a term of 999 years (commencing from a date to be agreed upon, but no earlier than the date of Practical Completion of the buildings thereon) subject to a rent of €400.00 per annum (exclusive of rates, taxes, and outgoings in respect of the site). The Council’s Solicitors shall draft the lease for approval by Gas Networks Ireland’s solicitors. The lease granted shall be known as the Master Lease (“Master Lease”). The Master Lease shall provide that the lessee shall become a member of the management company for the Business Park and shall pay the annual service charge described in accordance with the provisions of the Master Lease and appendices thereto.

**11**. That the Agreement to Lease or contract for sale is not to operate as a lease and it shall not be transferable save in the case of a financial institution of good standing which has entered into a mortgage with the applicants specifically for the purposes of financing the applicants to undertake the development of the site.

* 1. That South Dublin County Council reserves the right, only to be exercised by the Council acting reasonably, to re-enter on the site and resume possession thereof should the applicants fail to commence and complete the buildings within the period specified at term no. 5 above or in the event of the dissolution, bankruptcy or insolvency of the applicants save in the case where a Financial Institution which has entered into a mortgage with the applicants for the purposes of financing the development of the site and enforces its security against the site. South Dublin County Council shall provide written notice of any intent to exercise this right and offer a 30 day cure period for rectification of any default on Gas Networks Ireland part, including use of mediation/arbitration, or similar third-party intercession.
  2. That during the building period and pending the grant of the Master Lease, Gas Networks Ireland will provide all reasonably required evidence of the ‘all risks, public liability and employer’s liability insurance cover maintained by the Applicant for the construction period. It is acknowledged that following completion of the construction of the extension to the above ground natural gas installation, the building and all insurable risks associated therewith will be included in the Applicants self-insurance programme. All insurance will be subject to the approval of the Councils insurance advisors, acting reasonably.

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

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

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

The lands being disposed of form part of the lands acquired from Bernard Murphy in 1980 for housing, industry and amenity purposes.

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

**Daniel McLoughlin**

**Chief Executive**

1. Disposal of Fee Simple Interest in 285 Balrothery Estate, Tallaght, Dublin 24

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 |
| 285 Balrothery Estate, Tallaght, Dublin 24. | Bernard & Bernadette Sheffield | €971.00 |

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.

1. Proposed Disposal of Fee Simple Interest in 24 Ashwood Drive, Clondalkin, Dublin 22.

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

|  |  |  |
| --- | --- | --- |
| ADDRESS | LESSEE(S) | PURCHASE PRICE |
| 24 Ashwood Drive, Clondalkin, Dublin 22 | Sean & Natasha Gillen | €972.00 |

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.

The proposed Disposals were **NOTED** and it was proposed by Councillor M. Ward, seconded by Councillor F. Timmons and **RESOLVED**:

“That the proposed Disposals of properties/sites be **ADOPTED** and **APPROVED**.”

### **H8/0219 MANAGEMENT REPORT**

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

1. Finance Report

**Billing and Collection Statement**





**Use of overdraft facility**

Department approved overdraft facility = €25,000,000

No of days in Overdraft from 1st January to 25th January 2019 = 0

[HI 8 b) Strategy Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=62521)  
[HI 8 c) Statistics Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=62522)

The Reports were **NOTED.**

### **H9/0219 PUBLIC REALM & WATER SERVICES WORKS PROGRAMME 2019**

### The following report by the Chief Executive, which had been circulated, was presented by Ms. Teresa Walsh, Director of Environment, Water and Climate Change and was **CONSIDERED:**

The Report was **NOTED.**

 PUBLIC REALM & WATER SERVICES MINOR WORKS PROGRAMME 2019

|  |  |  |
| --- | --- | --- |
| Location | Description of Works | Est. Cost |
| CLONDALKIN AREA | | |
| Corkagh Park | Provision of vehicle & pedestrian gate to Oak Avenue entrance off Green Isle Road | €40,000 |
| Fonthill Road | Landscape work on verge between Boot Road and Caldbeck Way | €30,000 |
| St Marks Open Space | Surface path from St Marks Avenue to the Fonthill Road | €20,000 |
| Monastery Gate Close | Install 2 kissing gates on open space | €6,000 |
| Greenfort/Shancastle Open space | Footpath upgrade works | €20,000 |
| Corkagh Park | Widen cycle path from Fonthill Rd to Kavanaghs Bridge (near allotments) | €50,000 |
| Corkagh Allotments | Upgrade access road to allotments to include surfacing and fencing | €30,000 |
| Corkagh Park | Surface section of path at NE end of lake near walled garden | €15,000 |
| Corkagh Park | Watercourse upgrade works | €30,000 |
| Cherrywood Crescent | Replace K-barrier with kissing gate | €5,000 |
| Collinstown Park | Path upgrade works near Oatfield estate to alleviate flooding | €5,000 |
| Leland open space | Surface path across open space | €15,000 |
| Michael Collins Estate | Surface paths across open space | €25,000 |
| RATHFARNHAM TEMPLEOGUE TERENURE AREA | | |
| Fonthill/ Willbrook green space | Install perimeter pathway | €15,000 |
| Whitechurch open space | Install partial perimeter pathway | €30,000 |
| Woodstown and Stocking Lane | Construct path linking Woodstown estate and Stocking Lane, creating a new pedestrian access | €15,000 |
| Ballycragh Park Playspace | Repair fencing around playspace | €10,000 |
| St Joseph’s Road Area | Construction of tree pits and planting of trees | €50,000 |
| Orwell Open space | Install perimeter path | €25,000 |
| Coolamber Park | Surface footpath from Coolamber Park to St Colmcille’s School | €10,000 |
| Tymon Park | Surface footpaths in Limekiln carpark | €15,000 |
| Tymon Park | Replace wooden sleepers and landscape area at Wellington entrance | €10,000 |
| Aranleigh Grange Downs | Resurface footpath between Aranleigh Dell and Grange Downs and install accessibility ramp | €5,000 |
| Rathfarnham Village | Upgrade the Anne Devlin flower bed | €5,000 |
| Firhouse village | Upgrade village park | €10,000 |
| Greentrees Park (8 acres) | Construct perimeter pathway | €50,000 |
| Knocklyon Woods | Construct footpath from Knocklyon Woods to the Firhouse Road | €10,000 |
| Wainsfort Grove/ College Drive | Complete fencing around open space | €10,000 |
| Beechfield playground | Erect fencing around playground | €10,000 |
| LUCAN AREA | | |
| Esker Cemetery | Provision of automated car park gate & boundary treatment | €30,000 |
| Adamstown Roundabout | Landscaping works | €10,000 |
| Foxborough Hill/Meadows | Provision of link footpath across open space | €10,000 |
| Glenaulin Park | Regrade & drain GAA pitch + goal posts | €50,000 |
| Glenvale Open Space | Open space boundary treatment | €20,000 |
| Griffeen Valley Park | Automate lighting in skate park | €25,000 |
| Griffeen Valley Park | Entrance upgrade works at Newcastle Road entrance | €30,000 |
| Griffeen Valley Park | Watercourse upgrade works | €20,000 |
| Griffeen Valley Park | Footpath improvements | €30,000 |
| Kew Park/Weston estate | Provision of link footpath between estates at kissing gate | €15,000 |
| Lucan Demesne | New entrance gates and pillars | €20,000 |
| Mill Lane | Footpath improvements | €5,000 |
| Vesey Park | Watercourse upgrade works | €10,000 |
| Waterstown Park | Watercourse upgrade works | €20,000 |
| Willsbrook Park | New vehicle entrance gates | €20,000 |
| TALLAGHT AREA | | |
| Dodder Valley Park | Put in place measures to keep scramblers, etc. out of park at Seskin View Road | €10,000 |
| Dodder Valley Park | Resurface tennis courts | €25,000 |
| Rear Castletymon Library | Surface paths to the rear of library | €5,000 |
| Sean Walsh Park | Automate emergency gate at N81 | €20,000 |
| Sean Walsh Park | Further improvement and surfacing of footpaths | €25,000 |
| Sean Walsh Park | Plant pollinator friendly hedge at Cill Cais boundary | €5,000 |
| Tymon Park | Provision of park benches and litter bins in the park | €20,000 |
| Tymon Park | New pedestrian bridge at Castletymon side of park | €25,000 |
| Tymon Park | Improve signage at all entrances | €20,000 |
| Carrigmore Park | Implement measures to enable   the park gate and carpark at Citywest to remain open for park users | €20,000 |
| Aylesbury | Construct footpaths across open space | €30,000 |
| Kingswood | Surface tennis courts | €20,000 |
| Kilnamanagh | Erect new fencing around playground | €10,000 |
| Kilnamanagh | Provide footpath from Greenhills Road pedestrian crossing to Birchview | €15,000 |
| Butler Magee Park | Resurfacing of paths | €20,000 |

|  |  |  |
| --- | --- | --- |
| Total |  | €1,166,000 |

PUBLIC REALM ROLLING CAPITAL PROGRAMME; 2019 EXTRACT:

|  |  |  |
| --- | --- | --- |
| Location | Project | Budget / Estimate 2019 |
| Kiltipper Park | Park Development | 1,050,000 |
| Jobstown Tallaght | BMX Facility | 110,000 |
| Corkagh Park | Regional Parks Playground refurbishment | 200,000 |
| Dodder Valley-Old Bawn, Corkagh Park  Griffeen Park | Parks Pavilions programme | 1,318,000 |
| N81 Scheme | Landscape Improvement Scheme N81 | 1,300,000 |
| County wide project spread | Teenspace programme | 500,000 |
| Dodder Valley Mount Carmel | Recreational facilities | 250,000 |
| County wide locations (including works at Killinarden Park, Jobstown Park, Butler McGee Park,, Bancroft Park, St Cuthbert's Park and Quarryvale Park) | Boundary and Access Improvements | 500,000 |
| Corkagh Park | Study implementation | 500,000 |
| Sean Walsh Park and Kiltipper Park | Dublin Mountain Trails  Access Improvements Dublin Mountain Way | 100,000 |
| County-wide delivery | Playspace programme | 500,000 |
| Tymon Park, Corkagh Park initially. | Allotments provision | 100,000 |
| Firhouse | Drainage at Pitch 107 | 75,000 |
| TOTAL |  | 6,603,000 |

Sports Capital Grant Projects:

A number of projects are being delivered via the Sports Capital Grants programme which result in the delivery of recreational facilities within public open space; usually in conjunction with local sports clubs. Their continued delivery is subject to funding being available both in terms of sports capital grants and the clubs own funding.

The projects currently at various stages of progress are listed below:

Upgrade of Athletics track at Lucan

Provision of All Weather Pitch at Lucan

All Weather Pitch at Knockmitten

Pitch Improvements Tymon Park

A further 11 applications for Sports Capital Grant funding were submitted in 2018 for a proposed 2019 round of funding and the Council are awaiting the decision(s) regarding this round of funding.

SURFACE WATER MINOR WORKS PROGRAMME 2019

1 Surface Water Sewer Systems:

|  |  |  |
| --- | --- | --- |
| Location | Project | Projected Exp. For 2019 |
| Tay Lane Rathcoole | Flood Alleviation works | €50,000 |
| Garter Lane Saggart | Upgrade surface water sewer | €40,000 |
| Mill Lane, Saggart |  | €40,000 |
| Ballyowen Lane | Completed Surface water sewer | €30,000 |
| Templeogue Village to Riverside cottages | Construct new surface water sewer | €40,000 |
| Templeogue Village Main Street | Initial assessment and feasibility for new surface water sewer | €25,000 |
| Stocking Lane culvert upgrade |  | €30,000 |
| Old Lucan Road near village centre | Localised surface water improvement | €160,000 |
| Butterfield Park | Localised surface water improvement | €25,000 |
| Nangor Road/Ninth Lock junction | Localised surface water improvement | €30,000 |
| Palmerstown Woods | New surface water sewer | €35,000 |
| Newcastle Manor | Flood Alleviation Works | €25,000 |
| Total |  | €530,000 |

The majority of the above schemes are at preliminary design stage and are subject to detailed design and full budgetary estimates.

2 Flood Alleviation Minor Capital Works – River & Stream

|  |  |  |
| --- | --- | --- |
| Location | Project | Projected Exp. For 2019 |
| Camac River | Clearing & regrading | €50,000 |
| Poddle River | Clearing & regrading | €60,000 |
| Jobstown Stream | Regrading, dredging   & Clearing. Provision of more aesthetic area to discourage illegal dumping. | €50,000 |
| Owendoher Stream | Clearing & regrading | €20,000 |
| River CCTV & Telemetry | 3 No. sites on Camac - Nangor Rd & Mill Centre and Jobstown stream before N81 | €45,000 |
| Sean Walsh Park lake (opposite depot) | Clean out lake | €25,000 |
| Total |  | €250,000 |

### **H10/0219 ANNUAL SERVICE DELIVERY PLAN**

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 Report was **NOTED.**

**REPLY:**

The Annual Service Delivery Plan 2019 is prepared in accordance with Section 134 (A) of the Local Government Act 2001, as amended, which requires that each local authority prepare a Service Delivery Plan for the coming year following the adoption of the budget. The plan sets out the principal services that the local authority intends to deliver in that year. It also includes performance improvement targets for local and/or national performance indicators as recommended by the National Oversight and Audit Commission. Once adopted, a visual representation of some of the key elements of this plan will be published and distributed to every household, school and business as has been done in previous years, as part of the citizens newsletter. It will also be promoted on the website and through social media.

The Annual Service Delivery Plan is now presented to the elected members for adoption.

The Report was **NOTED.**

**H11/0219 SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2016 - 2022 VARIATION NO. 3 BALLYMOUNT / NAAS ROAD**

The following report by the Chief Executive, which had been circulated, was presented by Mr. Jason Frehill, Senior Planner of Land Use, Planning and Transportation and was **CONSIDERED:**

**REPLY:**

**Proposed Variation No.3 of the County Development Plan 2016-2022 in respect of the lands at Ballymount / Naas Road.**

Proposed Variation No. 3 of the South Dublin County Council Development Plan 2016-2022 seeks to amend the zoning of approximately 178 hectares of land from zoning objective EE (Enterprise and Employment) to objective REGEN (Regeneration).

These lands are located in the Ballymount / Naas Road area, which are south of the Grand Canal and east of the M50, adjoining the boundary with Dublin City Council, all located within the areas of Fox and Geese, Bluebell, Ballymount, Redcow, Gallanstown and Drimnagh.

**Background**

Proposed Variation No.3 is in response to the recent changes in National and Regional planning policy, namely the publication of the National Planning Framework (NPF) and the Eastern and Midland Assembly (EMA) Draft Regional Spatial and Economic Strategy (RSES) in 2018.

Through the ‘REGEN’ land use zoning objective in the Development Plan, South Dublin County Council (SDCC) seeks to facilitate the regeneration of existing brownfield lands, close to existing and proposed transport nodes, to provide for a more intensive mix of enterprise and/or residential led development in accordance with the NPF.

The subject lands at Ballymount / Naas Road have significant locational and infrastructural advantages over other lands in Dublin, including access to high quality public transport, services and proximity to Dublin City Centre. In the context of the objectives of the NPF and the Draft RSES, the area is considered to be a key regional transformation opportunity to support the compact development of Dublin.

The vision and ambition of SDCC for the Ballymount / Naas Road area is to transform this brownfield area of national significance into a sustainable, vibrant, mixed use urban quarter that capitalises on its strategic location and the existing Luas Red Line, creating a sense of identity and place that reaches out and connects with the surrounding urban context. The vision for the area is to integrate land use with public transport by maximising the potential of the Luas Red line and Bus Connects radial Spine ‘D’ and Southern Orbital route S4.

SDCC is committed to delivering a plan led approach for the redevelopment of the area which will be facilitated through financial assistance approved under the Urban Regeneration Development Fund (URDF) and in conjunction with Dublin City Council, which will support a series of studies to inform the future spatial planning of the area. The rezoning of the lands to REGEN is an integral part of the joint URDF funding and expedites future opportunities for significant capital funding for enabling infrastructure in the area.

The Proposed Variation No.3 is required to align the Development Plan with the NPF and the Draft RSES to create the conditions for redevelopment of the area. Given the complexity of the challenges to regenerating the area, a variation to the Development Plan at this time is required to provide an amended Development Plan policy framework for SDCC to proceed with the regeneration of the area.

**Proposed Changes**

In summary, there are three main elements to this proposed variation:

1. Land Use Zoning Map change. Increase ‘REGEN’ zoning in Naas Road area by 178 ha as a replacement of existing ‘EE’ zoning;
2. Amendment to the Core Strategy figures;
3. Amend CS6 SLO 1 of the Development Plan.

The Proposed Variation amends Specific Local Objective CS6 SLO 1 to read:

CS6 SLO 1:

*‘To initiate a plan led approach to the sustainable regeneration of the brownfield lands in the Naas Road / Ballymount REGEN zoned lands. The plan led approach will include the preparation of a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) and Local Centre (LC) at Walkinstown zoned lands. The masterplan will provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use and blue and green infrastructure. The spatial planning of the area will be informed by the Naas Road Framework Plan (2010).’*

**Chief Executive's Report on Submissions**

Public consultation on Proposed Variation No 3 took place from the 20th November 2018 to 18th December 2018 inclusive (a period of 4 weeks). A total of 14 submissions were received raising issues in relation to the following:

1. Strategic Policy;
2. Specific Local Objective/ Future Plan;
3. Traffic & Transport;
4. Economic Development;
5. Strategic Environmental Assessment - Environmental Report;
6. Environmental Considerations;
7. Extent of Land / Boundary; and
8. Residential Amenity.

The Chief Executive's response and recommendation to the above issues is outlined in the attached Report. All submissions were supportive of the policy position articulated in Proposed Variation No. 3.

**RECOMMENDATION:**

Accordingly, it is recommended to the Council that the statutory procedure for the making of a Variation to the County Development Plan be initiated on this basis.

[Map (Proposed Variation No.3)](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=62455)

Councillor D. Looney submitted an amendment to the Variation

“CS6 SLO 1: To initiate a plan led approach to the sustainable regeneration of the brownfield lands in the Naas Road / Ballymount REGEN zoned lands. The plan led approach will include the preparation of a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) and Local Centre (LC) at Walkinstown zoned lands. The masterplan will provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use and blue and green infrastructure. The spatial planning of the area will be informed by the Naas Road Framework Plan (2010 That no planning applications for residential use of these lands be approved prior to the passing of a Local Area Plan for these lands.

A discussion followed with contributions from Councillors D. Looney, M. Ward, B. Bonner, G. O’Connell and B. Lawlor.

Councillor B. Lawlor submitted and Councillor P. Gogarty seconded a 2nd amendment to the variation as follows

“CS6 SLO 1: To initiate a plan led approach to the sustainable regeneration of the brownfield lands in the Naas Road / Ballymount REGEN zoned lands. The plan led approach will include the preparation of a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) and Local Centre (LC) at Walkinstown zoned lands. The masterplan will provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use and blue and green infrastructure. The spatial planning of the area will be informed by the Naas Road Framework Plan (2010). It is an objective to remove the three Seveso sites from the area, to reduce the risk of major accident arising from these sites on the future population. If necessary, SDCC will acquire the three Seveso sites within the masterplan area by way of Compulsory Purchase Order.”

A further discussion followed with contributions from Councillors K. Mahon, P. Foley, P. Kearns, P. Gogarty, E. Higgins, L. Dunne, L. O’Toole, D. Looney, M. Ward, B. Lawlor.

Mr. D. McLoughlin Chief Executive and Mr. J. Frehill responded to the Members queries.

A vote was taken by show of hands on the 2nd amendment proposed by Councillor B. Lawlor and the result was as follows:

FOR: 9 (NINE)

AGAINST: 20 (TWENTY)

ABSTAIN: 2 (TWO)

The 2nd amendment to the item FALLS.

The Members **AGREED** to make the variation subject to the Motion proposed by Councillor D. Looney, which was passed by the Members. This amendment would constitute a material alteration to the variation, and as such, would result in an additional public consultation display period and consideration of AA and SEA implications.

### **H12/0219 EXTINGUISHMENT OF PUBLIC RIGHT OF WAY - 8 - 10 DRUMCARIN DRIVE**

The following report by the Chief Executive, which had been circulated, was presented by the Chief Executive, Mr. Daniel McLoughlin was **CONSIDERED**:

**Report on Proposed extinguishment of the Public Right-of-Way in the laneway between 8 – 10 Drumcairn Drive, Tallaght, Dublin 24 shown shaded red on Drawing No. RE 5005**

REPLY:

The attached report was CONSIDERED at the Tallaght Area Committee Meeting on Monday 28th January 2019.

Following consideration of the report it was proposed by Councillor B. Leech and seconded by Councillor E. Hendrick and AGREED:

“That this Committee recommends to the Council that the public right of way between 8 – 10 Drumcairn Drive, as shown shaded red on Drawing No. RE 5005 be extinguished”.

The decision regarding the extinguishment of a public right of way is a reserved function of the Council.

If the Council agrees to the recommendation, the following resolution is required.

“South Dublin County Council in pursuance of its power under Section 73 of the Roads Act, 1993 hereby orders that the public right-of-way between 8 – 10 Drumcairn Drive, Tallaght, Dublin 24 as shown shaded red on Drawing No. RE 5005 be extinguished”.

PROPOSED EXTINGUISHMENT OF PUBLIC RIGHT-OF WAY.

**Between 8 and 10 Drumcairn Drive**

**Proposed extinguishment of the Public Right-of-Way in the laneway between 8 – 10 Drumcairn Drive, shown shaded red on Drawing RE 5005**

The following report was considered at the Tallaght Area Committee Meeting on 22nd October 2018.

“The owner of 8 Drumcairn Drive wishes to incorporate the portion of the laneway immediately to side of his property into his garden.

The Development Department have indicated that they are willing to consider disposal of this portion of land subject to the extinguishment of the public right of way. Housing Estate Management have inspected the location and as the laneway is no longer in use they have no objection to the disposal.

If the Committee agree the procedure to extinguish the public right-of-way over the laneway to the rear and side of 8 Drumcairn Drive as shown on Map Drawing No. RE 5005 will be initiated.

Following consideration of the report, it was agreed to initiate the procedure.

The proposal to extinguish the public right-of-way was advertised in the Tallaght Echo on Thursday 1st November 2018 and signs were erected on site in accordance with Section 73 of the Roads Act, 1993. The latest date for receipt of objections, representations and requests for an oral hearing was Monday 17th December 2018.

No correspondence was received in response to the public advertisement/ notice.

Utility Reports

Public Lighting No public lighting cables – no objection.

Water & Drainage No record of services in that portion of the laneway Eircom No Eir Plant - No objection

Bord Gais No existing or planned pipework – No objection

ESB No Underground cables or Overhead lines on ESB map – Maps are indicative only – recommend dial before you dig - No objection

Civils/Virgin Media No underground services on indicative map– No objection

Contact to be made before using mechanical plant.

The decision regarding the extinguishment of a public right-of-way is a reserved function of the Council.

The recommendation of the Committee will be brought to the attention of the Council.



A discussion followed with contributions from Councillor B. Leech.

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

The proposed Extinguishment of public right of way at 8 -10 Drumcairn Drive was proposed by Councillor M. Ward and seconded by Councillor C. McCann and **APPROVED.**

### **H13/0219 FILLING OF VACANCIES ON STRATEGIC POLICY COMMITTEES**

Appointment of Public Participation Network Representatives on Strategic Policy Committees

**REPLY:**

The Council have been notified by the PPN of the resignation of Peter Kavanagh and Gillian McWilliams from the Arts, Culture, Gaeilge Heritage & Libraries SPC and the Housing SPC respectively. Below are the details of the persons nominated by the PPN to replace these members on the SPCs.

**Arts, Culture, Gaeilge Heritage & Libraries SPC** - Freda Manweiler nominated to replace Peter Kavanagh

**Housing SPC** - Sharon Harty nominated to replace Gillian McWilliams

This is now before the members for approval.

It was proposed by Councillor M. Ward and seconded by Councillor M. Duff and **AGREED** that **Freda Manweiler** be appointed to the Arts, Culture, Gaeilge Heritage & Libraries SPC following Peter Kavanagh’s resignation.

It was proposed by Councillor M. Ward and seconded by Councillor M. Duff and **AGREED** that **Sharon Harty** be appointed to the Housing SPC following Gillian McWilliams resignation.

**CORRESPONDENCE**

### **C1/0219 Departmental**

Letter dated 25th January 2019 from the Department of Health in response to Motion 15 from the 2018 December Council meeting

### **C2/0219** Letter dated 15th January 2019 from Sligo County Council in relation to the nurses and midwives strike.

### **C3/0219** Letter dated 22nd January 2018 from Leitrim County Council in relation to speech therapy in Primary and Post Primary schools

### **C4/0219** Letter dated 22nd January 2019 from Broadcasting Authority Ireland in response to Motion 6 from the 2018 December Council meeting.

**C5/0219** Letter dated 22nd January 2019 from Dublin City Council in response to Motion 10 from the 2018 December Council meeting

### **Motions for discussion**

### **M1/0219 MAYORS BUSINESS - SINGLE USE PLASTICS**

### Proposed by Councillor M. Ward and seconded by Councillor F. Timmons

Taking part in organised physical events has a positive impact on our physical and mental health however single use plastics used in these events have a negative impact on our environment. This Council calls on the Chief Executive to work with all the relevant stakeholders involved in organising both Gael Force and the 10k SEAI race this year in our County, making these events waste free and enabling SDCC to be a leading authority in combating single use plastics.

**REPORT:**

Meetings are scheduled with the organisers of both the Gael Force event running from Tallaght Stadium, and the 10k race from Grange Castle Business Park. The Motion will be brought to the attention of the event teams. Both events have been run very successfully over recent years with minimum environmental impact.

It should be noted that Gaelforce are proposing to make their 2019 events environmentally friendly.

<https://gaelforceevents.com/en/goodbye-to-plastic-bottles>

A discussion followed with contributions from Councillors M. Ward, E. Murphy, F. Duffy, K. Mahon and C. O’Connor.

Mr. Frank Nevin, Director of Economic, Enterprise & Tourism Development responded to the Member’s queries.

The Motion was **AGREED.**

### **M2/0219** [**LOCAL POLICING FORUMS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62426)

### **It was proposed by Councillor P. Donovan and seconded by Councillor C. O’Connor**

That this Council recognizes the work of Local Policing Forums in serving our Communities and seeks to establish such policing forums across all remaining Area Committees in our County

**REPORT:**

Under the Garda Síochána Act 2005, the Joint Policing Committees Guidelines - Amended, August 2014, set out the following in respect of Local Policing Forums:

Section 36(2)(d) of the Garda Síochána Act (see paragraph 2.1) provides for the establishment of local policing fora by JPCs. The internal procedures of such fora should be similar to those for the JPCs, but to the greatest extent possible be more informal.

As a general principle, JPCs should ensure that in establishing local policing fora they do not divert scarce resources from the work of the JPCs themselves.

In accordance with commitments in the National Drugs Strategy 2009-2016, guidelines for the operation of local policing fora in Local Drugs Task Force areas issued in 2009.

South Dublin County Joint Policing Committee set up three Local Policing Fora which are located in Tallaght (formed November 2010), Clondalkin (formed February 2011) and North Clondalkin (formed February 2011). In addition South Dublin County covers part of the D12 Local Policing Forum (formed March 2011). Public meetings are organised by the Local Policing Fora and supported by the Joint Policing Committee.  Each Local Policing Fora is made up of representatives of the Local Authority, Garda Síochána, Elected Representatives, Local Drugs Task Force and local residents.

Additional LPFs have been discussed at the JPC meetings over the past year, particularly in relation to the establishment of LPFs in Lucan/Adamstown and Rathfarham but in the absence of resources to support co-ordinators, it is considered that linkage with existing structures including neighbourhood watch schemes may be appropriate for these areas.  Notwithstanding this, some community members on the JPC have committed to pursuing a commitment on resources from central government.

It should be noted that the power to set up LPFs lies with the JPC (Section 36(2)(d) of the Garda Síochána Act (see paragraph 2.1) provides for the establishment of local policing fora by JPCs).

A discussion followed with contributions from Councillors P. Donovan, D. O’Donovan, C. O’Connor, S. Holland, D. Looney, L. Dunne, E. Murphy, P. Gogarty, E. Higgins and M. Ward.

Mr. C. Ward, Director of Housing, Social & Community Development responded to the Members queries.

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

**FOR: 25 (TWENTY FIVE)**

**AGAINST: 0 (ZERO)**

**ABSTAIN: 1 (ONE)**

The Motion was **PASSED.**

### **M3/0219** [**RTB & TALLAGHT CROSS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62464)

### **It was proposed by Councillor B. Leech and seconded by Councillor M. Ward**

Due to the number of Termination of Tenancy notices served by Tuath Housing on the Transitional Tenants in Tallaght Cross for over holding on their 18 month lease, that this Council engage with Tuath Housing and the Minister for Housing, Planning and Local Government, Eoghan Murphy and confirm that homeless people in Transitional Housing will not be pursued through the Residential Tenancies Board and that any actions involving the RTB and Tuath Housing at the Tallaght Cross units be withdrawn.

**REPORT:**

Tallaght Cross falls into the category of transitional accommodation, as defined under the Residential Tenancies (Amendment) Act 2015, as follows: ‘transitional dwelling’ means a dwelling that an approved housing body leases for periods not exceeding 18 months for the purposes of the approved housing body concerned’.

Transitional accommodation serves a specific purpose and can include such services as homeless services, domestic violence services, and specific services for people with disabilities, amongst others.  Residents of transitional housing are advised before occupation and at the signing of their lease that, for legal reasons, they cannot remain in a property for more than 18 months and accordingly some tenancies approaching 18 months may be determined through engagement with the Residential Tenancies Board.

The transitional accommodation available in Tallaght Cross provides medium-term accommodation along with on-site support from Focus Ireland to assist families in their search for permanent accommodation.  Families residing in Tallaght Cross are advised and encouraged from the outset of their tenure to engage with Choice Based Letting (CBL) and the Housing Assistance Payment (HAP) Placefinder services provided by the Council to source more stable and secure accommodation tenures with residents nearing the completion of their 18 month tenure also having access to Homeless HAP.

It is vital that residents engage with the appropriate supports and opportunities to move on from Tallaght Cross for their own benefit to improve their security of tenure and to avoid over-holding their lease as well as allowing the accommodation to be utilised for other families residing in B&Bs, hotels and hostels the opportunity to avail of this facility and an 18 month breathing space to find more suitable permanent accommodation.

It should be noted that no residents have at any stage been evicted from Tallaght Cross for not moving on within or after the 18 month transitional period and the Council, together with Túath & Focus are committed to ensuring that suitable longer-term homes are sourced for residents who have reached the end of their 18-months lease.

A discussion followed with contributions from Councillors B. Leech, R. Nolan, K. Mahon, E. Murphy, E. Hendrick, M. Ward and L. Dunne.

Mr. C. Ward, Director of Housing, Social & Community Development responded to the Members queries.

The Motion was **AGREED**.

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

**SM1/0219** The following Suspensory Motion in the names of Councillors D. O’Donovan, L. O’Toole, F. Duffy, M. Duff, B. Bonner, B. Lawlor, C. McCann, E. Higgins, B. Lawlor, V. Casserly, P. Foley, B. Leech, P. Donovan, K. Egan, E. Murphy, P. Gogarty, S. Holland, R. Russell, P. Kearns, L. Dunne, G. O’Connell, F. Timmons, D. Looney, E. Hendrick, K. Mahon, M. Ward, C. McMahon, C. O’Connor.

“That the Manager liaises with the National Monuments Service to determine what the archaeological importance is of the recent dig at the lands of the former home of former Taoiseach Liam Cosgrave in Knocklyon and that due process under the Monuments Act is being followed.”

The Suspensory was **AGREED.**

### **M4/0219** [**METRO NORTH**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62496)

### **It was proposed by Councillor F.N. Duffy and seconded by Councillor S. Holland**

That South Dublin County Council supports the extension of Metro North from Charlemont to Knocklyon and the connection of the red Luas from Tallaght to Booterstown. The Metro extension to Knocklyon would be connected from Charlemont to Knocklyon via Harolds Cross, Terenure and Rathfarnham. The Tallaght to Booterstown Luas link would create a much-needed south orbital route connecting 5 rail links into the city (ie the existing red and green line Luas, the proposed Knocklyon and UCD Metro and the existing Dart at Booterstown - other stops are indicated on the attached maps).

**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.

A discussion followed with contributions from Councillors F. Duffy, S. Holland, C. McMahon, R. McMahon, P. Donovan, E. Murphy, K. Mahon and M. Ward.

The Motion was **AGREED**.

**M5/0219** [**NOT CONSENT EXHIBITION**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62437)

**It was proposed by Councillor F. Timmons and seconded by Councillor E. Higgins.**

That this council supports the Not Consent Exhibition and asks the Minister for Justice to table a Bill that would remove the onus of lack of consent from the alleged victim, to a burden of proof of consent on the alleged perpetrator of sexual offences.

**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.

A discussion followed with contributions from Councillors F. Timmons, B. Ferron, E. Hendrick, E. Higgins, P. Gogarty, V. Casserly, K. Mahon, M. Murphy, L. Dunne, M. Ward and B. Ferron.

Councillor V. Casserly proposed and Councillor M. Ward seconded an **Amendment** to the Motion as follows:

“That this council supports the Not Consent Exhibition and calls on the Minister for Justice to fully review the treatment of alleged victims and review the court and legal procedure”

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

### **M6/0219** As Councillor M. Johansson was absent from the chamber this motion **FELL** in accordance with Standing Order No. 19.

That the elected members of this council support moves across Europe to introduce free public transport and call on the Irish government to do the same. If the motion is passed, a letter to the Minister for Transport Shane Ross will be issued.

### **M7/0219** [**SOCIAL INCLUSION**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62418)

### **It was proposed by Councillor Emma Hendrick and seconded by Councillor E. Murphy**

That the elected members of this council call on South Dublin County Council to engage with stakeholders in the Travelling Community and Immigrant Community and come up with supports for these communities during social inclusion week, the theme of which includes anti racism, and organise a public event where stigma busting surrounding these communities is addressed

**REPORT:**

The Council’s Social Inclusion Unit (SIU) has an extensive work programme to ensure that those at of poverty and social exclusion have the opportunities to participate in economic, social and cultural life that is considered normal in their living environment. The unit works closely with groups which have been identified as being at greater risk of social exclusion; older people; ethnic minorities; disabled people; women; children and young people; travellers and LGBTQ+.

The SIU is responsible for the delivery of a Traveller Culture Schools Project which promotes positive relationships between Travellers and school children in local schools and develops the skills and confidence of local Travellers to facilitate conversations on Travellers’ way of life and culture.

The SIU also supports the delivery of the Yellow Flag Programme in primary schools in the county, the programme was developed and pioneered by the Irish Traveller Movement to promote greater understanding and valuing of cultural diversity within school communities. This programme has been further developed to schools to become more inclusive of all cultures and ethnicities, celebrate diversity and challenge racism and discrimination of all cultures and ethnicities, celebrate diversity and challenge racism and discrimination.

The SIU runs children and adult competitions to raise awareness of racism during European Week Against Racism; and the unit works closely with the Council’s Sports & Recreation Office in delivering the Show Racism the Red Card initiative that is delivered the same week.

Social Inclusion Week and Celebration: Social Inclusion Through the Performing Arts is dedicated to engaging with stakeholders from all the groups identified as being at risk of social exclusion, this engagement is ongoing throughout the year.

The Council’s Flavours of South Dublin is a food festival aimed to promote the integration of migrant communities living in South Dublin County Council area.

The SIU meets regularly with the South Dublin Migrant Integration Forum which is made up of representatives of migrant groups living in the County.

The SIU is a currently developing the Council’s second Migrant Integration Strategy. During the development of this strategy there was a consultation process which included distribution of an online a questionnaire to key stakeholders; and input from the South Dublin Migrant Integration Forum. A draft of the strategy will be presented to the Social and Community SPC meeting in February for consideration.

A discussion followed with contributions from Councillors E. Hendrick, F. Timmons, P. Gogarty, B. Bonner, K. Mahon and M. Ward

Mr. C. Ward, Director of Housing, Social and Community Development responded to the Members queries.

The Motion was **AGREED**

### **M8/0219 FREE PUBLIC TRANSPORT**

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

This council supports fare-free public transport in Ireland, funded through increased Government subvention, as a key initiative in reducing car usage, tackling CO2 emissions and increasing connectivity. We request an update from the relevant Minister as to what studies have been undertaken regarding the provision of free public transport?

**REPORT:**

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

A discussion followed with contributions from Councillors K. Mahon and P. Gogarty.

The Motion was AGREED.

**A.O.B**

It was brought to the Members attention that the Annual Ethics Declaration form were to be completed and returned before 28th February.

Meeting Finished @ 19:00.

**Motions not Reached**

### **(M9) MOBILE HOMES**

### **It was proposed by Councillor R. Nolan**

With waiting times on the council housing list reaching 12 plus years, and shortage of private rental  accommodation,  that this council permits families who have children and grandchildren living with them in overcrowded dwellings, permission to have mobile homes in their back gardens to accommodate them.

### **(M10)** [**BONFIRES**](http://intranet/cmas/documentsview.aspx?noinc=true&id=62438)

### **It was proposed by Councillor C. O'Connor**

That this Council calls on the CEO to report on his evaluation of the Council's actions to deal with the 2018 Bonfire challenges; will he give details of the cost of the clean up of Open Spaces throughout the County and will he now confirm what early planning is in place for Halloween 2019 and will he make a statement. Charlie O'Connor

colouring competition, pumpkin-carving competition and many other spookily themed activities

 “Bulbs Not Bonfires” continued again this year - this is a reward available through the Council’s innovative Social Credits Scheme which provides communities with flowers in the spring in return for organising alternative Halloween activities that does not harm our environment.

A free pass to Ballymount Civic Amenity Centre was also provided to every Social Credit applicant / group from 16th October to encourage recycling, one pass allows one entry for one car.  These passes remain valid until 13th November 2018.

Our Public Realm operations units collected bonfire material in a number of areas across the county since early October (North and South of the Naas Road), and liaised closely with residents. (Nonetheless domestic furniture including beds, bed frames, mattresses, chairs etc were collected from stockpiles).

All reports received advising of stockpiling of bonfire material were logged specifically for attention and all available resources were deployed to the preventative collections of bonfire materials prior to this Halloween, and a total of 336 calls were received directly to the office over the weeks immediately before Halloween with a further c 25 (excluding duplicates) made after hours.

For operational safety reasons, contact was made early in the season with local Gardai to arrange a joint approach to dealing with the removal of material.

Our Waste Enforcement Section were in contact with over 150 businesses to advise them of their obligations regarding waste regulations, particularly relative to pallets and tyres.  Regrettably however, 1,100 pallets were still collected from stockpiled material in the days immediately before Halloween and tyres were also included in the stockpiling and movement of “waste” to fuel bonfires.

There were reports of 11 burnt out cars in the weeks across Tallaght and Clondalkin causing unnecessary damage to our parks, pitches and open spaces, and in a separate incident damage was also caused to an ESB mini pillar in one location.

Priority locations targeted for collection of material included bonfires being constructed in close proximity to houses, power lines, roadsides and transport routes.  Particular attention was given to bonfire removal requests from the Gardaí where they have identified a threat to property or services such as public transport.

In addition this year, recently acquired unmanned aerial vehicles (UAVs / Drones) were used to detect the illegal stockpiling of bonfire material.   These drones are an important additional to the waste enforcement toolkit, and will provide evidence to officers on the ground of areas where visibility is sometimes difficult.

A total of 280 Halloween bonfire sites were recorded in the County for 2018. The Council collected and removed bonfire materials as a priority task through the month of October and for part of September also. The clean up of sites was completed in November and reinstatement where required will take place in the spring of 2019, once ground conditions are suitable.

Over the weekend and days immediately prior to Halloween, from Saturday October 27th to Wednesday October 31st, a total of 144.4 tonnes of bonfire materials was collected by this Council.  In total the Council collected 522.9 tonnes of waste during both the lead up to Halloween and from the clean ups which took place during the weeks after Halloween.  The total cost to the Council's Public Realm Section in 2018 was €138,940.

The Council's response to Halloween in 2019 will involve the following -

* Various awareness measures to highlight the dangers associated with bonfires and the harm done to the environment,
* Action by the Council's Environmental Licensing and Enforcement Section to deal with commercial premises and their obligations to properly store their waste including aerial surveys,
* The Public Realm response to remove stockpiles of bonfire materials will commence as soon as necessary most likely in September,
* Liaison with An Garda Siochana with regard to action being taken by them and by the Council in relation to this matter,
* Liaison with local residents groups who can help to identify the locations of material stockpiles,
* The Bulbs not Bonfires campaign will run again this year to encourage local residents not to allow bonfires to take place in their areas,
* The social credits scheme will once again facilitate groups who are registered on the scheme with the disposal of materials at the Council's civic amenity site in Ballymount, and this will help to reduce the amount of materials being handed over for bonfires.

**Meeting Finished @ 6:50pm**

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

Mayor

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