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

Minutes of South Dublin County Council December 2019 County Council Meeting held on Monday 9 December 2019

### **PRESENT**

|  |  |  |
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| **Councillors** |  | **Councillors** |
| Bailey, C. |  | Lawlor, B. |
| Carey, W. |  | Mahon, K. |
| Casserly, V. |  | McMahon, R. |
| Collins, Y. |  | McManus, D. |
| Costello, T. |  | Moynihan, S. |
| Duff, M. |  | Murphy, E. |
| Duffy, F. |  | O’Brien, E. |
| Dunne, L. |  | Ó Broin, E |
| Edge, A. |  | O’Connell, G. |
| Egan, K. |  | O’Connor, C. |
| Fay, S. |  | O’Donovan, D. |
| Gilligan, T. |  | O’Toole, L. |
| Gogarty, P. |  | Pereppadan, B. |
| Hayes, A. |  | Priestley, W. |
| Higgins, E. |  | Richardson, D. |
| Johansson, M. |  | Seery-Kearney, M. |
| Kavanagh, P. |  | Sinclair, L. |
| Kearns, P. |  | Tuffy, J. |

### **OFFICIALS PRESENT**

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| Chief Executive | D. McLoughlin. |
| Directors / Heads of Function | L. Maxwell, F. Nevin, T. Walsh, M. Mulhern, C. Ward. |
| Head of Function | R. FitzGerald |
| Senior Executive Officer | C. Hurson, M Staunton, E. Leech, N. Hanly. |
| Financial Management Accountant | M. Kelly. |
| Administrative Officer | M. Reilly, N. Noonan, B. Pierce. |
| Staff Officer | L. Abbey |
| Clerical Officer | D. Murphy. |
| I. T. Support | M. Keating |
| Sord | A. O’Brien |

The Mayor, Councillor V. Casserly, presided.

Apologies were received from Councillors P. Holohan, C. King, F. Timmons

### **H1/1219 CONFIRMATION AND REAFFIRMATION OF MINUTES**

Minutes of the November County Council Meeting on 11th November 2019which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor V. Casserly seconded by Councillor E. Murphy.

1. [Minutes of November Council Meeting - November 11th 2019](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=65129)

In accordance with **Standing Order No. 13** it was **AGREED** with the consent of the Members to vary the sequence of business and to take Headed Item 20 (H20) first.

### **H20/1219 CORKAGH PARK FINAL PROPOSALS**

The following report by the Chief Executive, which had been circulated, was presented by Jason Chia (Tyréns-UK) and Tom Agar (Fourth Street) and was **CONSIDERED:**

1. [Corkagh Park Study Presentation](http://www.sdublincoco.ie/Meetings/ViewDocument/65187)

### A discussion followed with contributions from Councillors P. Kavanagh, M. Johansson, E Ó Broin, W. Carey, K. Mahon, P. Gogarty, T. Gilligan, L. Dunne, G. O’Connell, S. Fay, S. Moynihan and V. Casserly.

### Mr. D. McLoughlin Chief Executive, Ms. T. Walsh, Director of Environment, Water and Climate Change and Jason Chia (Tyréns-UK) responded to the Members queries.

### The report was **NOTED**.

### **H2a/1219 REPORTS OF AREA COMMITTEES**

**a) Rathfarnham/Templeogue/Firhouse/Bohernabreena Area Committee - 12th November 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.

### **H2b/1219 REPORTS OF AREA COMMITTEES**

**b) Clondalkin Area Committee – 20th November 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.

### **H2c/1219 REPORTS OF AREA COMMITTEES**

**c) Tallaght Area Committee – 25th November 2019**

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

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**:

Application for Arts Grant

Kurdish Arts Group – Nergz Nergz Arts Group is a voluntary group with a focus on Kurdish Arts and Culture. The group organises a number of performance-based events which are promoted to the Kurdish Community based in South Dublin County, of which there are 500 people, and the Kurdish Community in the wider Dublin area.

The group proposes to hold a concert on the 28th of December featuring Kurdish musicians from the UK.

The Arts office recommends that a contribution of €650 be allocated to the Kurdish Arts Group – Nergz to support the production of this concert.

It was Proposed by Councillor C. O’Connor, Seconded by Councillor M. Duff and **AGREED** that the contribution be made.

The report was **NOTED** and it was proposed by Councillor V. Casserly seconded by Councillor R. McMahon and **RESOLVED**:

“That the recommendations contained in the foregoing report of The Tallaght Area Committee 25th November 2019 be **ADOPTED** and **APPROVED.**”

### **H2d/1219 REPORTS OF AREA COMMITTEES**

**d)** **Lucan/Palmerstown/Fonthill Area Committee – 26th November 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.

### **H3/1219 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 Meeting Dates was **APPROVED** on the proposition of Councillor P. Kavanagh and seconded by Councillor T. Costello.

**Draft Calendar of Meeting Dates**

**December 2019**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 2nd Dec | **CPG Meeting** | 12:00pm |  |
| Tue. | 3rd Dec |  |  |  |
| Wed. | 4th Dec | ***Social, Community & Equality SPC*** | 6.00pm - 7.30pm |  |
| Thur. | 5th Dec |  |  |  |
| Fri | 6th Dec |  |  |  |
|  | | | | |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 9th Dec | **Council Meeting** | 3:30pm | 25/11/2019 |
| Tue. | 10th Dec | **Audit Committee Meeting**  **Rathfarnham – Templeogue – Firhouse - Bohernabreena Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 8:00am – 9:30am  3:00pm – 6:00pm | 26/11/2019 |
| Wed. | 11th Dec |  |  |  |
| Thur. | 12th Dec |  |  |  |
| Fri | 13th Dec |  |  |  |
|  | | | | |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 16th Dec | **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 | 2/12/2019 |
| Tue. | 17th Dec | **Lucan, Palmerstown Fonthill - Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3:00pm – 6:00pm | 3/12/2019 |
| Wed. | 18th Dec | **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 | 4/12/2019 |
| Thur. | 19th Dec |  | 3:30pm - |  |
| Fri | 20th Dec |  |  |  |
|  | | | | |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 23rd Dec |  |  |  |
| Tue. | 24th Dec |  |  |  |
| Wed. | 25th Dec |  |  |  |
| Thur. | 26th Dec |  |  |  |
| Fri | 27th Dec |  |  |  |

**January 2020**

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| --- | --- | --- | --- | --- |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. |  |  |  |  |
| Tue. |  |  |  |  |
| Wed. | 1st Jan |  |  |  |
| Thur. | 2nd Jan |  |  |  |
| Fri. | 3rd Jan |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 6th Jan | **CPG Meeting** | 12:00pm |  |
| Tue. | 7th Jan |  |  |  |
| Wed. | 8th Jan |  |  |  |
| Thur. | 9th Jan |  |  |  |
| Fri. | 10th Jan |  |  |  |

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| **DATE** | | **MEETING / FUNCTION** | | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 13th  Jan | **Council Meeting** | | 3:30pm – 7:00pm | 20/12/2019 |
| Tue. | 14th Jan | **Rathfarnham – Templeogue – Firhouse - Bohernabreena Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | | 3.00pm - 6.00pm | 23/12/2019 |
| Wed. | 15th  Jan | **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 | 24/12/2019 |
| Thur. | 16th Jan |  | |  |  |
| Fri. | 17th Jan |  | |  |  |
|  | | | |
| **DATE** | | **MEETING / FUNCTION** | | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 20th  Jan |  | |  |  |
| Tue. | 21st Jan |  | |  |  |
| Wed. | 22nd Jan | **Deputations** | | 2:00pm – 5:00pm |  |
| Thur. | 23rd Jan | **Traffic Management Meeting**  **(Clondalkin)**  **Traffic Management Meeting**  **(Rathfarnham – Templeogue – Firhouse - Bohernabreena)**  **OP&F Meeting** | | 2:00pm – 2:45pm  2:45pm – 3:30pm  3:30pm – 6:00pm | 9/1/2020 |
| Fri. | 24th Jan |  | |  |  |
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| **DATE** | | **MEETING / FUNCTION** | | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 27th Jan | **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 – 3:00  3.00pm - 6.00pm | 13/1/2020 |
| Tue. | 28th Jan | **Traffic Management Meeting**  (Lucan)  **Lucan-Palmerstown-Fonthill Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | | 2:15pm  3.00pm - 6.00pm | 14/1/2020 |
| Wed. | 29th Jan | **Deputations** | | 2:00pm – 5:00pm |  |
| Thur. | 30th Jan |  | |  |  |
| Fri. | 31st Jan | **JPC** | | 3:00pm |  |
| **February 2020** | | | | | |
| **DATE** | | **MEETING / FUNCTION** | | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 3rd Feb | **CPG Meeting** | | 12:00pm |  |
| Tue. | 4th Feb | **Environment, Water & Climate Change SPC** | | 5.30pm - 7.00pm | 3/1/2020 |
| Wed. | 5th Feb | **Arts, Culture, Gaeilge, Heritage & Libraries SPC** | | 5.30pm - 7.00pm | 6/1/2020 |
| Thur. | 6th Feb |  | |  |  |
| Fri. | 7th Feb |  | |  |  |
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| **Date** | | **MEETING / FUNCTION** | | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 10th Feb | **Council Meeting** | | 3:30pm – 7:00pm | 27/1/2020 |
| Tue. | 11th Feb | **Rathfarnham – Templeogue – Firhouse - Bohernabreena Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | | 3.00pm - 6.00pm | 28/1/2020 |
| Wed. | 12th Feb | **Economic Enterprise & Tourism Development SPC** | | 5.30pm - 7.00pm | 13/1/2020 |
| Thur. | 13th Feb | **Housing SPC** | | 5.30pm - 7.00pm | 14/1/2020 |
| Fri | 14th Feb |  | |  |  |

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| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 17th Feb |  |  |  |
| Tue. | 18th Feb | ***Social, Community & Equality SPC*** | 6.00pm - 7.30pm | 17/1/2020 |
| Wed. | 19th Feb | **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 | 5/2/2020 |
| Thur. | 20th Feb | **Land Use, Planning & Transportation SPC** | 5.30pm - 7.00pm | 21/1/2020 |
| Fri | 21st Feb |  |  |  |

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| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 24th Feb | **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 | 10/2/2020 |
| Tue. | 25th Feb | **Lucan-Palmerstown-Fonthill Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 11/2/2020 |
| Wed. | 26th Feb | **Deputations** | 2:00pm – 5:00pm |  |
| Thur. | 27th Feb |  |  |  |
| Fri | 28th Feb |  |  |  |

b) Report on Conferences/Seminars was **APPROVED** on the proposition of Councillor P. Kavanagh and seconded by Councillor T. Costello.

“[**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**

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| --- | --- | --- | --- | --- |
| AILG Module 5 | AILG | Hodson Bay Hotel, Athlone | 21/11/2019 |  |

**Conferences & Training Attended Since September**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Irish Planning Institute - Autumn Planning Conference 2019 | Irish Planning Institute | The Grand Hotel, Malahide, Co. Dublin | 04/10/2019 | Cllr. William Carey |
| Irish Council for Social Housing - Conference | Irish Council for Social Housing | Clayton Whites Hotel, Wexford | 10/10/2019 - 11/10/2019 | Cllr. William Priestley Cllr. David McManus |
| AILG Module 4 | AILG | Crowne Plaza Hotel, Dundalk | 12/10/2019 | Cllr. Mark Ward Cllr. Brian Lawlor Cllr. David McManus Cllr. Emer Higgins Cllr. William Carey |
| LAMA Autumn Seminar | LAMA | Falls Hotel, Ennistymon Co. Clare | 17/10/2019 - 19/10/2019 | Cllr. Brian Lawlor Cllr. David McManus Cllr. Dermot Richardson Cllr. Emer Higgins Cllr. Guss O'Connell Cllr. Kenneth Egan |

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.”

### **H4/1219 STRATEGIC POLICY COMMITTEES**

1. **Arts, Culture, Gaeilge, Heritage & Libraries SPC**

The following reports by the Chief Executive, which had been circulated, and were **CONSIDERED:**

1. Report of Meeting - 6th November 2019

**Arts, Culture, Heritage, Gaeilge & Libraries SPC**

**Meeting 6th November 2019 (5.30pm) – Council Chamber**

**Report**

**Attended**

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| Cllr. Mick Duff (Chair) | Cllr. Guss O’Connell |
| Cllr. Alan Hayes | Ms. Freda Manweiler |
| Cllr. Peter Kavanagh | Ms. Elaine Vince-O’Hara |

**Apologies:** Cllr. Teresa Costello

Cllr. Kenneth Egan

**Officials present:**

Mr. Frank Nevin, Director of Service.

Ms. Bernadette Fennell, County Librarian

Ms. Orla Scannell, Arts Officer

Ms. Cristian Hurson, Senior Executive Officer

Ms. Maoilíosa Boyle, Director of Rua Red

Mr. Michael Barker-Craven, Director of Civic Theatre

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| **Headed Item 1: SPC introductions**  **Members and officials introduced themselves.** |
| **Headed Item 2: Lobbying Regulation Act**  **Cristina Hurson, Senior Executive Officer, provided information on the Regulation of Lobbying Act 2015 to the Strategic Policy Committee.**  The report was **noted.** |
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| **Headed Item 3:   SDCC Corporate Plan 2019-2024**  **Cristina Hurson, Senior Executive Officer, gave a presentation on SDCC Corporate Plan 2019-2024.**    **The report was noted.** |
| **Headed Item 4: Minutes of the SPC meeting of 6th Feb 2019.**  The minutes of the SPC meeting of 6th Feb 2019 were **noted.** |
| **Headed Item 5: Libraries Presentation**  Bernadette Fennell, County Librarian, gave a presentation on South Dublin Libraries Development Plan 2018-2023 ‘Open to You’.  Following some discussion with contributions from Cllr. Kavanagh, Cllr O’Connell, Cllr. Hayes and Cllr. Duff the report was **noted.** |
| **Headed Item 6: Arts Office Update**  Orla Scannell, Arts Officer, gave an update on Arts programmes including the Youth Arts Programme, InContext 4, Music Generation and the Creative Ireland Programme.  Following contributions from Cllr. O’Connell and Cllr. Kavanagh the report was **noted.** |
| **Headed Item 7: Rua Red Presentation**  Ms. Maoilíosa Boyle, Director of Rua Red, gave a presentation on the work carried out by Rua Red and several programmes were discussed.  The report was **noted.** |
| **Headed Item 8: Civic Theatre Presentation**  Mr. Michael Barker-Craven, Director of the Civic Theatre, gave a presentation on the work and programmes carried out by the theatre.  Following a contribution by Cllr. Hayes the report was **noted.** |
| **Headed Item 9: Appointments to the Board of SDCC Arts Company/Civic Theatre Board**  Mr. Frank Nevin, Director of Service, informed Members that the nominations to the board of the Civic Theatre were approved at the July County Council meeting:  Cllr. Kavanagh and Cllr Baby Pereppadan and the two executives from SDCC are Mr. Eddie Conroy and Ms. Bernadette Fennell.  The nomination of three (3) members to the Board of the South Dublin Arts Company, (Rua Red), was discussed by the members. It was agreed that:   * The previous protocol that the three members to be nominated would be : the SPC Chair (ex officio), one elected member and one non-elected member, would continue. * In line with this protocol it was agreed that Cllr Mick Duff, (Chair) and Ms Freda Manweiler, (PPN) would be nominated to the Board. * At the meeting Councillors Hayes and Kavanagh expressed interest in the third nomination but, as not all elected members of the SPC were present for the discussion, it was agreed that the nomination be deferred to the next SPC meeting. * The two Executives from SDCC appointed to the board are Mr. Frank Nevin and Ms. Anne Lynch. |
| **Headed Item 10: Draft SPC work plan**  There was also discussion in relation to the SPC workplan. Time was limited but it was agreed that a DRAFT plan be circulated for discussion and agreement reached at the next SPC meeting. |
| **AOB**  Cllr Kavanagh expressed his thanks to all and the **meeting concluded at 7.25pm.** |

(ii) Minutes of Meeting - 6th February 2019

**Arts, Culture, Heritage, Gaeilge & Libraries SPC**

**Meeting 6th February 2019 (5.30pm) – IT Conference Room**

**Minutes**

**Attended**

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| --- | --- |
| Cllr. Dermot Richardson (Chair) | Cllr. Dermot Looney |
| Cllr. Breeda Bonner | Ms. Deirdre Mooney |
| Cllr. Brian Leech |  |

**Apologies:** Cllr. Cora McCann

Cllr. Madeleine Johansson

Mr. Peadar O’Caomhanaigh

**Officials present:**

Mr. Frank Nevin, Director of Service.

Ms. Bernadette Fennell, County Librarian

Ms. Orla Scannell, Arts Officer

Mr. Niall Noonan, Communications Manager

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| **Headed Item 1: Minutes of SPC meeting 7th November 2018**  **Minutes were AGREED.**  **Matters arising: None** |
| **Headed Item 2: SDCC Irish Language Strategy**  **Niall Noonan, Communications Manager, gave a presentation on SDCC Irish Language Scheme. The current scheme (2016-2019) expires on 18th Oct 2019. In preparation for the creation of a new Irish Language Scheme, SDCC will publish a notice of intention to prepare a draft scheme in local newspapers, on** [www.sdcc.ie](http://www.sdcc.ie) **and on social media in June 2019. This notice will be circulated to all elected Council Members. The consultation will be posted on the Council’s Consultation Portal with submissions allowed online through the portal or in writing to the Communications Unit, and will be open for a period of four weeks.**  **Following this consultation period, a draft Irish Language Scheme shall be prepared and present to Members at the September County Council meeting. Once agreed upon by the elected Members, the scheme shall be submitted to the Minister for Culture, Heritage and the Gaeltacht for approval.**  **Following some discussion by Members including full translation of documents in Irish, SDCC’s role in the promotion of Irish and the use of Irish at meetings and launches of SDCC, the report was NOTED.** |
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| **Headed Item 3:   Update on Library Capital Projects**  **Bernadette Fennell, County Librarian, gave an update on the two library projects at North Clondalkin and Castletymon Library.**  **Construction on North Clondalkin Library commenced on site in September 2018 with Townlink Construction Ltd. appointed as Contractors. The proposed work includes the construction of a two storey 1,299 metres squared library building on a site at the junction of Liscarne, Oatfield and Harelawn housing estates opposite the church. The finished building will be very modern, with a traditional library brickwork design, and on completion there will be landscaping all around the building with extensive lighting.**  **Work on the North Clondalkin project is progressing to the agreed programme. Concrete columns and walls have reached the main roof and first floor level, with blockwork progressing in January 2019. The construction period has been set at 18 months as part of the contract, but currently it is anticipated that it may take 15 months to construct, subject to no delays. We anticipate that the construction and fit-out will be completed by the first quarter of 2020.**  So**uth Dublin County Council invited tender documents for the construction of a public library at Castletymon, Tallaght in August 2018. McDermott & Treaty Construction have been appointed as Contractors on the project. They have commenced on site in January 2019 and it is anticipated that the project will be completed within 12 months.**  **The report was NOTED.** |
| **Headed Item 4: Local Studies- Decade of Centenaries/Projects**  Bernadette Fennell, County Librarian, gave an outline of the proposed programme of events for Local Studies for 2019, including preparation of exhibitions, talks and events planned including marking the centenary of the First Dáil and further events to commemorate the events of 1919 and the start of the War of Independence.  Following some discussion by Members the report was NOTED. |
| **Headed Item 5: Update on Creative Ireland and Cruinniú na nÓg 2019**  Orla Scannell, Arts Officer, gave an update on Creative Ireland and informed Members that there are plans to introduce Service Level Agreements with Local Authorities, to invest in Culture and Creativity Strategies and advance an understanding of creativity. There will be an increased emphasis on funding cross sectoral projects; projects that otherwise have fallen through the cracks and projects that support innovation. The budget is €96,000 and there is a memorandum of understanding until 2022 with the Department of Housing, Planning and Local Government.  There is a call out for Creative Ireland South Dublin Awards 2019 which closes on 6th March 2019.  Cruinniú nÓg will take place on 15th June 2019. The budget is €75,000 and there is an open call for proposals with a closing submission date of 1st March 2019.  Funding has also been announced for the Decade of Centenaries 2019 of €10,000 for each Local Authority and a meeting is planned in March to discuss themes for 2019 including the Struggle for Independence.  The report was NOTED. |
| **Headed Item 7: AOB**  Bernadette Fennell, County Librarian, informed the SPC of the upcoming launch of The Dolly Parton Imagination Library, a free book-giving initiative for the D.24 area, coordinated by CDI Tallaght. The launch will take place on 14th February at 10.00am in the County Library, Tallaght.  **Meeting** concluded at 7.00pm |

1. **Environment, Water, Climate Change & Biodiversity SPC**

The following reports by the Chief Executive, which had been circulated, and were **CONSIDERED:**

1. Report of Meeting - 6th November

**Report of Environment Public Realm & Climate Change SPC Meeting held on 6th November 2019**

**Venue: IT Conference Room**

**In attendance**

**Elected Members**

Councillor Brian Lawlor (Chair)

Councillor Francis Timmons

Councillor Alan Edge

Councillor Yvonne Collins

Councillor Liam Sinclair

Councillor Madeleine Johansson

**Officials**

Teresa Walsh, Director of Service

Chris Galvin, Senior Engineer

Suzanne Furlong, Snr. Parks Superintendent

Derek Sargent, A/Senior Engineer

Michael McAdam, A/Senior Executive Officer

Mary Keenan, Senior Executive Parks Superintendent

Brenda Shannon, Administrative Officer

Fiona Hendley, Administrative Officer

**Non-Elected**

Donie Anderson

Una Ruddock

Deirdre Mooney

**Item 1: Minutes of Environment SPC meeting held on 5th February 2019**

The [Minutes of Environment SPC meeting held on 5th February 2019](http://intranet/cmas/documentsbyitem.aspx?itemid=63986)**,** were proposed by Councillor Lawlor, seconded by Councillor Timmons and agreed.

**Item 2: Corporate Plan 2020-2024**

Lorna Maxwell, Director of Corporate Performance and Change Management presented a report to the Committee in respect of the consultation process underway for the preparation of the [South Dublin County Council Corporate Plan 2020-2024](http://intranet/cmas/documentsbyitem.aspx?itemid=63953).

**Item 3: Introduction to SPC and Lobbying requirements**

Teresa Walsh, Director of Services presented an introduction to the SPC and outlined the [South Dublin County Council Scheme for the Establishment of Strategic Policy Committees](http://intranet/cmas/documentsbyitem.aspx?itemid=63952) as adopted at the Council meeting held on the 14th October 2019. An Information Notice in respect of the Regulation of Lobbying as circulated was also discussed.

**Item 4: Draft Litter Management Plan 2020-2024**

A report on the [Draft Litter Management Plan 2020-2024](http://intranet/cmas/documentsbyitem.aspx?itemid=63954) and the Public Consultation process was presented by Michael McAdam, A/Senior Executive Officer. Members were informed that a report on the public consultation and a Final Draft Litter Management Plan will be presented to the SPC at the February Meeting with a view to submitting the Plan to the Council for approval.

**Item 5: Update on Flood Alleviation and Surface Water Schemes**

A report on the various Flood Alleviation Schemes and Surface Water Schemes, including the River Poddle Flood Alleviation Scheme and the Whitechurch Stream Flood Alleviation Scheme was presented by Senior Engineer Chris Galvin and A/ Senior Engineer, Derek Sargent.

**Item 6: Update on Climate Action Plan 2019 -2024 & Implementation**

Chris Galvin, Senior Engineer, presented a report to update the members of progress under the 6 key themes and 130 actions of the Climate Change Action Plan.

**Item 7: Issues around Election Posters**

It was agreed that this item be deferred until the outcome of a debate on a related motion at the Council Meeting being held on the 11th of November is known.

**Item 8: Sports Pitch Strategy Update**

Suzanne Furlong, Senior Parks Superintendent provided an update to the members in relation to the development of a Sports Pitch Strategy for the County.

**Item 9: Any Other Business**

1. Dublin Canvas: Councillor Timmons put forward a suggestion that famous people from the South Dublin area be approached and asked to get involved in the Dublin Canvas project in the County.
2. Commercial Rates: The Chairman indicated that he will be proposing that a scheme be considered by the SPC whereby any future increase in Commercial Rates may be offset with rewards for small businesses for environmental activities.
3. Minutes of Meeting - 5th February

**Minutes of Environment Public Realm & Climate Change SPC Meeting held on 5th February 2019**

**Venue: IT Conference Room**

**In attendance**

**Elected Members**

Councillor Pamela Kearns (Chair)

Councillor Francis Timmons

Councillor Ed O’Brien

Councillor Rob Russell

Councillor Brian Lawlor

**Officials**

Chris Galvin, Senior Engineer

Derek Sargent, A/Senior Engineer

Mary Maguire, Senior Executive Officer

Mary Keenan, Senior Executive Parks Superintendent

Sorcha O’Brien, Environmental Education Officer

Brenda Shannon, Administrative Officer

Dave O’Brien, Principal Environmental Health Officer, HSE

Tom Mangan, Environmental Health Officer, HSE

**Non-Elected**

Donie Anderson

**Apologies**

Connie Kiernan

Teresa Walsh, Director of Service

**Item 1: Minutes of Environment SPC meeting held on 6th November 2018**

The Minutes of Environment SPC meeting held on 6th November 2018**,** were proposed by Councillor Kearns, seconded by Councillor Timmons and agreed.

**Item 2: Update on Flood Alleviation and Surface Water Schemes**

The following report as circulated was presented by Chris Galvin, Senior Engineer and Derek Sargent, A/Senior Engineer:

**River Poddle Flood Alleviation Scheme**

Currently works are being carried out under Stage 1 – Preliminary Design with the main focus on compiling the Environmental Impact Assessment Report and identifying a preferred option in order to prepare the Preliminary Design Report that will be submitted to An Bord Pleanála as part of the Part X Planning Process. Draft final reports have been issued on the Hydrological and Hydraulic analysis of the catchment and are currently being reviewed. Topographical Surveys on the route have been completed with Threshold Surveys commencing shortly.

A Public Information Day was held in SDCC HQ and the TASC Pavilion in Tymon Park on December 4th 2018. Further statutory Public Consultations will be held by the end of Q1 2019 prior to submission to An Bord Pleanála.

Once the Preliminary Design Report is completed a Part X Planning Application will be submitted to An Bord Pleanála, submission is expected in early Q2 2019. We will then await the decision of the Board, the time scale for this is outside of our control but is generally between 6 and 8 months. Once we have planning approval from the Bord, construction is expected to commence in Q1 2020.

**Whitechurch Stream Flood Alleviation Scheme**

The Whitechurch Stream Flood Alleviation Scheme has commenced with the appointment of RPS Group in October 2018 as Technical Consultants.

The OPW Design office have issued a Draft Preliminary Options Report to the consultants and is presently being reviewed. The Environmental aspect of the scheme is also being assessed with an environmental screening process currently being used to determine if the scheme requires an Environmental Impact Assessment Report. Once this has been established, it will then be determined in Q1 2019 if the scheme will proceed under the Part VIII or Part X Planning process. Works that may be required on the local drainage network to compliment the scheme are also being assessed in conjunction with Inspectors from the LUPT Department.

**Camac Flood Alleviation Scheme**

Tenders are currently being sought on E-Tenders for Technical Consultants for the scheme, with tenders to be returned in February 2019. Tenders will then be assessed by a Tender Assessment panel consisting of Steering Group members. Dublin City Council are currently the Lead Authority on the scheme but this may change following a Cost Benefit Analysis.

**SURFACE WATER MINOR WORKS PROGRAMME**

**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** |

**END OF REPORT**

The Senior Engineer and the A/Senior Engineer responded to the Members’ queries

The Report was **NOTED**

**Item 3: Recycling Strategy – Update on potential pilot Deposit Return Scheme**

The following report as circulated was presented by Sorcha O’Brien, Environmental Education Officer:

Following on from a motion (54376) from the July 2017 council meeting, “that the Council adapts Container-deposit pilot scheme”, an exploratory meeting was held in Q4 2018 in relation to a pilot DRS scheme in South Dublin County.

The meeting explored the possibility of a 12 month pilot with 8 -10 machines across the County in varying location, retailers, universities, schools, hospitals etc. The costs of such a pilot involved between €110,000 and €140,000 to purchase the machines in year one with year two costs covering installation and maintenance fees of between €14,000 and €20,000. On top of this an additional budget would be required to cover the deposit return which ranges between 10c and 20c.

As this cost had not been budgeted for in 2019, an alternative option to the above was sought. This resulted in engagement with REPAK to become part of their Green team recycling machine trial.

The outcomes of initial discussions regarding the pilot with Repak are as follows:

* A 12 month trial is envisaged
* Machine placement in 4 locations in South Dublin County
* Repak will supply the machines and pay a subsidy to the recovery operator/waste contractor based on the quantities received
* The institution/premises is responsible for the promotion, insurance, upkeep and powering of the machines. They are also responsible for the designated recycling partner to ensure the machine is emptied
* The locations provides a free space
* The supplier of the machine will service and maintenance the machine from the date of installation and provide training to the staff on site to ensure they understand how the machine works
* Reward: Individual places a clean recycle material into the machine. The individual takes a photo of themselves doing this with the hashtag #repakteamgreen and uploads this to social media that month the individual is in with a chance of winning a voucher. Value tbc.
* Repak to bring the proposal to the board on 22/2/2019
* Potential locations:
  + Tallaght IT Technology University Dublin - confirmed
  + The Square - TBC
  + Liffey Valley Shopping Centre - TBC
  + Tallaght Hospital - TBC
* Three month lead time on purchase of machines means that pilot is expected to commence in Q2/Q3 2019

**END OF REPORT**

The Environmental Education Officer responded to eth Members’ queries

The report was **NOTED**

**Item 4: Draft Climate Change Action Plan 2019/ 2024 – Public Consultation and Workshop**

The following report as circulated was presented by Chris Galvin, Senior Engineer

The draft Climate Change Action Plan (CCAP) 2019-2024 is undergoing a SEA ER (Strategic Environment Assessment Environmental Report) and AA (Appropriate Assesment) Screening under Environmental Legislation namely the EU Habitats Directive, EU Birds Directive and Birds and Natural Habitats Regulations 2011, as amended. The function of the screening is to identify the potential for the proposed Plan to result in likely significant effects to European Sites and to provide information for a Natura Impact Report. All documents are expected week begining 28th January 2019.

The formal public consultation process for the SDCC CCAP will begin on the 11th February 2019 and submissions will be accepted until 25th March 2019. Public consultation for all of the Dublin LA's CCAP will begin on this day, Monday 11th February 2019. Submissions can be by visiting [**www.dublinclimatechange.ie**](http://www.dublinclimatechange.ie/) and clicking on SDCC's link, on our own portal [**www.portal.sdublincoco.ie**](http://www.portal.sdublincoco.ie/) or during our promotional event.

South Dublin County Council's own promotional event will take place in the concourse of County Hall on ***Tuesday, 19th February 2019*** from 6-9pm, where you can talk to the people who will be actively working on the five key action areas noted within the plan. You can also test drive an EV!

The Dublin Metropolitan Climate Action Regional Office (CARO), along with the DCC CCAP, will be launched on Saturday 16th February 2019, from 12-5pm, in The Round Room at The Mansion House, Dawson Street. The South Dublin County Council Mayor, Cllr Mark Ward, our Chair of the Environment, Public Realm and Climate Change SPC, Cllr Pamela Flood, and our director of EWCC Teresa Walsh, have been invited to attend.

**END OF REPORT**

A discussion ensued and the Senior Engineer responded to the Member’s queries.

It was noted that the report on submissions received during the public consultation process and the final Draft Plan will be available for the next SPC meeting.

The Report was **NOTED**

**Item 5: "Living with Trees" - Interim Internal Review**

The following report as circulated was presented by Mary Keenan, Senior Executive Parks Superintendent:

The Council's Tree Management Policy 2015-2020 'Living With Trees' was adopted at a meeting of the Council on July 13, 2015.

The policy was developed by the Council’s Public Realm section having regard to best practice within the wider local authority and arboricultural sectors on both national and international levels. The process involved the support and active input of a dedicated working group comprising members of the Environment, Water & Climate Change Strategic Policy Committee. A draft policy document was published to coincide with a period of public consultation enabling the public to submit comments and observations which were considered by the working group and addressed in the adopted policy.

The Tree Management Policy provides a framework to inform and support decisions made by the Council on the management and development of a sustainable tree population in the County. The Policy acts as a point of reference for the public, Councillors, Council staff and professionally interested people to enable informed discussion and to establish a clearer, consistent and a structured approach to the issues affecting trees.

The objectives of the policy are:

* Improve tree management and create a safer, healthier tree population
* Implement a proactive, planned programme of cyclical tree maintenance
* Maximise the use of the Council’s resources to provide a better service and give better value for money.

**Interim Review**

This is a 5-Year management policy. An interim internal review of the policy commenced during 2018 in accordance with the relevant specific action listed in the Action Plan which accompanies and supports the Tree Management Policy.

The aim of the review is to:

* Review and assess progress to date on the implementation of the Action Plan
* Confirm whether the vision established by the policy is the right focus
* Provide an updated snapshot of our current tree stock and how the Council manages them
* Reassess aspects of the policy on particular issues that continue to generate ambiguity
* Look at emerging issues
* Assess consistency of relevant policies and actions of the Tree Management Policy with the Council’s Climate Change Action Plan
* Make new policy recommendations as necessary from review process

The review has primarily focussed on updating policies and actions to ensure current and future challenges are met, taking account of emerging issues and providing further direction and clarity for management of trees in the county.

The specific policy issues reviewed as part of the interim internal review are as follows:

* Trees in conflict with built structures
* Tree root pruning
* Trees in proximity to public lighting columns
* Trees and utilities
* Nesting birds
* Unauthorised removal of trees
* Tree planting
* Update list of recommended tree species
* Management of trees located along private boundaries within parks and open spaces
* Trees located within the gardens of Council-owned housing
* Monetary valuation of amenity trees
* Planning controls for residential extensions or annex developments in close proximity to established trees
* Removal of trees to facilitate widening of residential driveway access
* Climate Change

Arising from discussion of a report on the ongoing review of the Council’s Tree Management Policy to the meeting of the Environment, Public Realm and Climate Change SPC Meeting on November 6th last, it was proposed to convene a working group to progress the detail of the review process.  The working group was to comprise members of the SPC with an expressed interest in participating in the review process and former SPC members who were involved in the initial development of the Tree Management Policy with an expressed interest in participating in the review process also. Meetings of the working group took place on January 9 and January 22, 2019.

**Review Recommendations**

The review recommendations are detailed as follows:

**Trees In Conflict With Built Structures**

***Review Objective:***

1. ***Provide a clear, corporate protocol for resolving issues where tree roots are in conflict with the built environment. Specific locations include public footpaths, private boundary walls and driveways***
2. ***Review and agree with relevant internal departments guidelines and options for implementation of alternative engineering solutions in order to minimise removal of healthy trees***

***Current Policy Statements***

**6.5 Trees in Conflict with the Built Environment**

Trees in an urban environment will inevitably conflict with people and infrastructure which creates pressures for trees to be pruned or felled. The Council recognises that trees under its ownership/management may be implicated in causing damage to nearby built structures but is also aware that this is not always the case and that nearby trees often get blamed for damage before a thorough investigation is carried out. Some other reasons for structural failure are inadequate foundation design, general structural failure, poor quality construction, nearby excavations or major works to adjacent properties.

Property owners will be expected to provide evidence that a particular tree is causing damage to the property and that all reasonable engineering alternatives have been explored before felling will be considered.

Although the level of evidence required may differ on a case by case basis, the Council, as a minimum, will normally require an engineer’s report including an accurate survey, a history of the damage to a built structure and a plan and profile of foundations where relevant.

If this evidence is not sufficient to demonstrate that the tree is responsible for the damage, the Council may require further information including an arborist’s report, crack monitoring, soil analysis and root analysis to be submitted.

Where necessary, the Council will obtain expert specialist advice to verify submitted evidence and where it demonstrates that the tree is an influencing cause, permission to remove the tree will not unreasonably be withheld, provided that there is no other recourse available.

**6.4 Trip Hazard**

**Policy: The Council will undertake measures to make safe an unacceptable trip hazard on a public footpath or road caused by the growth of a Council owned/managed tree.**

The roots of trees exploit the soil in various ways dependent on species, local conditions and history of site disturbance. Pressure exerted by the radial growth of roots can deform the surfaces of footpaths, roads or other light structures, especially in the close confines of the urban setting. Damage occurs most commonly close to the tree and will diminish rapidly with distance. To constitute a trip hazard the deformation will be assessed by the Council. Where a hazard exists and is attributable to tree roots engineering options will be explored before root pruning or tree removal is undertaken.

It is often possible to repair paths to take account of adjacent trees and tree roots. Where roots protrude they can be root pruned, or the path can be re-laid around the tree with flexible material such as asphalt to provide a smooth surface or using reinforced concrete or other engineering solutions.

Where trees are considered to be causing damage to paths or footpaths, the Council will not normally consider tree removal except where there is a risk to public health which cannot otherwise be mitigated. Removal of the tree will usually be the last resort, accepting that in some circumstances where the tree is of low value or easily replaced removal may be the most appropriate solution. The Council will seek to explore engineering options through internal consultation between the Public Realm and Roads Maintenance sections to reduce trip hazards before root pruning or tree removal. The Council will develop a protocol for resolving issues where tree roots are in conflict with public areas under hard surfacing.

***Review Discussion***

The Council receives very significant numbers of requests for tree removal through its customer contact system. Chief among the reasons cited in requests received by the Council for removal of a particular tree, or trees, are where they are perceived to be the cause of damage to a built structure, most frequently public footpaths, private boundary walls or private driveways.

Unfortunately, due to inaccurate and frequently misguided conceptions and reports linking trees with damage to built structures, it has become established in the public’s mind and in many professional and technical circles, that trees are always the cause of damage to the built environment even before adequate site investigations have been conducted. It is accepted amongst tree professionals that trees are on many occasions are a contributing factor in structural damage. However, it is also true that they are not the causative agent in the damage, although frequently cited as the prime cause. The issue is far more complex than this and requires consideration of appropriate professionally verified evidence along with options for remedial actions that don’t automatically presume the removal of the particular tree or trees. The culture whereby the balance of probabilities argument has been used to identify trees as the culprits of structural damage needs to be replaced with one of accurate assessment of the relevant facts. This facilitates a more balanced and proportionate approach to tree management.

Considerations of this issue also need to take account of the evolving context whereby the role of trees in addressing climate change resilience is becoming ever more widely understood. South Dublin County Council has identified actions in its Draft Climate Change Action Plan that seek to prevent loss of tree cover and ensure high standards of tree protection, planting and management

***Review Recommendation***

Amend Policy Statement 6.5 Trees in Conflict with the Built Environment as follows:

**Policy: The Council will not normally consider removal of a tree where structural damage can be repaired or reasonably resolved by appropriate engineering solutions.**

Trees in an urban environment will inevitably conflict with people and infrastructure which creates pressures for trees to be pruned or felled. The perceived threat of damage by tree roots is sometimes a worry people have about trees near to buildings or built structures. Much of this concern is unwarranted as most trees growing near buildings cause no damage.  Tree roots are unlikely to directly penetrate sound footings. Lightly loaded structures, if they have inadequate foundations, may be affected by pressure exerted by tree roots or trunks but in such cases trees are not the primary cause of damage.

The Council recognises that trees under its ownership/management may be implicated in damage to nearby built structures but is also aware that trees are not always the causative agent and that nearby trees often get blamed for damage before a thorough investigation is carried out. Some other reasons for structural failure are inadequate foundation design, general structural failure, poor quality construction, nearby excavations or major works to adjacent properties.

In circumstances where structural damage can be repaired or reasonably resolved by appropriate engineering solutions, the Council will not normally consider removal of a tree, except where the tree is considered to be of poor structural or physiological condition.

Property owners will, at their own expense, be expected to provide evidence from an appropriately qualified professional that a particular tree is or has caused damage to their property and that all reasonable engineering alternatives have been explored before felling will be considered.  Where evidence is provided which demonstrates a Council owned tree is the cause of damage, the Council will take appropriate action on a case by case basis.

**Tree Root Pruning**

***Review Objective:***

* ***Provide a policy statement on tree root pruning***

***Review Recommendation***

*Proposed policy statement:*

***Tree Root Pruning***

**Policy: The Council will carry out root pruning only when viable alternatives to severing the roots cannot be found and where an obvious and positive outcome can be achieved without any long-term damage to the tree.**

Tree roots keep a tree healthy and upright. Most roots are found in the top 600mm of soil and often grow out further than the tree’s height. If roots are damaged the tree may become unstable or may suffer irreversible harm and eventually die.

Root pruning is generally discouraged as a method of alleviating damage to adjoining property, such as infrastructure uplift or service-line disturbance. This is because the long term implications of sustained and heavy root pruning are unpredictable. The Council will perform root pruning on any tree wherever practicable before removal is considered. Approval of the Council’s Tree Officer or Parks Supervisor is required before any tree root over 25mm in diameter is pruned.

Any construction, excavation or installation works being carried out in proximity to trees must be in accordance with British Standard (2012): Trees in relation to Design, Demolition and Construction – Recommendations and with the current NJUG (UK National Joint Utilities Group) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees.

**Trees In Proximity To Public Lighting Columns**

***Review Objective:***

* ***Review policy on removal of trees in proximity to public lighting columns in order to minimise loss of healthy trees and address public resistance to implementation of current policy***

***Current Policy Statements***

**6.1 Obstruction of Street Light**

**Policy: The Council will undertake work to a tree in Council ownership/management to ensure that trees do not unduly obstruct the streetlight.**

Tree pruning will be undertaken where reasonably feasible to address obstruction of a street light where a tree is within 5m of the lighting column. Where the trunk of a tree is within 2m of a lighting column, the removal of the tree is considered to be the most appropriate long-term option.

Where a tree is removed from a roadside verge, due to proximity to a public lighting column, a replacement tree will not be planted back into the same verge.

**4.3.4 Removal of Trees (extract from section)**

Trees are removed only when necessary as a last resort. The criteria for tree removal are:

* The trunk of the tree is within 2m of a public lighting column and the long term viability of the tree if retained in its location would be compromised by a requirement for ongoing maintenance in order to maintain the effectiveness of the adjoining street light.

***Review Discussion***

The current policy on removal of trees in proximity to public lighting columns was reviewed in order to minimise loss of healthy trees and address public resistance to current practice of removing trees within 2m of a lighting column.

***Review Recommendation***

Amend Policy Statement 6.1 Obstruction of Street Light as follows:

**Policy: The Council will undertake work to a tree in Council ownership/management to ensure that trees do not unduly obstruct the streetlight.**

Tree pruning will be undertaken where reasonably feasible to address obstruction of a street light.

In circumstances where the long term viability of the tree if retained in its location would be compromised by a requirement for ongoing maintenance in order to maintain the effectiveness of the adjoining street light, the tree may be removed. Alternative public lighting solutions should also be explored for areas of existing mature and established trees. Where a tree is removed from a roadside verge, due to proximity to a public lighting column, a replacement tree will not normally be planted back into the same verge. The Design Manual for Urban Roads and Streets (2013) recommends that new lights should be positioned away from trees, which in time may grow to envelop the lanterns or cast shadows which will render the lighting less effective.

Amend Policy Statement 4.3.4 Removal of Trees as follows:

Trees are removed only when necessary as a last resort. The criteria for tree removal are:

* **Where a tree is located in close proximity to a public lighting column and** the long term viability of the tree if retained in its location would be compromised by a requirement for ongoing maintenance in order to maintain the effectiveness of the adjoining street light.

**Trees and Utilities**

***Review Objective:***

* ***Enhance protection of trees and their growing environment from threats, such as loss of and damage to verges, and the activities of statutory agencies and others excavating near trees or carrying out tree pruning***
* ***Update current policy statement reference to Council’s licensing system for openings in public roads, public realm and green areas.***
* ***Incorporate as an Appendix to the policy the current NJUG (UK National Joint Utilities Group) Guidelines for The Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees***

***Current Policy Statement***

**6.8 Trees and Utilities**

Utility companies have certain legal rights to carry out works to public or privately owned trees to address health and safety problems and to maintain a clearance between trees and their apparatus. This may sometimes involve the loss of trees or removal of large parts of a tree leaving a misshapen and unbalanced crown and reducing the amenity value of the tree. Excavation works near to street trees brings considerable potential disturbance within the root zone of trees, often reducing their stability and long-term viability.

Where works to trees are necessary as a result of proximity or conflict, the Council will encourage utility operators to adopt the most appropriate long term solution, giving consideration to tree health, local tree cover and visual amenity.

Utility companies must consult with the Public Realm section of South Dublin County Council in advance of any pruning, trenching or other works likely to affect Council owned trees, and will refer to the procedures and conditions of the Council’s Roadmap system. Guidelines for Managing Openings in Public Roads

The Council will develop protocols for dealing with trees and utilities in consultation with the main utility providers and adhere to the recommendations of the current NJUG (UK National Joint Utilities Group) Guidelines for The Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees.

***Review* *Recommendation***

Amend Policy Statement 6.8 Trees and Utilities as follows:

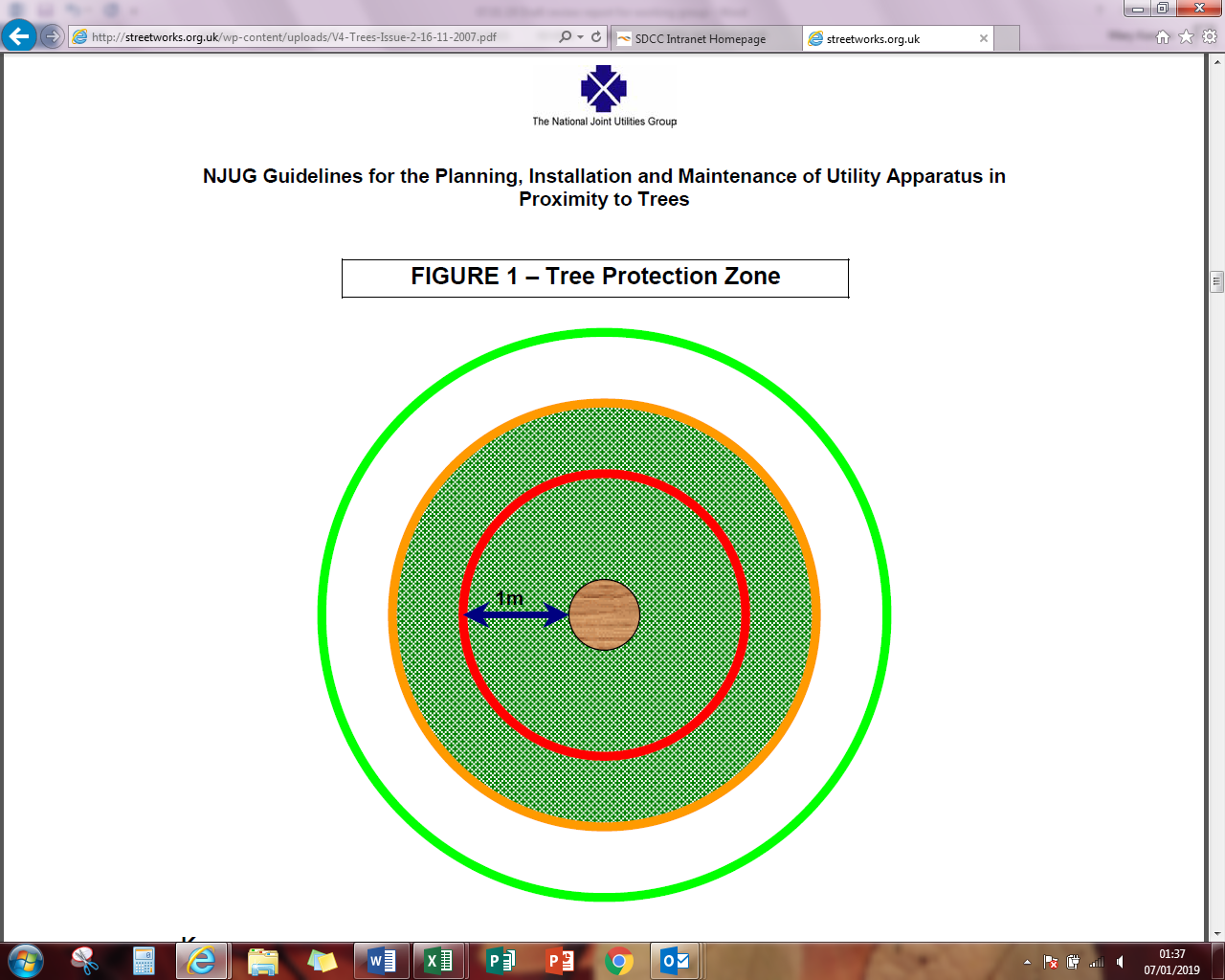
…….. Utility companies must consult with the Public Realm section of South Dublin County Council in advance of any pruning, trenching or other works likely to affect Council owned trees, **and will adhere to the procedures and conditions of the Council’s MapRoad licensing system and the associated Guidelines for Managing Openings in Public Roads (2017).**

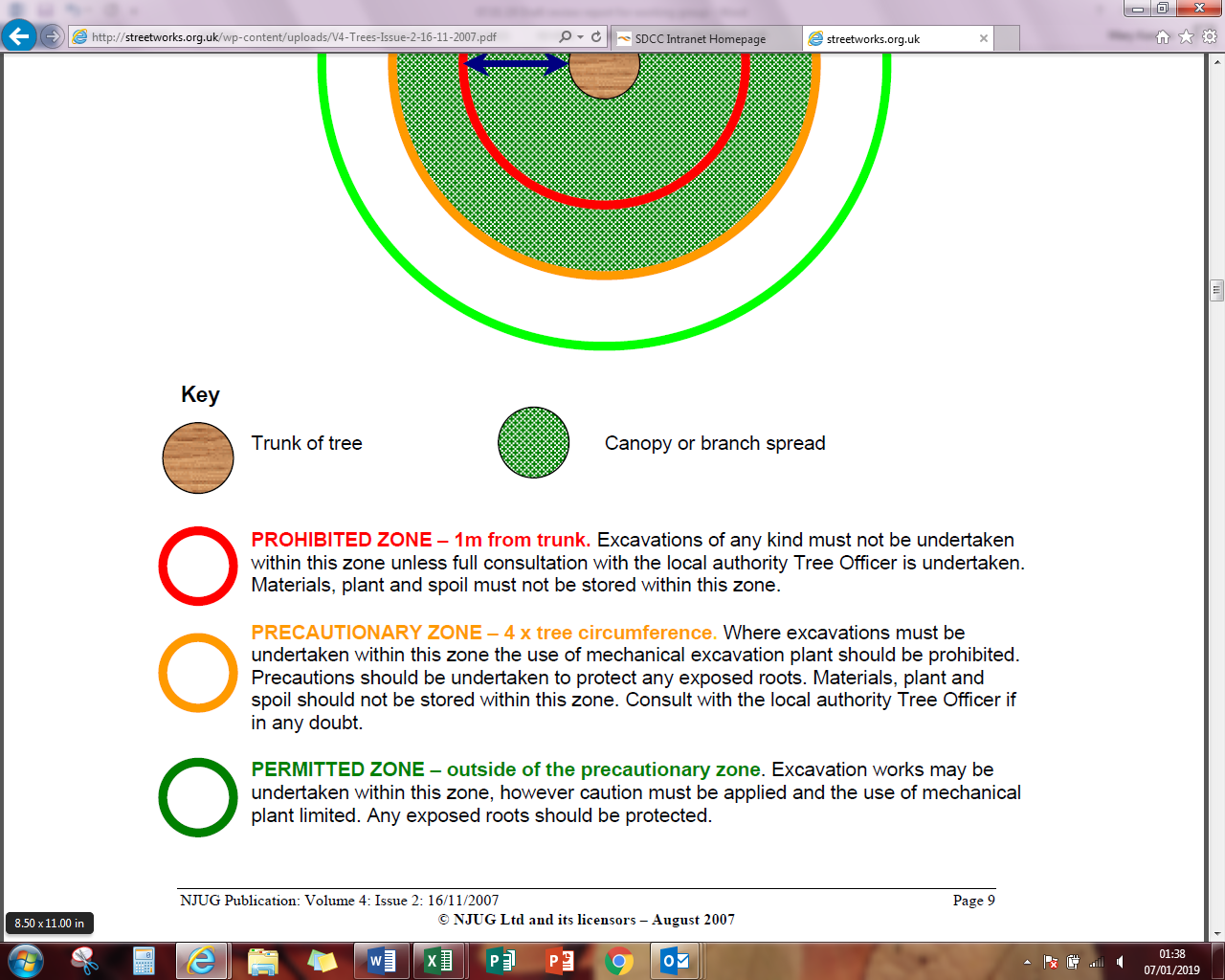
The Council will develop protocols for dealing with trees and utilities in consultation with the main utility providers **and utility companies are required to adhere to the best practice recommendations of the current NJUG (UK National Joint Utilities Group) Guidelines for The Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees. (See Appendix)**

New Appendix

Incorporate as an Appendix to the policy the current NJUG (UK National Joint Utilities Group) Guidelines for The Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees.

**APPENDIX: National Joint Utilities Group (UK) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees**





**PROTECTING ROOTS - DO’S and DON’TS**

There are three designated zones around a tree each of which has its own criteria for working practices.

**THE PROHIBITED ZONE**

**Don’t** excavate within this zone.

**Don’t** use any form of mechanical plant within this zone

**Don’t** store materials, plant or equipment within this zone.

**Don’t** move plant or vehicles within this zone.

**Don’t** lean materials against, or chain plant to, the trunk.

**Do** contact the local authority tree officer or owner of the tree if excavation within this zone is unavoidable.

**Do** protect any exposed roots uncovered within this zone with dry sacking.

**Do** backfill with a suitable inert granular and top soil material mix as soon as possible on completion of works.

**Do** notify the local authority tree officer or the tree’s owner of any damage.

**THE PRECAUTIONARY ZONE**

**Don’t** excavate with machinery. Where excavation is unavoidable within this zone excavate only by hand or use trenchless techniques.

**Don’t** cut roots over 25mm in diameter, unless advice has been sought from the local authority tree officer.

**Don’t** repeatedly move / use heavy mechanical plant except on hard standing.

**Don’t** store spoil or building material, including chemicals and fuels, within this zone.

**Do** prune roots which have to be removed using a sharp tool (e.g. secateurs or handsaw). Make a clean cut and leave as small a wound as possible.

**Do** backfill the trench with an inert granular material and top soil mix. Compact the backfill with care around the retained roots. On non-highway sites backfill only with excavated soil.

**Do** protect any exposed roots with dry sacking ensuring this is removed before backfilling.

**Do** notify the local authority tree officer or the tree’s owner of any damage.

**THE PERMITTED ZONE**

**Don’t** cut roots over 25mm in diameter, unless advice has been sought from the local authority tree officer.

**Do** use caution if it is absolutely necessary to operate mechanical plant within this zone.

**Do** prune roots which have to be removed using a sharp tool (e.g. secateurs or handsaw). Make a clean cut and leave as small a wound as possible.

**Do** protect any exposed roots with dry sacking ensuring this is removed before backfilling.

**Do** notify the local authority tree officer or the tree’s owner of any damage.

.**Nesting Birds**

***Review Objective:***

* ***Provide a code of practice for pre works inspections of trees for wildlife and nesting birds***

***Current Policy Statement***

**4.8 Nesting Birds**

**Policy: The Council will carry out inspections of trees prior to tree works for bird nests during the nesting period of March 1 – August 31 and comply with the relevant legislation and seek expert advice from relevant organisations where necessary.**

The Wildlife Act 1976 (as amended 2000) is the principle legislation protecting nesting birds in Ireland. The Act makes it an offence to kill, injure or take any wild bird and to take, damage or destroy any nest that is either in use or being built. Section 40 of the Act prohibits cutting of vegetation on uncultivated land between March 1st and August 31st. However, it is accepted in practice that street trees are cultivated and as such, this allows for tree maintenance works to be carried out during the closed period subject to compliance with best practice protocols in regard to pre-works assessment of trees for active nests or nesting birds. Where an active nest or nesting birds are observed, no tree works should be carried out.

The primary reason for a year round programme of street tree maintenance is to ensure public safety and minimise tree hazards. Phenological and biological research also indicates that a number of tree species including cherry and walnut are best pruned in mid-summer to avoid introduction of disease while maple and horse chestnut will bleed sap extensively if pruned during early season growth.

To comply with the Act, the Council will draft a best practice protocol to ensure minimal impact on wildlife and nesting birds. The Council’s tree maintenance crews or contractors engaged by the Council, will be required to thoroughly check trees for nesting birds during the nesting period (March 1 – August 31) and take appropriate measures to prevent disturbance prior to the commencement of routine works. Advice from external experts will be sought where necessary. These measures may mean delaying the works until young birds have flown.

***Review Discussion***

The Council’s tree maintenance crews and contractors operating on behalf of the Council are required to carry out pre works inspections of trees for wildlife and nesting birds in line with best practice recommendations. This procedure is now documented and a draft Code of Practice has been prepared for consideration. It is recommended that the approved Code of Practice is incorporated as an Appendix to the Tree Management Policy.

***Review Recommendation***

Incorporate new Appendix into policy:

**Appendix: Code of Practice for Pre Works Inspections of Trees for Nesting Birds**

**Appendix: Code of Practice For Pre Works Inspections of Trees for Nesting Birds**

The Wildlife Act 1976 (as amended 2000) is the principle legislation protecting nesting birds in Ireland. The Act makes it an offence to kill, injure or take any wild bird and to take, damage or destroy any nest that is either in use or being built. In general terms, bird nesting in Ireland can be expected to take place between March 1 and August 31.

South Dublin County Council’s tree maintenance crews and contractors operating on behalf of the Council are required to carry out pre works inspections of trees for wildlife and nesting birds in line with best practice recommendations. Appendix 1 provides a checklist for pre works inspections for nesting birds.

During the bird nesting season, the following general procedures should be observed:

* Work within dense vegetation should shall be prohibited (unless directed by An Garda Síochána).
* Trees and shrubs being worked upon shall be single individuals that can be observed in full.
* Carry out the checklist “What to do before tree works” see Appendix 1.
* Complete site inspection form see Appendix 2.
* If the selected tree/shrub is part of a group or immediately adjacent to tree/shrubs, these too should also be inspected for nests. For example felling one tree could expose a nest to a change in micro-climates or predators.
* If at any time, an active nest or a nest that is being built is observed, the tree/shrub must not be worked upon.
* If a nest is observed that it is quite clearly an old or abandoned nest (not maintained/falling apart or clearly not being used – time of year will be a consideration), the tree/shrub may be felled.
* In regard to larger mature trees it should be our aim to work on these trees out of the regular nesting season. However if for health and safety reasons or perhaps responding to wind damage, work should continue with caution. The tree should be continually observed for nests and bird activities.
* Holes in the trunk/branches should be viewed with suspicion and all available measures (eg binoculars, hoist) should be employed to investigate such features further. If a tree is found in a dangerous condition that contains a nest, where possible the work should continue without disturbance to the nest and within the shortest possible time. Where there is possibility the nest may be physically disturbed advice should be taken from The National Parks and Wildlife Services (NPWS).
* Fallen trees and trailing branches in water bodies present nesting opportunities for waterfowl such as Coots and Grebes. Water side trees and vegetation should not be generally worked upon during the nesting season. If there is a necessity to work upon such trees or vegetation (e.g. health and safety issues) then first view the tree/branch/vegetation from as many aspects as possible to identify any nests, including under any waterside branching/vegetation.
* In case of shrubs particularly evergreen species such as Laurel (a favourite with blackbirds) as necessary separate the branches and look in the central areas of the shrub looking for nests.
* At times where formally grown shrubs or hedges are being clipped of current season’s growth, an inspection that includes physically moving and separating and visually inspecting the areas to be cut should take place. Operations in such areas should only proceed with caution, with operators prepared to stop if they see anything that concerns them regarding bird movement or activity.

**Appendix 1: Pre Works Inspection Checklist for Bird Nesting Activities**

|  |  |
| --- | --- |
| **Assessment for Bird Nesting Activities**  **Checklist of What To Do Before Tree Work** | |
| **Action** | **Tick when completed** |
| 1. Look at the tree from a distance, looking up and down the tree for indications of nesting. |  |
| 1. Slowly circle the tree, again inspecting for indications of nesting |  |
| 1. Move underneath the tree, again slowly circle looking for nests. |  |
| 1. Look on the ground for concentrations of white-coloured droppings, then check the vegetation above again. |  |
| 1. Holes in the trunk/branches should be viewed with suspicion and all available measures (e.g. binoculars, hoist) should be employed to investigate such features further. |  |
| 1. As you walk through an area, look for birds flying out of vegetation close to you and intensely scolding you; they may have a nest nearby. |  |
| 1. Sit quietly and watch for birds that may be bringing nest material or food repeatedly to one place. Birds tend to place their nests just on the undersides of the tree canopy and where branches join together. |  |
| When an Active Nest is Found – Reschedule! | |

**Appendix 2: Site inspection form for documenting searches for bird nesting activity associated with tree and shrub work undertaken in the bird nesting season (March 1 – August 31)**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Assessment for Bird Nesting Activities** | | | | | | | |
| Date |  | | | Time | | |  | |
| Inspectors name |  | | | | | | | |
| Location |  | | | | | | | |
| Tree/shrub description |  | | | | | | | |
| Site Description |  | | | | | | | |
| Description of inspection technique | Ground Inspection | | | | Hoist Inspection | | | |
|  |  | | | |  | | | |
| Visual evidence of bird nesting activity | Phyiscal  Observation |  | Physical Nests | | |  | Foodstuffs |  |
| Nest Materials |  | Droppings | | |  | Cavities |  |
| Final Comments |  | | | | | | | |
| Signed |  | | | | | | | |

Appendix 3. If you find a baby bird out of its nest on site. – What to Do

No

Yes

\*If clearly injured or known to be orphaned, you may take it to the Dublin Society for Prevention of Cruelty to Animals, Mount Venus Rd, Rathfarnham, Dublin 16. 01 4935502

No

Yes

Yes

No

**Unauthorised Removal of Trees**

***Review Objective:***

* ***Update policy statement to reflect recommended actions***

***Current Policy Statement***

**4.4 Unauthorised Pruning, Removal or Damage to Council Owned Trees**

**Policy: The Council may seek to prosecute anyone found to be carrying out unauthorised work or causing damage to its trees without permission and where appropriate apply the maximum penalty.**

The unauthorised removal of trees affects the amenity of an area and destroys the many positive benefits of trees in a locality.

All Council staff operate from vehicles displaying the Council’s logo and tree contractors operating on behalf of the Council are required to erect signage which refers specifically to South Dublin County Council. If someone is observed pruning, removing or causing damage to a Council owned tree who may be without consent (person not associated with a relevant sign or vehicle and / or without clothing that clearly identifies who they are) the Gardai should be called and the Council notified. Unauthorised damage, pruning or removal of a Council owned/managed tree may be prosecuted by an Garda Siochana under the Criminal Damage Act 1991.

Unauthorised works or damage to Council-owned trees may result in a charge being levied. This charge will reflect the amount of damage sustained and where the life/safety of the trees is undermined, it will include the cost of total tree replacement and compensation for loss of tree value. These charges will be drawn up by professional parks staff and each case will be assessed on an individual basis using a recognised tree valuation system (eg. CAVAT or Helliwell)

***Review Discussion***

The Council occasionally receives reports of unauthorised removal of tree under the ownership or management of the Council. The number of reports received is increasing.

The current policy states that the Council may seek to prosecute anyone found to be carrying out unauthorised work or causing damage to trees. However, in practical terms, the power to prosecute rests with An Gárda Síochána and the securing of a successful prosecution is very limited in the absence of a witness. The Council’s Law Department has advised that witnesses who report incidences of unauthorised removal should be advised to make direct contact and provide a statement to the Gardai in order to enable an action. The current policy statement requires to be revised accordingly.

***Review Recommendation***

Amend wording of Policy Statement 4.4 Unauthorised Pruning, Removal of Damage to Councl Owned Trees as follows:

…….**If a person is observed pruning, removing or causing damage to a Council owned tree and it is suspected that the action is being carried out without the Council’s consent, the matter must be reported by the observer to An Garda Siochana in the first instance and the Council notified.** Unauthorised damage, pruning or removal of a Council owned/managed tree may be prosecuted by An Garda Siochana under the Criminal Damage Act 1991.

**Tree Planting**

***Review Objective:***

1. ***Provide better public notification of tree planting***
2. ***Strengthen promotion of the positive benefits of tree planting***
3. ***Encourage community involvement in maintenance of newly planted trees***

***Review Recommendation***

Under the Tree Management Policy’s Action Plan insert new action under Objective 3 – Prepare and implement a public awareness and education tree programme

Develop a simple promotional flier for distribution into residences where new trees are to be planted to provide advance notification of planting, to promote awareness and appreciation of the positive benefits of tree planting in the neighbourhood and invite and encourage assistance from residents with watering newly planted trees, especially during periods of drought.

**Update Lists of Recommended Tree Species**

***Review Objective***

* ***Review new research, newly emerging species and updated best practice recommendations. List of recommended tree species to be updated to include new broadleaf deciduous cultivars for street tree planting and a select list of large canopy and specimen broadleaf and coniferous trees for planting on green open space areas.***

***Review Recommendation***

Revise and update Appendix 2: Sample List of Tree Species Suitable for Street Planting

Add new lists of Specimen Trees Suitable for Open Space Planting and Trees Suitable for Urban Gardens

**Tree Suitable for Street Planting**

|  |  |
| --- | --- |
| **Latin Name** | **Common name** |
| Acer campestre ‘Elsrijk’ | Field maple |
| Acer campestre ‘Streetwise’ | Field maple |
| Acer platanoides ‘Globosum’ | Maple |
| Amelanchier arborea 'Robin Hill' | Serviceberry |
| Betula albosinensis 'Fascination' | Chinese Birch |
| Betula pendula | Silver Birch |
| Betula pubescens | Downy Birch |
| Betula utilis ‘Jacquemontii’ | Himalayan Birch |
| Carpinus betulus ‘Frans Fontaine’ | Hornbeam |
| Corylus colurna | Turkish hazel |
| Crataegus laevigata ‘Paul’s Scarlet’ | Hawthorn |
| Malus ‘Royalty’ | Crab Apple |
| Malus trilobata | Crab Apple |
| Malus tschonoskii | Crab Apple |
| Prunus cerasifera ‘Nigra’ | Black cherry plum |
| Prunus padus ‘Watereri’ | Bird cherry |
| Prunus sargentii ‘Rancho’ | Sargent’s cherry |
| Prunus subhirtella ‘Autumnalis Rosea’ | Autumn flowering cherry |
| Prunus ‘Pandora’ | Cherry |
| Pyrus calleryana 'Chanticleer' | Ornamental Pear |
| Quercus robur ‘Fastigiata’ | Fastigiate oak |
| Sorbus aria 'Lutescens' | Whitebeam |
| Sorbus aria Majestica’ | Whitebeam |
| Sorbus intermedia 'Brouwers' | Swedish Whitebeam |
| Tilia cordata 'Greenspire' | Small leaved Lime |

**Specimen Trees Suitable for Open Space Planting**

|  |  |
| --- | --- |
| **Latin Name** | **Common name** |
| Acer pseudoplatanus ‘Spaethii’ | Maple |
| Aesculus hippocastanum | Horse chestnut |
| Alnus cordata | Italian alder |
| Betula ermanii | Erman’s Birch |
| Castanea sativa | Spanish chestnut |
| Cedrus atlantica ‘Glauca’ | Blue Atlas cedar |
| Cedrus libani | Cedar of Lebanon |
| Fagus sylvatica | Beech |
| Fagus sylvatica ‘Atropurpurea’ | Copper beech |
| Juglans regia | Walnut |
| Pinus sylvestris | Scot’s pine |
| Platanus x acerifolia | London plane |
| Prunus ‘Shirotae’ | Mount Fuji cherry |
| Prunus ‘Yedoensis’ | Yoshino cherry |
| Pterocarya fraxinifolia | Caucasian wingnut |
| Quercus ilex | Holm oak |
| Quercus robur | English Oak |
| Robinia pseudoacacia | False acacia |
| Tilia x euchlora | Lime |
| Ulmus ‘Lobel | Elm |

**Trees Suitable for Urban Gardens**

|  |  |
| --- | --- |
| **Latin Name** | **Common name** |
| Arbutus unedo | Strawberry tree |
| Acer palmatum ‘Atropurpureum’ | Japanese maple |
| Acer davidii | Snake bark maple |
| Acer griseum | Paperbark maple |
| Amelanchier lamarckii | Snowy mespilus |
| Crataegus orientalis | Eastern thorn |
| Cercis canadensis 'Forest Pansy' | Redbud |
| Malus ‘Golden Hornet’ | Crab apple |
| Malus ‘Royalty’ | Crab apple |
| Prunus 'Amanogawa' | Cherry |
| Sorbus vilmorinii | Rowan |

**Management of Trees Located along Private Boundaries within Parks and Open Spaces**

***Review Objective:***

* ***Provide clarification in regard to responsibility for maintenance of trees within gardens of Council-owned housing***

***Review Recommendation***

Proposed Policy Statement**:**

**Trees Located Along Private Boundaries Within Parks & Open Spaces**

**Policy: The Council will seek to develop long term management plans for trees in parks and open spaces in order to enhance the quality of the environment, maintain a succession of viable and healthy trees and minimise risk to people and structures.**

In general, the Council will cut back trees located within adjacent parks and open space areas to provide 3m clearance from property boundaries. In some circumstances it may be more appropriate to fell trees.

**Trees Located Within Gardens Of Council-Owned Housing**

***Review Objective:***

* ***Provide clarification in regard to responsibility for maintenance of trees within gardens of Council-owned housing***

***Review Recommendation***

Proposed Policy Statement:

**Trees Located Within Gardens of Council-Owned Housing**

**Policy: Trees located within the residential gardens of Council-owned housing are to be maintained by tenants as part of their tenancy agreement, except in cases subject to the Housing Department’s discretion.**

**Monetary Valuation of Amenity Trees**

***Review Objective:***

* ***Update current policy statement to delete reference to a specific amenity tree valuation system***

***Review Discussion:***

A review and evaluation is ongoing of standard methodologies and practices in common use for monetary valuation of trees. Monetary valuation seeks to provide a method for managing and recognising trees as public assets rather than liabilities. It provides a mechanism to measure value and compensate for tree loss and replacement. A recommendation is in development. The current policy statement indicates that the Council will use the CAVAT system to value all Council trees. However, the Council is likely to also use alternative systems as appropriate. The policy statement therefore requires to be amended to reflect the practice.

***Current Policy Statement***

**6.9 Valuing Trees and Compensating for Tree Damage**

**Policy: The Council will initiate use of the CAVAT system to value all Council street trees and use this information to assist in the management of the tree stock.**

In recent years there has been increased interest in quantifying the benefits of trees and translating them into financial terms. A system known as CAVAT (Capital Asset Value for Amenity Trees) has been developed by The London Tree Officers Association to allow authorities to prepare a valuation of their tree stock which can then be used to justify managing the trees as if it were a financial asset of the community. The CAVAT system takes into account: tree size, longevity and condition, site suitability and other attributes to give a monetary value used to help guide management decisions. This is a major step forward as traditionally, the management of trees and woodlands by local authorities has been seen solely as a cost, with no acknowledgement of the financial benefits that trees bring.

It is important to place a monetary value on South Dublin County Council’s trees because of the contribution trees make to the economic, social and environmental landscape of the county. Assessing the value of each tree will enable a more effective and efficient level of understanding to be applied to a given tree or group of trees when deciding their future management or removal.

The Council will also use the CAVAT tree valuation system or other industry standard valuation system as necessary to provide the basis in calculating the replacement value of any trees that have been significantly damaged or removed and the Council will seek this level of compensation from organisations found to be responsible for such damage.

***Review Recommendation***

Revise Policy Statement 6.9 Valuing Trees and Compensating for Damage as follows:

**Policy: The Council will use a standard Amenity Tree Valuation formula to value all Council street trees and use this information to assist in the management of the tree stock.**

In recent years there has been increased interest in quantifying the benefits of trees and translating them into financial terms. Several recognised formulae such as the CAVAT (Capital Asset Value for Amenity Trees) and Helliwell systems have been developed to allow authorities to prepare a valuation of their tree stock which can then be used to justify managing the trees as if it were a financial asset of the community. An amenity tree valuation system takes into account: tree size, longevity and condition, site suitability and other attributes to give a monetary value used to help guide management decisions. This is a major step forward as traditionally, the management of trees and woodlands by local authorities has been seen solely as a cost, with no acknowledgement of the financial benefits that trees bring.

It is important to place a monetary value on South Dublin County Council’s trees because of the contribution trees make to the economic, social and environmental landscape of the county. Assessing the value of each tree will enable a more effective and efficient level of understanding to be applied to a given tree or group of trees when deciding their future management or removal.

The Council will also use a standard amenity tree valuation system to provide the basis for calculating the replacement value of any trees that have been significantly damaged or removed and the Council will seek this level of compensation from organisations found to be responsible for such damage.

**Planning Controls for Residential Extensions or Annex Developments in Close Proximity to Established Trees**

***Review Objective:***

* ***Clarify planning controls for residential extensions or annex developments in close proximity to established trees in order to minimise issues arising post development installation.***

***Review Discussion***

This issue is increasingly emerging as a burden on the Council’s Tree Management Section to implement remedial action where previously existing and established Council-owned trees become an issue of conflict with new residential extensions post development or are damaged by the development installation or construction works. The compatibility and impact of such proposed new developments on existing trees should be identified and any necessary remedial actions addressed as part of the planning process. This will help to protect trees from damage arising from development and alleviate an avoidable burden on the Council’s tree maintenance resources.

***Review Recommendation***

Proposed Policy Statement as follows:

**Development of the Built Environment (including Residential Extensions or Annex Developments) in Close Proximity to Established Trees**

**Policy: Where there are trees within a proposed planning application site or on land adjacent to it that could influence or be affected by proposed development, including street trees in the ownership or management of the Council, the planning application must include a detailed submission prepared by a suitably qualified Arboriculturist in accordance with British Standard 5837: 2012 ‘Trees in Relation to Design, Demolition and Construction – Recommendations’.**

South Dublin County Council will consider the protection of existing trees when granting planning permission for minor and major developments and will seek to ensure the maximum retention, preservation and management of trees, groups of trees and hedges.

Where development is proposed it is essential that existing trees are considered from the very earliest stages of design and prior to an application for planning permission being submitted. Root systems, stems and canopies, with allowance for future movement and growth, need to be taken into account in all projects.

For all minor and major development applications where trees might be affected, the application must be accompanied by the information below prepared by a suitably qualified Arboriculturist (who through relevant education, training and experience, has expertise in the field of trees in relation to construction) in accordance with British Standard 5837: 2012 ‘Trees in Relation to Design, Demolition and Construction – Recommendations’:

* Tree survey
* Arboricultural impact assessment
* Arboricultural method statement
* Tree retention/removal plan
* Tree protection plan
* Details of retained trees and Root Protection Areas shown on the proposed layout to include those of trees located within the proposed planning application site or on land or a street or roadside adjacent to an application site that could influence or be affected by the proposed development.

As part of the application assessment, the Council will apply a standard Amenity Tree Valuation formula to fully determine the costs associated with the removal, retention or replacement of specific trees associated with the development activity. If the condition of a tree is declining and its life expectancy is short, tree removal may be considered to allow for the new development. Removal and replacement of trees will be at the cost of the applicant and a new tree or trees will be replanted as close as possible to the original tree.

Any tree works that are required prior, during or post completion will be completed by a suitably qualified arborist. The cost of any tree works shall be borne by the applicant. Any proposed works shall be agreed with the Council’s Public Realm Section prior to the commencement of development.

**Removal of Trees to Facilitate Widening of Residential Driveway Access and Vehicle Crossover**

***Review Objective:***

* ***Provide clarification on procedure for widening of residential driveway and crossover in proximity to street trees.***

***Current Policy Statement***

**6.19 Driveways and New Entrances**

**Policy: Removal of Council owned/managed trees will be managed by protocol through the Planning Application process. No action will be undertaken until such time as driveway widening or the creation of a new entrance has been subject to the planning process.**

***Review Recommendation***

Revise Policy Statement as follows:

**6.19 Driveways and New Entrances**

**Policy: The Council will not normally support either the removal of a tree or cutting of a tree’s roots for the construction of vehicle crossovers and/or alterations to residential driveway access, unless the tree is of limited life expectancy or is small enough to be relocated elsewhere. Exceptional circumstances will be considered by the Council on a case by case basis.**

Planning permission is required if a property owner wishes to widen an existing access or create a new access to the public road. The Council’s Environment Department should be consulted if the grass verge or any roadside trees are affected in order to get advice on the acceptability of a specific proposal and other technical requirements before any planning application is made. A minimum clearance of 3 metres or 10 times the diameter of the tree trunk at its base (whichever is greater) must be provided between the trunk of any street tree and the edge of the crossover unless the Council determines otherwise. The Council’s Roads Department should also be consulted if the roadside kerb is to be dished and a roadside concrete apron laid to provide vehicle access to car parking spaces in front of a house.

As part of the application assessment, the Council will apply a standard Tree Amenity Valuation formula to fully determine the costs associated with the removal and or retention of specific trees associated with the development activity. If the condition of the street tree is declining and its life expectancy is short, tree removal may be considered to allow for the installation of a new driveway crossover. Removal and replacement of trees will be at the cost of the applicant and a new tree will be replanted as close as possible to the original tree.

**SDCC Climate Change Action Plan**

***Review Objective***

* ***To update commentary on climate change within the current policy to align with actions included in the Council’s Draft Climate Change Action Plan. Updated commentary to include reference to the findings of the Dublin Tree Canopy Study published in March 2017 and its implications for tree management in South Dublin.***

***Current Policy Statement***

**1.3 Impact of Climate Change and Trees**

**Policy: The Council will protect and increase the county’s overall canopy cover to mitigate the effects of climate change.**

As climate change increasingly becomes a reality, planting and caring for trees in our towns and cities will become even more important. The effects of climate change are predicted to result in warmer wetter winters with an increased risk of flooding and hotter drier summers. This policy has previously highlighted the importance of trees in cooling the urban environment and the health, social and economic benefits that trees provide to the public space environment of South Dublin. Trees also have the ability to maintain and recycle vast amounts of water and, while flooding is not currently a major climate mitigation issue for South Dublin, the part that trees play in flood mitigation may become increasingly significant in the future.

While trees may play a part in mitigating climate change, they are also directly affected by it and unfortunately the effects of changing climate will threaten the health and survival of trees. One of the greatest challenges facing the local and national tree population is the control and containment of new pests and diseases from outside Ireland. New pests and diseases are a threat to Ireland due to the increased international trade in plants, timber and general goods, and the more favourable conditions for new pests and diseases associated with climate change. Recent examples include ash dieback and bacterial canker of horse chestnuts. The spread of new species-specific diseases to Ireland emphasises the importance of species diversity. It is important to ensure the future continuity of tree cover across the county by, where practical, managing the age range of trees and by replanting with a more diverse range of species in order to mitigate the risks that monoculture and climate change present for tree management.

***Review Recommendation:***

*Addendum to policy statement 1.3 Impact of Climate Change and Trees*

The ‘Dublin Tree Canopy Study’ undertaken by the School of Geography, University College Dublin and published in March 2017 provides an analysis of data from an aerial survey of the tree cover for the Greater Dublin Region within the lands managed by the four Dublin local authorities and the Office of Public Works. The survey data is analysed in terms of the environmental services (biodiversity, air quality, water management) provided by the tree cover across the county.

The report indicates that “A tree canopy cover of 15% would make Dublin comparable to other European cities. Currently cover across the county is 10% but there are large variations between local authorities.”

In regard to the South Dublin Administrative Area the report finds “South Dublin County Council (SDCC) displays a strong urban/rural divide in terms of canopy cover. Rural areas contain approximately double the canopy cover per unit area compared to its urban areas, due in part to the presence of forested areas in the south Dublin Mountains and areas adjacent to the river Liffey. SDCC’s urban areas are impoverished in terms of tree canopy compared to neighbouring DLR, with approximately two thirds of urban SDCC having less than 10% canopy cover. As with Fingal, most urban areas of SDCC would benefit from increased plantings, though in contrast to Fingal SDCC has a relative abundance of rural canopy. Areas of particular need of tree planting are Adamstown, City West, Firhouse, Jobstown, Tallaght, Palmerstown, Perrystown and Walkinstown.”

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Figure 4. Estimated tree canopy cover across SDCC, which is 42% urbanised.

(Brennan, M., Mills, G, and Ningal, T. 2017: The Dublin Tree Canopy Study. University College Dublin.)

South Dublin County Council’s Climate Change Action Plan promotes the use of trees and vegetation as adaptive measures to manage air pollution, drainage and flood mitigation etc. Actions aim to develop, agree and embed principles of sustainable and best practice tree planting and management in South Dublin. The residents of South Dublin are also encouraged to support the Council’s actions to increase tree canopy cover by planting trees in private gardens.

**Conclusion**

In general, it is widely acknowledged that the South Dublin County Council’s Tree Management Policy 2015-2020 ‘Living With Trees’ has led to the Council continuously improving management of its existing trees, progressively bringing all of it trees into an active programme of management and enabling provision for new and replacement tree planting with over 2,500 trees planted since its adoption.

This interim internal review has sought to reassess and update aspects of the policy to provide further direction and clarity for management of trees in the county. It is now proposed to implement these updated policies for the remaining duration of the Tree Management Policy 2015-2020.

**END OF REPORT**

The Senior Executive Parks Superintendent responded to the Members’ queries.

The report was **NOTED.**

**I**t was agreed to implement the recommendations as circulated to the meeting, and for a report to be submitted March Council Meeting for noting.

**Item 6: Commencement of Review of Litter Management Plan**

The following report as circulated was presented by Senior Executive Officer, Mary Maguire

**Making Policy - Statutory Basis**

[**Section 10 (2) of the Litter Pollution Act 1997**](http://www.irishstatutebook.ie/eli/1997/act/12/section/10/enacted/en/html), as amended, provides a statutory requirement on each local authority to review its Litter Management Plan at least once in each period of three (3) years.

In accordance with [**Section 12 of the Litter Pollution Act 1997**](http://www.irishstatutebook.ie/1997/en/act/pub/0012/sec0012.html), as amended, there is a prescribed procedure for making, amending or replacing the Litter Management Plan, including a statutory public consultation process.

The making, review, amending or replacement of a litter management plan is a reserved function of the council in accordance with [**S 13 of the Litter Pollution Act 1997, as amended**](http://www.irishstatutebook.ie/1997/en/act/pub/0012/sec0013.html)

**Review**

The Council’s (current) Litter Management Plan 2015-2019 was made in October 2015, following a full review of the previous Litter Management Plan 2011-2014.

At that time all objectives contained in the 2011-2014 plan were critically examined and this informed the development of the Litter Management Plan 2015-2019 including the appended protocols.

The current Litter Management Plan is reviewed and a report provided to the ACM’s on a quarterly basis.   Nonetheless, it is now proposed to undertake a full and comprehensive review of Litter Management Plan 2015-2019, with a view to developing a new Litter Management Plan to coincide with the lifetime of the next Council period spanning 2019-2024.

It is intended that a review report, and a **pre-consultation** Draft Litter Management Plan 2019-2024 will be presented to the May 2019 SPC meeting in advance of the commencement of a statutory public consultation process, which will be undertaken in accordance with Section 12 of the Litter Pollution Act 1997,as amended.

**Public Consultation**

The draft 2019-2024 Litter Management Plan will go on public display for a period of 8 weeks during which time submissions and observations will be invited and considered.

It is anticipated that a report on the public consultation process will come to the November 2019 SPC meeting and ideally following recommendation of the SPC, the draft plan will go before the Council for approval in December 2019.

**END OF REPORT**

The Report was **NOTED**

**Item 7: Agglomeration Noise Action Plan**

The following report as circulated was presented by Tom Mangan, Environmental Health Officer:

<http://intranet/cmas/documents/Environment-%20Public%20Realm%20and%20Climate%20Change%20SPC/2019/February/February2019Environment,PublicRealmandClimateChangeSPCMeeting/292faf65-c35d-4c84-b241-19f51a7e1d07.pdf>

<http://intranet/cmas/documents/Environment-%20Public%20Realm%20and%20Climate%20Change%20SPC/2019/February/February2019Environment,PublicRealmandClimateChangeSPCMeeting/dc4884da-6a0c-43b0-b6c0-05d1a2fce18d.pdf>

The Report was **NOTED**

**Item 8: Any Other Business**

2019 (South) Dublin Canvas:

The following report as circulated was presented by Mary Maguire, Senior Executive Officer:

Following on from the successful 2018 pilot (South) Dublin Art Canvas Scheme, and the approval of an appropriate budget for 2019, it is proposed to continue with the Scheme into 2019.

The project will continue in its current format : Cross-county traffic signal boxes (locations agreed in collaboration with LUPT), Project Coordinator call for submissions and an SPC steering group (established in 2018) assessment of submissions comprising Chair of the Environment SPC, the Council’s Arts Officer, and Conservation Officer,  the Senior Executive Office from EWCC, the Environmental Awareness Officer and the Project Coordinator of the Dublin Canvas project- all of whom have background in conservation and environmental matters, media production / public relations, the Arts, and similar projects.

The following is an outline of the locations selected for 2019:

**Lucan**

1. T531 Celbridge Rd / Leixlip l/C
2. T559 Esker Rd / AGP
3. St. Patricks Church Esker junction box
4. T592 Adamstown Ave
5. T548 Grangecastle Rd / Castle Road
6. P475 Newcastle Rd / Esker Drive
7. T563 Newcastle Rd / Adamstown
8. P652 Fonthill Rd / Liffey Valley

**Clondalkin**

1. T546 Ninth Lock Rd @ Tomas Omar Way
2. T591 Ninth Lock Rd Station Rd
3. T3P424 Nangor Rd betwenn R/A’s
4. T398 Fonthill Rd / Lucan Newlands
5. T399 Fonthill Rd Dunawley
6. P468 Fonthill Rd @ Camac
7. P653 Fonthill Rd @ Retail Park
8. P445 Neilstown Rd @ Rowlagh C.C

**Tallaght Central**

1. P611 Belgard Rd @ Windsor Motors
2. T706 Greenhills Rd @ Harvey Norman
3. T562A Old Tallaght Rd @ Castle Tymon
4. T562B Old Tallaght Rd @ Castle Tymon
5. T522 Old Blessington Rd @ Tramway Court
6. T196 Greenhills Rd @ Castletymon
7. T514 Cookstown Way Old Blessington
8. T516 Belgard Sq. @ Tram Terminus

**Tallaght South**

1. T395 N81 Jobstown
2. T397 N81/N82
3. T567 Outer Ring / Brookfield
4. T566 Outer Ring / Fettercairn
5. T563 Outer Ring / Maplewood
6. P550 Fortunstown Rd @ Citywise
7. T582 Fortunestown Lane @ Carrig Court
8. T599 Garter Lane @ Fortunstown

**Templeogue/ Terenure**

1. T327A C Blue Haven
2. T327B C Blue Haven
3. T519 Firhouse Rd / Ballycullen Rd
4. T161 Firhouse Rd / Knocklyon Rd
5. T501 Wainsfort Rd / College Drive
6. T353 Limekiln Rd St Janes Rd
7. T5T135 St Peter’s Rd / Limekiln Lane
8. T390 Wellington Lane Limekiln Rd

**Rathfarnham**

1. T585 Ballycullen St Colmcille’s
2. P446 Orlagh R/A
3. T593 Whitechurch Rd / Sarah Cullen
4. P488 Rathfarnham Rd @ Castle
5. T337B Grange Rd @ Whitechurch
6. T338 Grange Rd @ Nutgrove Ave
7. T558 Edmondstown Rd @ Scholarstown
8. T558 Taylors Lane Grange Rd

**END OF REPORT**

The Report was **NOTED**

There being no further business the meeting concluded at 7.10 p.m.

A discussion followed with a contribution from Councillor P. Kavanagh.

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

1. **Economic, Enterprise & Tourism SPC**

The following reports by the Chief Executive, which had been circulated, and were **CONSIDERED:**

1. Report of Meeting - 13th November

SOUTH DUBLIN COUNTY COUNCIL

MEETING OF SOUTH DUBLIN COUNTY COUNCIL

**REPORT OF THE ECONOMIC DEVELOPMENT, ENTERPRISE AND TOURISM STRATEGIC POLICY COMMITTEE**

**MEETING HELD ON WEDNESDAY 13th NOVEMBER 2019**

**PRESENT:**

|  |  |  |
| --- | --- | --- |
| **Members** | **Council Officials** | |
| Cllr. Cathal King (Chair) | Frank Nevin | Director of Services |
| Cllr. Louise Dunne | Tom Rooney | Head of Enterprise |
| Cllr. Pamela Kearns | Laura Leonard | Senior Executive Officer |
| Cllr. Ronan. McMahon | Paddy Brennan | Administrative Officer |
| Cllr. Liona O’Toole |  |  |
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|  |  |  |
|  | | |
| **Representatives:** | | |
| Sherie Brennan | | |
| Jack McDonnell | | |
| Cliodhna O’Byrne | | |
| **Apologies:** Cllr. Mary Seery-Kearney, Cllr. Ed O’Brien, Ms. Tara de Buitlear | | |
|  | | |
| Also in attendance: Cliodhna O’Byrne, South Dublin Chamber | | |

|  |  |
| --- | --- |
| **The meeting was Chaired by** Cllr. Cathal King. |  |
| **Headed Item 1 - Introductions**  **As this was the first EETD Strategic Policy Committee meeting of the new Council, the Chairperson Cllr. King invited all present to introduce themselves and set out their role and expectations for the SPC.**  **Headed Item 2 – Minutes of EETD SPC 13th February 2019**  The Minutes of the Economic Development, Enterprise & Tourism SPC Meeting of 13th February 2019 were **Noted.** |  |
| **Headed Item 3: Regulation of Lobbying Act 2015 Requirements**  **Frank Nevin, Director of Services advised the committee of the obligations and requirements of the Regulation of Lobbying Act 2015. The item and information contained therein were Noted.** |  |
|  |  |
| **Headed Item 4 – South Dublin County Council Corporate Plan 2019 -2024**  **Paddy Brennan presented a report on the Corporate Plan 2019-2024 which is at consultation stage. Members of the Committee were encouraged to engage in the consultation process.**  **Following questions and contributions from members which were responded to by Paddy Brennan, the report was NOTED.**  **Headed Item 5 – Presentations**  **Tom Rooney, Head of Enterprise delivered a presentation on the Business Support Fund.**  **Cliodhna O’Byrne, South Dublin Chamber delivered a presentation on South Dublin Chambers current projects.**  **Laura Leonard, Senior Executive Officer delivered a presentation on Grange Castle Business Park.**  **Tom Rooney gave a report on the tourism /innovation centre and following questions from Cllrs. Kearns, McMahon, O’Toole, Dunne, King and S. Brennan and J. McDonnell, the report was noted.**  **Cllrs Kearns, McMahon, O’Toole, Dunne, King and S. Brennan and J. McDonnell raised questions on the presentations which were responded to by Frank Nevin, Tom Rooney, Cliodhna O’Byrne and Laura Leonard.**  **Headed Item 6 – Proposed Work Programme for SPC**  **The proposed work programme for the SPC was presented, discussed and Noted.** |  |
| **Headed Item 7 – Any Other Business:**  No Business  **The meeting concluded at 7:15pm** |  |

(ii) Minutes of Meeting - 13th February

**Draft Report of Economic Development, Enterprise & Tourism SPC**

**Meeting on 13th February 2019**

**In Attendance:**

|  |
| --- |
| Cllr. C. O Connor (Chair) |
| Cllr B Ferron |
| Cllr. C. McMahon |
| Cllr. R. McMahon |
|  |
| S. Brennan |
| T de Buitlear. |
| D. Roche. |

**Apologies:**

|  |
| --- |
| Cllr P Foley |
| Cllr G O’Connell |

**Officials present:**

F. Nevin, Director of Services

T. Rooney, Head of Enterprise

L. Leonard, Senior Executive Officer.

|  |
| --- |
| **The meeting was Chaired by** Cllr C. O Connor. |
| **Headed Item 1: Minutes of Economic Development, Enterprise & Tourism SPC Meeting of 14th November, 2018**  The Minutes of the Economic, Enterprise & Tourism Development SPC Meeting of 14th November 2018 were **AGREED.** |
| **FN confirmed that, as discussed at the November meeting, it had been agreed with the Chair that the meeting would progress as a workshop on the Business Support Fund initiatives.**  **Headed Item 2: Report on Business Support Fund**  **Tom Rooney presented a report on the Business Support Fund.**  **There followed a comprehensive discussion on the Fund to which all members contributed. T Rooney and F Nevin responded to members’ comments and queries.**  **Listed below are the matters raised for further consideration.**   * **Simplify the shop front grant application and approval process.** * **Better communication with Chamber and other businesses on BSF opportunities.** * **Encourage and support businesses that maintain the public realm around their premises to a good standard – potentially including tree planting.** * Expansion of training & development courses to include Leadership / Strategic / business planning / Lean / Agile / Digital Strategy. * **Incentivised training opportunities for compliant businesses.** * **It was noted that the new Business Sustainability Manager had joined the Chamber on 8th February. The ongoing value of the programme in project delivery and contacts both with member and non-member businesses in the County was noted.** |
| **Headed Item 3 – A. O. B. – Report on Dodder Greenway (For circulation only)**  **The following report was circulated and noted.**  **Report to Economic, Enterprise & Tourism SPC on the Dodder Greenway Update**  The Dodder Greenway through South Dublin County Council achieved Part 8 in 2017 and has progressed to the detailed design stage. A tender for consultants was completed in 2018 and Clifton Scannell Emerson Associates are currently progressing the detailed design for the Greenway through the County.  The detailed design and tender package for Kiltipper Park is completed, which will deliver some of the upstream sections of the Dodder Greenway, including:   * An upgrade of the routes through this section * Landscape details * Upgrade of access points * Provision of road crossings etc.   It is intended to tender for construction of this section in the coming weeks.  Downstream; the sections of the Dodder Greenway through Dublin City and Dun Laoghaire Rathdown County are being progressed through the preliminary design and Part 8 stages in 2019 by Dublin City Council.  One section of the route from Herbert Park to Donnybrook was subject to a separate Part 8 process. Tender drawings and finalisation of the documents for the construction of this section are underway with a view to commence construction later in the year. |
|  |
| **The meeting ended at 7pm.** |

1. **Housing SPC**

The following reports by the Chief Executive, which had been circulated, and were **CONSIDERED:**

1. Report of Meeting - 18th November

**Meeting of the Housing Strategic Policy Committee held at 5:30 p.m. on Monday, 18th November 2019**

**Present:**

Cllr C. O’Connor (Chair); Cllr D. O’Donovan; Cllr. B. Pereppadan; Cllr W. Priestley; S. Harty (PPN).

**Apologies:**

B. Tyrrell-Collard; Cllr K. Mahon; Cllr M. Ward.

**Officials in attendance:**

C. Ward, Director of Services, N. Hanly, Senior Executive Officer; E. Leech, Senior Executive Officer; M. Staunton, Senior Executive Officer; N. Noonan, Communications Manager & Jacqueline Sweeney, Senior Staff Officer.

The Meeting was Chaired by Cllr. C. O’Connor.

**H-I (1) – Minutes of Housing SPC Meeting on 24th April 2019.**

The Minutes of the Housing and Social Development Strategic Policy Committee Meeting of the 24th April 2019 were AGREED.

**H-I (2) – Matters Arising**

None.

**H-I (3) – Role of SPC & Requirements under the Lobbying Regulation Act**

C. Ward provided a brief overview of the SPC Scheme that was adopted at the Council Meeting on 14th October 2019 and drew attention to the obligations under The Regulation of Lobbying Act 2015. Both documents are available for download for Committee members to review.

**H-I (4) – Corporate Plan Consultation**

N. Noonan delivered a presentation on the key commitments and achievements of the Corporate Plan 2015-2019 and asked members to access the link on [www.sdcc.ie](http://www.sdcc.ie/) and encourage citizens to have their say in the development of the new Corporate Plan 2020-2024.

Following questions and contributions from Cllr. O’Connor, Cllr. O’Donovan, Cllr. Priestley, and S. Harty which were responded to by C. Ward and N. Noonan, the Committee noted the closing date for submissions on 22nd November.

**H-I (5) – Housing Supply & Mixed Tenure Developments Update**

C. Ward and M. Staunton presented a report on housing supply including an overview of the proposed mixed tenure sites, a focus on providing older persons' accommodation with an associated rightsizing policy, the anticipated final housing supply figures for 2019 and an overview of the Capital Advance Leasing Facility used by Approved Housing Bodies to increase social hosuign supply.  C. Ward asked that the committee consider the presentation in the context of their policy formulation role in the new Housing SPC and to continue to engage with their views on the mixed tenure sites.

There were contributions from Cllr. O’Donovan, Cllr. Priestley, Cllr. Pereppadan and S. Harty which were responded to by C. Ward and M. Staunton, following which the report was NOTED.

**H-I (6) – Housing Disability Supports**

N. Hanly & M. Staunton presented a joint report on housing supports for people with a disability for both Council tenants and private homeowners.

There were contributions from Cllr. O’Donovan, Cllr. Priestley and S. Harty which were responded to by C. Ward, M. Staunton and N. Hanly.  The report was noted with the Committee also requesting a future update on unsuccessful applications for granst for private home owners.

**H-I (7) – Differential Rent Scheme Update**

E. Leech provided an overview of changes which will be implemented in the South Dublin County Council differential rent scheme following the adoption of the 2020 budget at the annual budget meeting on 14th November 2019.

There were contributions by Cllr. O’Donovan and S. Harty which were responded to by C. Ward and E. Leech and the report was NOTED.

**H-I (8) – Allocations Update**

N. Hanly presented a breakdown and analysis of the South Dublin County Council housing waiting list, including information on total allocations of accommodation for 2019 to-date.

Following contributions from Cllr. Priestley, Cllr. O’Donovan and S. Harty which were responded to by C. Ward and N. Hanly, the report was NOTED.

**H-I (9) – AOB**

Cllr. Priestley and Cllr. O’Donovan thanked staff for the presentations and level of information provided. C. Ward committed to continued provision of information and stats to assist the members in their policy formulation function.

The meeting concluded at 7pm.

(ii) Minutes of Meeting - 24th April

**Meeting of the Housing Strategic Policy Committee held at 3:30 p.m. on Thursday, 24th April 2019**

**Present:**

Cllr C. King (Chair); Cllr M. Ward; Cllr. E. Hendrick, Cllr M. Duff.

**Apologies:**

Tyrrell-Collard; Cllr K. Mahon; Cllr M. Genockey; Cllr L. Dunne.

**Officials in attendance:**

C. Ward, Director of Services, N. Hanly, Senior Executive Officer & E. Leech, Senior Executive Officer.

The Meeting was Chaired by Cllr. C. King.

**H-I (1) – Minutes of Housing SPC Meeting on 14th February 2019.**

The Minutes of the Housing and Social Development Strategic Policy Committee Meeting of the 14th February 2019 were AGREED.

**H-I (2) – Matters Arising**

None.

**H-I (3) – Draft Scheme of Priority for Affordable Dwelling Purchase Arrangements**

E. Leech gave a presentation on the proposed draft Scheme of Priority and the background to the development of same.

It was noted also that the regulations require that the Council adopt a Scheme of Priorities no later than the 18th June.

Following questions and contributions from Cllr. King, Cllr. Ward, Cllr. Hendrick and Cllr. Duff which were responded to by C. Ward and E. Leech, it was recommended that the draft Scheme:

* Include a table matching accommodation need to house size to limit overcrowding, have appropriate regard for current and potential future household size where possible;
* Use a zero kilometres distance in respect of priority for distances from both full-time education and employment in the draft scheme. (The Committee felt that it was not appropriate to limit the location where persons were working in this regard because census data tells us that the majority of people living in South Dublin County that are in employment, are working outside the County. Equally, they decided that given the range of educational facilities (potentially ranging from pre-school to third-level) it would not be appropriate to grant priority for an affordable home on the basis of a somewhat arbitrary distance related to the location where a family member is in education.)

On this basis, the Committee AGREED to recommend the draft Scheme of Priority for Affordable Dwelling Purchase Arrangements for adoption by the full Council.

**H-I (4) – New Allocations Scheme**

N. Hanly provided an update on the Committee’s sub-group work on a draft Allocations Scheme and gave a presentation on the proposed draft Allocations Scheme, the proposed changes and additional actions agreed by the sub-group.

There were contributions from Cllrs. King, Hendrick and Ward, following which it was AGREED that the draft Allocations Scheme be recommended by the Committee for approval by the Council at the May meeting.

**H-I (9) – AOB**

None.

The meeting concluded at 5pm.

1. **Land Use, Planning & Transportation**

The following reports by the Chief Executive, which had been circulated, and were **CONSIDERED:**

1. Report of Meeting - 9th November

**MEETING OF LAND USE, PLANNING AND TRANSPORTATION  
STRATEGIC POLICY COMMITTEE**

**HELD ON MONDAY 18th November, 2019**

**PRESENT:**

|  |  |  |
| --- | --- | --- |
| **Members** | **Council Officials** |  |
|  |  |  |
| Cllr Noel Francis Duffy (Chair) | Mick Mulhern | Director of Services |
| Cllr. Paul Gogarty | Lorna Maxwell | Director of Services |
| Cllr. William Carey | Mary Maguire | Senior Executive Officer |
| Cllr. David McManus | Jason Frehill | Senior Planner |
| Cllr Eoin O Broin | William Purcell | Senior Engineer |
| Cllr Shane Moynihan | Anne Hyland | Senior Ex. Planner |
|  | Sheila Kelly | Administrative Officer |
|  | Sean O’Hara | Administrative Officer |
|  | Maeve Cantwell | Executive Engineer |
| **Non Elected Members** |  |  |

**An Cathaoirleach, Councillor Noel Francis Duffy presided.**

### **H-1(1) Item ID:63723- Confirmation and re-affirmation of Minutes of Meeting of 14th March, 2019**

[Mins of March 2019.docx](file:///\\sdcc-file3\Roads\Rdsad\Meetings\1%20SPC's\LANDUSE%20PLANNING%20&%20TRANSPORTATION%20SPC\SPC%202019-2024\November%202019\Items\Mins%20of%20March%202019.docx)

Minutes of Land Use Planning & Transportation SPC 14th March, were **NOTED** as a true recollection of proceedings of the meeting.

### **H-1(2) Item ID:64121 Introduction and Role of SPC**

Ms Lorna Maxwell Director of Services, Mr Mick Mulhern, Director of Services and Ms Mary Maguire, Senior Executive Officer outlined the role of the Strategic Policy Committee (SPC) and responded to queries raised.

It was noted that it is the task of SPCs, as committees of the Council, to advise and assist the Council in the formulation, development and review of policy. As such SPCs are strategic in nature and they have no remit in relation to routine operational matters regarding the delivery of services.

The SPC is assisted in matters with input and expertise from external members who must be independent of any vested interests

Meetings are normally held at least four times yearly.

**H-1(3) Item ID 64161 Lobbying Act Requirements**

[Regulation of Lobbying.pdf](file:///\\sdcc-file3\Roads\Rdsad\Meetings\1%20SPC's\LANDUSE%20PLANNING%20&%20TRANSPORTATION%20SPC\SPC%202019-2024\November%202019\Items\Regulation%20of%20Lobbying.pdf)

Ms/ Lorna Maxwell, Director of Services presented the report as previously circulated. Ms Maxwell outlined the “Three Step Test” – for a communication to be considered a “relevant communication” it must meet the following:

1. The communication is made by a person or organisation within the scope of the Act:
2. The communication concerns a “relevant matter”, and
3. The communication is directed at a person who is a Designated Public Official (DPO)

Ms. Maxwell also outlined provision of exception under the Transparency Code specific to SPCs, whereby communication between SPC members about the work of the committee would be exempt where the committee complies with the Transparency Code.

The report was **NOTED.**

### **H-1 (4) ID:64122 Consultation on Corporate Plan 2020 – 2025**

[Corporate Plan consultation.pptx](file:///\\sdcc-file3\Roads\Rdsad\Meetings\1%20SPC's\LANDUSE%20PLANNING%20&%20TRANSPORTATION%20SPC\SPC%202019-2024\November%202019\Items\Corporate%20Plan%20consultation.pptx)

Lorna Maxwell, DOS presented a PowerPoint report on the review of the current Corporate Plan and the development of a new plan to comply with provisions of the Local Government Act. She outlined the achievements of the objectives of the last plan 2015-2019 including infrastructure delivered, and explained what has changed to inform the development of the 2020 plan including various pieces of legislation that have changed the way the Local Authority works, Governance requirements, financial oversight, procurement rules etc.

The Council uses the most recent Census (2016) for analysis. The population has increased by 5% and the Council needs to provide more services for our young citizens as well as to accommodate the needs of all our population.

Cyber security is a big issue facing companies now and a lot of work undertaken to protect our systems. The Council uses Social Media to get the message across to the public and is currently developing a strategy to develop this further.

Ms Maxwell outlined the statutory public consultation period within which submissions and observations may be made, closing date **Friday 22nd November, 2019**  and the availability of an online survey

The report was **NOTED.**

### **H-1 (5) Item ID:64123 Review of Parking Bye-Laws – Issues Paper**

[Parking ByeLaws Issues Paper.docx](file:///\\sdcc-file3\Roads\Rdsad\Meetings\1%20SPC's\LANDUSE%20PLANNING%20&%20TRANSPORTATION%20SPC\SPC%202019-2024\November%202019\Items\Parking%20ByeLaws%20Issues%20Paper.docx)

Ms. Sheila Kelly, Administrative Officer, LUPT gave a quick outline of the review process. The Bye Laws are now 9 years old and require to be updated to consider new pay and display zones, pricing, tariffs, and permits.

The steps in the process would be as follows:

SPC meeting to discuss the issues paper: - 18th November 2019

Proposed Public Consultation Period: 6th January 2020 – 6th March 2020

Review of information from public consult – 9th March 2020 – 23rd March 2020

Report brought to Council meeting: - April Council Meeting

Ms. Maeve Cantwell, Executive Engineer presented the issues paper to the members.

She outlined the main areas where changes will require to be addressed including: -

1. Electric Vehicle Charging points
2. Car Clubs
3. Grace periods
4. Pricing
5. Tariffs
6. New Park and Ride Pilot Scheme
7. Streamlining the Hours of Application
8. Enforcement of the Road Traffic Acts

Officers discussed each of the key issues listed above (1 to 8). Further detail on each of the 8 issues are set out the Parking Bye Laws issue paper that is appended to these minutes. The following issues were those of particular note:

* it is proposed to include an additional permit to the list of existing permits i.e. Residents Carer’s permit.
* There is currently a ‘Pilot Grace Period’ in operation across the County, whereby people are gifted 30 minutes free parking. This has resulted in a significant income lose for the Council year on year. A key reason for this is that people are openly abusing the free 30 minute period. Options for amending this Grace Period were discussed including the preferred approach of having a 15 minutes grace period (as operated in neighbouring Local Authorities) before payment of parking and a further 15minute at the end of the hour of paid parking would be a better option. There is currently a range of car parking prices in operation across the Council area and the charging has now been reviewed in 9 years. It is proposed to standardise the pricing to a standard rate of €1.50 an hour in all parking zones.

Ms. Cantwell, Mr. O’Hara, Ms. Maguire and Mr. Mulhern, responded to queries raised by the Committee members.

The report was **NOTED** and it was agreed to advance to public consultation phase as outlined above.

**H-1(6) Item ID: 64124 Proposed Draft Tallaght Town Centre Local Area Plan – Outcome of Public Consultation**

[**Tallaght LAP.pptx**](file:///\\sdcc-file3\Roads\Rdsad\Meetings\1%20SPC's\LANDUSE%20PLANNING%20&%20TRANSPORTATION%20SPC\SPC%202019-2024\November%202019\Items\Tallaght%20LAP.pptx)

[**Tallaght LAP - Variation Nos. 4 & 5.pptx**](file:///\\sdcc-file3\Roads\Rdsad\Meetings\1%20SPC's\LANDUSE%20PLANNING%20&%20TRANSPORTATION%20SPC\SPC%202019-2024\November%202019\Items\Tallaght%20LAP%20-%20Variation%20Nos.%204%20&%205.pptx)

Mr Jason Frehill Senior Planner and Ms Anne Hyland Senior Executive delivered a presentation with the focus on the following:

* Statutory Plan Making Process, including timeframes and the role of the Elected Members
* Public Consultation process including communications mechanisms used
* Main category of issues raised in 49 submissions received including
  + Neighbourhoods, (The Centre/ Cookstown/ The Village)
  + Housing Mix including viability / deliverability / consistency with national guidelines / suitable tenure mix - family homes and level of BtR
  + Access and movement including transport interchange / N81
  + Community Facilities
  + Height and built form including capacity for taller buildings/ national guidelines
  + Implementation and sequencing
  + Public Realm and open spaces including feature attractions / flexibility in provision
  + Employment / relocations
  + Climate change
  + Other

Mr Frehill, Ms Hyland and Mr Mulhern responded to queries raised by the committee members in the above matters.

**H-1(7) Item ID: 64125 Programme of Works 2020 and future meeting dates**

[2020 Programme and dates.docx](file:///\\sdcc-file3\Roads\Rdsad\Meetings\1%20SPC's\LANDUSE%20PLANNING%20&%20TRANSPORTATION%20SPC\SPC%202019-2024\November%202019\Items\2020%20Programme%20and%20dates.docx)

Ms Mary Maguire Senior Executive Officer advised that traditionally the LUPT SPC meetings were held on the last Thursday of each relevant month i.e. February, May, September and November, and it was intended with the members’ agreement to revert to this scheduling.

Accordingly, it was agreed to recommend to the OP&F the following dates for 2020 SPC meetings:

* Thursday 27th February 2020
* Thursday 28th May 2020
* Thursday24th September 2020
* Thursday 26th November 2020

It was agreed where / if necessary that additional meetings may be scheduled in order to adequately manage the work programme. It was also agreed to circulate issue papers / reports 5 working days in advance of meetings in order to expedite consideration of items at the SPC meetings.

Cllr Ó Broin, supported by Cllr Gogarty, queried if Dublin Cycling Campaign could be included in membership of a subcommittee of LUPT. It was agreed in the context of the LUPT 2020 Work Programme, that the need for subcommittees be examined before any specific subcommittee would be formed, or Terms of Reference agreed.

The meeting noted the following list of items for consideration at these meetings. (The list is not exhaustive). In the context of noting the work programme some associated queries were raised

* Review of Parking Bye Laws
* Review of Development Contribution Scheme
* Biodiversity Action Plan
  + need for strategic land use and to carefully balance of need to provide essential infrastructure e.g. housing versus protecting existing biodiversity
* Heritage Plan
* County Development Plan issues papers
* County Signage Strategy
* County Mobility / Sustainable Transport Plan
  + Cycle Officer – SDCC employs Road Safety Officer with associated responsibilities
  + Pedestrianisation
  + Possible NTA attendance at meetings on request from SPC
* Naas Road Planning Framework
* Taxi Rank Bye Laws

The meeting concluded at 7.45p.m.

1. Minutes of Meeting - 14th March

**MINUTES OF LAND USE, PLANNING AND TRANSPORTATION  
STRATEGIC POLICY COMMITTEE**

**HELD ON THURSDAY 14th March, 2019**

**PRESENT:**

|  |  |  |
| --- | --- | --- |
| **Members** | **Council Officials** | |
| Cllr Brian Lawlor (Chair) | Mick Mulhern | Director of Services |
| Cllr. Mick Murphy | Jason Frehill | Senior Planner |
| Cllr. Liona O’Toole | Siobhan Duff | Senior Executive Planner |
| Cllr. Paul Gogarty | Sheila Kelly | Administrative Officer |
| Cllr Paula Donovan |  |  |
|  |  |  |
|  | | |
| **Non-Elected Members:** | | |
|  | | |
|  | | |

**Apologies: Niall Durkan**

**An Cathaoirleach, Councillor Brian Lawlor presided.**

### **H1/0319 Item ID:61557- Minutes of SPC held 6th December, 2018**

[Minutes of Meeting of 6th December, 2018.doc](file:///C:\Users\skelly\AppData\Roaming\Microsoft\Word\Items\Minutes%20of%20Meeting%20of%206th%20December,%202018.doc)

Minutes of Land Use Planning & Transportation SPC 6th December 2018 were proposed by Cllr. Paul Gogarty and seconded by Councillor Ruth Nolan and **AGREED**

### **H2/0319 Item ID:61559 County Development Plan Variation No. 3**

[H-1(2) County Development Plan Variation No. 3.pptx](file:///C:\Users\skelly\AppData\Roaming\Microsoft\Word\Items\H-1(2)%20County%20Development%20Plan%20Variation%20No.%203.pptx)

Ms. Siobhan Duff, Senior Executive Planner presented the report. The area in question is amending the zoning at Ballymount/Naas Road from EE to REGEN.

Ms. Duff gave the background to the Variation. This is the third variation to the current plan.

Following consultation process which finishes end March a report will be made to the May Council Meeting for consideration.

Following a discussion Jason Frehill and Siobhan Duff answered queries raised by Cllrs L. O’Toole, Cllr P. Gogarty, Cllr B Lawlor . Cllr Lawlor stated that he would not be supporting the amendment until the Council carry out a societal risk assessment for all three sites before the lands surrounding the three sites are rezoned to Regen   The purpose of this is to to determine how much development can be allowed with the catchment zoned of the Seveso sites.

Mick Mulhern agreed to take the report away and look at this.

The report was **NOTED**

### **H3/0319 Item ID:61560 - Regional Spatial Economic Strategy & Timelines**

[H-1(3) RSES.ppt](file:///C:\Users\skelly\AppData\Roaming\Microsoft\Word\Items\H-1(3)%20RSES.ppt)

Mr. Jason Frehill, Senior Planner presented the report.

He informed the meeting the stage the process was at since the presentation to December SPC and gave a brief overview of the content of draft RSES, the key points in the Council’s submission and the key recommendations in the Director’s report and what the next stage is.

The Council submission:

* Made in January 2019
  + Broadly welcomed and supported the Draft RSES and MASP
  + Population in line with CDP
  + Identification of specific strategic development locations
  + Emphasis of climate change
  + Emphasis on sequential approach to development in Dublin
  + Greenway network
* Main Issues Raised by SDCC:
  + Clarification of Naas Road / Ballymount regeneration extent (both DCC and SDCC areas)
  + Guidance on the preparation of Housing Need Demand Assessments
  + Recognition of brownfield lands at Tallaght as strategic location for employment and mixed use development

The next stage is the Public consultation on the Draft Material alterations if any.

Mr. Frehill answered queries raised by Cllrs. P. Gogarty, L O’Toole, Cllr P. Donovan and the report was **NOTED**

### **H4/0319 Item ID:61561 Ballycullen/Oldcourt Local Area Plan Time Period Extension**

[H-1 (4) Ballycullen\_Oldcourt LAP - Time period extension.pptx](file:///C:\Users\skelly\AppData\Roaming\Microsoft\Word\Items\H-1%20(4)%20Ballycullen_Oldcourt%20LAP%20-%20Time%20period%20extension.pptx)

Mt. Jason Frehill, Senior Planner presented the report.

The Ballycullen-Oldcourt LAP was adopted on 6th May, 2014. It will remain in force for 6 years from its adoption until 2020. Section 12 of the Planning and Development Act 2010 gives the Council the option to extend the LAP to May 2024 provided the Planning Authority resolve to do this before 27th June 2019. The plan can be extended by up to 5 years. Resolution to extend must take place within 5 years of adoption of LAP i.e. by 2019. The Planning Authority (SDCC) has until 27th June 2019 to extend the life of the Plan.

A discussion followed and Mr. Frehill answered queries raised by Cllrs. P. Donovan, P. Gogarty, B. Lawlor.  The main items raised included a) traffic and when the last complete traffic impact assessment was completed b) if there is sufficient land available to accommodate a post primary school and c) the resources available to the Council to complete this work.  Mr. Mulhern said that he would look into the resources available to us.  The report was **NOTED**

### **H5/0319 Item ID:61562 Strategic Housing Development Update**

H-1 (5) SHD March Update

Mr. Jason Frehill, Senior Planner gave the presentation.

The plan is to be reviewed at year end.

Following a discussion Mr. Frehill answered queries raised by Cllrs. L. O’Toole and P. Gogarty.

The report was NOTED

The Chair Cllr Brian Lawlor thanked the staff and the meeting closed at 7.15p.m.

SIGNED\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DATE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Reports were **NOTED.**

### **H5/1219 REPORT FROM JOINT POLICING COMMITTEE**

The following report by the Chief Executive, which had been circulated, was **CONSIDERED:**

**Report from South Dublin County Joint Policing Committee Meeting on Friday 22nd November 2019 in County Hall, Tallaght**

Attendance: Committee Members:

Cllr Emma Murphy (Chair); Cllr Yvonne Collins; Cllr Shane Moynihan; Cllr Eoin O Broin; Cllr. Liona O’Toole; Cllr Baby Pereppadan; Cllr William Priestley; Cllr Mary Seery Kearney; John Curran TD; John Lahart, TD; Chief Superintendent Finbarr Murphy, Garda Síochána; Superintendent Ian L. y, Garda Síochána; Colm Ward, SDCC; Michael Noonan, PPN; Gemma Carton, Garda Diversion;

**In attendance:** Noreen Byrne, North Clondalkin LPF; Brian Hora, SDCC; Andy Lane, SDCC; Superintendent Paul Dolan, Garda Síochána; Superintendent Seamus Dalton, Garda Síochána;

**Apologies:**Cllr Vicki Casserly (Mayor); Cllr Mick Duff; Cllr Mark Ward; Chief Superintendent Kevin Gralton, Garda Síochána; Ann Corrigan, PPN.

**1. Minutes of the Last meeting**

The minutes of the previous meeting on 27th September 2019 were noted and agreed by the Committee.

**2. Public Participation Network**

Michael Noonan gave a short briefing on the Public Participation Network structure.

* Three pillars- Social Inclusion, Environment and Community
* Range of Linkage Groups
* Role of PPN representatives to bring issues to various forums.
* Brochures on the PPN and Linkage Online were circulated

**3. Governance**

**3.1**Vice Chair: The JPC agreed to appoint a JPC Vice Chair. Mary Seery Kearney was nominated by William Priestley, seconded by Emma Murphy and agreed.

**3.2       Vacancies:** The PPN vacancy was to have been addressed at the PPN Plenary meeting on Thursday 21st November 2019. The two vacancies in Oireachtas members will be addressed by the Chair with a letter to potential members after the by-election on the 29th November 2019.

**4. Garda Reports**

**4.1**       **Garda Reports:** Reports were circulated by Chief Superintendent Finbarr Murphy on behalf of the DMRW region and by Superintendent Ian Lackey on behalf of the DMRS region. The reports and issues raised covered:

* Fast food delivery drivers being targeted
* Significant drug seizures
* New arrangements for policing with the introduction of Divisional Protection Services for crime against children being established in Tallaght
* Issues: MacUilliam post Halloween, Killinarden Green and Marlfield- Anti-social behaviour, a spike in crime in the Oldbawn area
* Could the mobility project in Limerick be rolled out in this area?
* Restorative Justice has been successful with a number of JLOs
* Can mobile technology be used more?
* Logging of calls, as residents often claim that calls to the Gardai have been made when they haven’t or have been uploaded on to social media
* The need for greater policing of Citywest Shopping centre and request for the Gardai to meet with Citywest Shopping Centre Management
* The theft of catalytic converters from cars was a continuing problem
* What proportion of Gardai are community Gardai and will vacancies be filled?
* The importance of local and national units working together
* Drug dealing is more common in our centres
* The policing numbers in Rathcoole sub district need to be addressed, the numbers will increase over the coming months
* The supply and maintenance of Gardai cars
* The introduction of 24-hour bus services may cause problems and require additional policing
* The impact of dealing with murders in a district
* Missing man found 100 yards from his house
* The role of Garda Diversion Officers
* Work with Dublin Bus
* Addressing mental health issues and finding the right people to report to
* Operations on the canal
* Request for an LPF in Lucan and the need for public meetings in Lucan
* Adamstown is a new and diverse community there are incidents of Anti-Social Behaviour and Residents Associations are being set up
* The Garda Policing Plan for 2020 is currently being drafted and comments are being sought. Any comments should be made to the Chief Superintendent.

**4.2       Halloween:** there had been a number of big fires particularly in the Tallaght area, fireworks were a problem in some areas and there had been little activity on the Luas as opposed to previous years.

It was agreed to produce a fuller report when all the information regarding Halloween has been collated for the first meeting in the New Year.

Comments included:

* What was being burnt on the bonfires?
* What is the impact of targeted approaches to dealing with the ASB and bonfires at Halloween? How many bonfires were there?

**5. Local Policing Fora Reports**

**5.1       Councillor Membership on LPFs:**The current approach for nominating Councillors on to LPFs was explained and it was noted that there had been boundary changes which impacted on Councillor representation on the North Clondalkin, Palmerstown & Lucan LPF. After discussion it was agreed that the relevant Area Committee should be approached to nominate as follows;

* **Clondalkin LPF:**1 councillor from Clondalkin
* **North Clondalkin, Palmerstown & Lucan LPF:**1 councillor from Fonthill Palmerstown
* **Tallaght LPF:** one Councillor from each of Tallaght Central and Tallaght South
* **D12 LPF:** D12 LPF covers parts of South Dublin County, mainly the Greenhills area and historically has not had any South Dublin County Councillor representation. The JPC agreed to seek representation and it was agreed to follow this up with the D12 LPF

**5.2       North Clondalkin, Lucan and Palmerstown LPF:**

The North Clondalkin report was noted. which also covered:

* Halloween 2019
* Need for a comprehensive youth service in Balgaddy

**5.3       Clondalkin LPF**

The Clondalkin report was noted.

**5.4       D12 LPF:**

The D12 section of the report was noted with a Public Meeting on the 30th April 2019

**5.5       West Tallaght LPF:**

The West Tallaght report was noted:

Comments on the LPF Reports included:

* Representation on LPFs for Lucan Councillors
* An update on the request to the Minister for an LPF for Lucan
* The need to look at the statistics, particularly on a local level, to try and identify local trends

**6. JPC Strategic Plan 2016-2022**

The report was noted.

**7. Drug Subcommittee**

The report was noted, and it was agreed that the subcommittee should meet to consider progress on the workplan and report to the next JPC.

**8. Any Other Business**

None**.**

**9. Upcoming JPC Meetings**

The schedule of JPC meetings for 2020 is:

|  |  |  |
| --- | --- | --- |
| **Date** | **Time** | **Place** |
| Friday 31st January 2020 | 3.00pm | County Hall, Tallaght |
| Friday 24th April 2020 | 3.00pm | County Hall, Tallaght |
| Friday 18th September 2020 | 3.00pm | County Hall, Tallaght |
| Friday 20th November 2020 | 3.00pm | County Hall, Tallaght |

Councillor E. Murphy gave and update from the Joint Policing Committee.

The report was **NOTED.**

### **H6/1219 REPORTS REQUESTED BY AREA COMMITTEES**

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

**QUESTIONS**

It was proposed by Councillor V. Casserly, seconded by Councillor D. Richardson and **RESOLVED**:

“That pursuant to Standing Order No. 13, Questions numbered Q1 – Q25 be **ADOPTED** and **APPROVED.”**

### **Q1/1219 QUESTIONS: Councillor Y. Collins**

To ask the Chief Executive what grants and/or initiatives are available to both Council tenants and private homeowners to upgrade their energy rating given the importance of this for the environment

**REPLY:**

The Council's Energy Efficiency Retrofitting Programme is currently being implemented on a phased basis for our pre-1985 housing stock. Following the latest tender process in this programme, the Council has appointed a contractor for energy upgrade works in homes in Neilstown, Dunawley, Glenshane and Quarry Drive with additional areas to be assigned for works in 2020 under further tenders currently being prepared.  The upgrade works include complete attic insulation/ventilation, pumping of cavity walls, bathroom/kitchen ventilation and draught-proofing measures.  These upgrades greatly benefit tenants through lower heating costs and will also result in lower carbon footprints for the areas concerned.

The delivery of the Council's Energy Retrofitting Programme for our social housing stock is classified into two geographical areas: North of the Naas Road (Clondalkin/Lucan/Newcastle Area) and South of the Naas Road (Tallaght/Rathfarnham/Rathcoole Area).  Since the programme commenced in 2013, 1,873 social homes (773 North of the Naas Road and 1100 South of the Naas Road) have undergone these upgrade works.  Houses upgraded in the programme are surveyed prior to work being undertaken and a BER certificate is provided following their completion.  Generally the works involved result in a minimum BER rating of C for the properties which, due to the age and profile, range from D to F/G beforehand.

Sustainable Energy Authority of Ireland ( SEAI) offer a range of grants for private homeowners and landlords whose homes were built and occupied before 2006.   Grants available include: insulation, heat pumps, heating controls, solar water heating and solar electric grants.  All applications are available on their website [www.seai.ie](https://eur04.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.seai.ie&data=02%7C01%7Celeech%40SDUBLINCOCO.ie%7C63b433d753004259fa2a08d772885c52%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C637103802297930715&sdata=%2Bl8KeKB2RvA%2B0xh%2BlQXDrzHpUOpkOKO8BJqM%2Bxo%2BIE4%3D&reserved=0).

### **Q2/1219 QUESTIONS: Councillor T. Costello**

To ask the Chief Executive how many houses are currently laying vacant in the county and to give a breakdown by bedroom size & how long houses these homes have been vacant.

**REPLY:**

Of the approximately 9,500 homes in the Council's housing stock, 69 homes (or less than 0.75% of our housing stock) are currently either awaiting the completion of re-let works or are awaiting allocation following the completion of re-let works.

These 69 homes comprise 18 1-bedroom homes, 27 2-bedroom homes, 21 three-bedroom homes and 3 four-bedroom homes with an average vacancy period of approximately 15 weeks.

The recent appointment of new contractors for re-let works has seen a reduction in the period taken to carry out required construction and repair works involved which should result in continued reductions in vacancy periods.

### **Q3/1219 QUESTIONS: Councillor T. Costello**

To ask the Chief Executive what is the timeline for collection of illegally dumped rubbish from time of report to litter Warden Inspection to collection?

**REPLY:**

All incidents of littering and illegal dumping reported or detected in any area are investigated by the Council's Litter Warden Service and all dumped material is searched for evidence. Where evidence is found, the appropriate enforcement action is taken under the Litter Pollution Act 1997, as amended. Increasingly, it is found that no personal information relating to polluters is contained within the dumped material, with personal information having been removed or shredded.

Once inspected, the Litter Warden informs the Public Operations section who arrange for a collection of the materials as soon as possible, usually within one day.

Additionally, the Council's Public Realm staff are engaged in the picking of litter and removal of illegally dumped waste on a daily basis around the County. The Public Realm Section also provides a service to collect waste from clean up activities carried out by Tidy Towns and Resident Associations groups.  These collections are arranged through the Council's operation of a social credits scheme.  In general the Public Realm Section will provide the waste collection on the day requested by the residents group.  For example if the clean up is carried out on a Saturday, which many of them are, then the residents group will likely request the collection of the waste for the following Monday.

Dumping, Litter and Graffiti is managed in accordance with the provisions of the Litter Pollution Act 1997 as amended, Annual Action Plans developed as part of the Litter Management Plan (LMP) 2014-2019.

A review of the Litter Management Plan 2015-2019 is underway for the purposes of drafting a revised statutory plan for the period 2020-2024 for consideration.

### **Q4/1219 QUESTIONS: Councillor T. Costello**

To ask the Chief Executive how many people are on the medical priority list and how many people from this list have been housed year to date.

**REPLY:**

As at the end of October 2019, there were 434 housing applications with medical priority, of which 71 require specially adapted/wheelchair live-able accommodation.  In addition, a further 277 applications require supported accommodation with 17 of those also requiring specially adapted/wheelchair live-able accommodation.

In the period January to October 2019 a total of 122 allocations were made to applicants with medical priority of which 35 were transfers.

The Social Housing Assessment Regulations 2011 require that  grounds require that all housing applications based on medical/disability grounds require confirmation from an appropriate medical consultant of the nature of the medical condition or disability including whether the condition is degenerative along with an occupational therapist’s report in respect of any specific accommodation requirements (if any).  Medical letters must also demonstrate how alternative accommodation will improve/alleviate the applicant's medical condition.  All applications on medical grounds are forwarded to the Council’s Medical Referee for adjudication.

### **Q5/1219 QUESTIONS: Councillor L. Dunne**

To ask the Chief Executive if there are plans to consult with the Environment SPC to replicate plastic pollution signage initiatives that are seen across the Country "Please take away 3 pieces of plastic every time you visit the Park/Woods/Mountains".

**REPLY:**

Under the Litter Pollution Act, it is a requirement for each local authority to review its Litter Management Plan at least once every three years, the current SDCC Litter Management plan covers the period up to the end of 2019.  A review of the plan has been initiated and it is anticipated that this will be brought to the February meeting of the Environment, Public Realm and Climate Change Strategic Policy Committee (SPC) again for discussion after the public consultation period has ended.

It is proposed that this suggestion will be considered by the SPC as part of the 2020 - 2024 Litter Management Plan.

### **Q6/1219 QUESTIONS: Councillor A. Hayes**

To ask the Chief Executive for a detailed update on the winter readiness programme for roads and to make available the gritting routes for the coming winter.

[Q6 Reply Winter Maintenance Plan](http://www.sdublincoco.ie/Meetings/ViewDocument/65002)

### **Q7/1219 QUESTIONS: Councillor B. Lawlor**

To ask the Chief Executive to provide a report on the costs associated with dealing with bonfires and other Halloween activities this year, and to make a statement on the matter.

**REPLY:**

The number of bonfires recorded in 2019 is 226, which is down from the number recorded in 2018.  A total of 585 tonnes of waste has been collected this year and 237 tonnes of that was removed pre Halloween, before it was set on fire.   The total cost to date stands at €102,566 and this is expected to rise to around €150,000 when all costs have been included.  Reinstatement of bonfire sites will not take place until the Spring, when ground conditions will have improved.

### **Q8/1219 QUESTIONS: Councillor B. Lawlor**

To ask the Chief Executive How many house starts have commenced to date this year and how does this compare to this time last year?

**REPLY:**

A total of 1,267 residential dwellings were completed for the entire calendar year of 2018 in the administrative area of South Dublin County Council. A total of 1,131 homes were completed in the County up to Q3 2019, with a

further 1,086 residential units presently under construction, so the total number of completed housing units is very likely to increase by the end of the year.

### **Q9/1219 QUESTIONS: Councillor R. McMahon**

To ask the Chief Executive, if the Council is aware of any illegal or protection money sought from the Council or any contractor employed on a Council Building Site and if so has it been reported to the Gardai.

**REPLY:**

While the Council owns land which often become building sites, the control and security of construction sites is solely the responsibility of the contractor for the duration of the construction period.

### **Q10/1219 QUESTIONS: Councillor E. Ó Broin**

Since the programme for energy retrofitting social homes started how many homes by local electoral area have been retrofitted in SDCC and what are the new energy ratings of the same homes? Related to this, in July Minister for Housing, Planning & Local Government, Eoghan Murphy announced the allocation of a further €25 million in funding for the programme of which €1,037,718 is to go to SDCC. What social homes will be retrofitted with this new tranche of funding and what should their new energy ratings be?

**REPLY:**

The delivery of the Council's Energy Retrofitting Programme for our social housing stock is classified into two geographical areas: North of the Naas Road (Clondalkin/Lucan/Newcastle Area) and South of the Naas Road (Tallaght/Rathfarnham/Rathcoole Area).  Since the programme commenced in 2013, 1,873 social homes (773 North of the Naas Road and 1100 South of the Naas Road) have undergone upgrade works consisting of complete attic insulation/ventilation, pumping of cavity walls, bathroom/kitchen ventilation and draught-proofing measures.

Houses upgraded in the programme are surveyed prior to work being undertaken and a BER certificate is provided following completion of the works.  Generally, the works involved result in a minimum BER rating of C for the properties which, due to the age and profile, range from D to F/G beforehand.

Following the latest tender process in this programme, the Council has appointed contractors for energy upgrade works to homes in Neilstown, Dunawley, Glenshane and Quarry Drive with additional areas to be assigned for works in 2020 under further tenders currently being prepared.  These upgrades greatly benefit tenants through lower heating costs and will also result in lower carbon footprints for the areas concerned.

### **Q11/1219 QUESTIONS: Councillor E. Ó Broin**

Under the Nitrates Directive and the Nitrates Action Programme (NAP) how many farm inspections have been carried out in SDCC in 2018 and 2019 by local electoral area?

**REPLY:**

The planned inspections are detailed in the Recommended Minimum Criteria for Environmental Inspections (RMCEI) Plan 2019. This does not include Farm Inspections carried out by the Department of Agriculture, Food and Marine (DAFM).

2018 Local Electoral Area Farm Inspections: 6 inspections in Clondalkin Local Electoral Area and 2 inspections in Tallaght South Local Electoral Area

2019 Local Electoral Area Farm Inspections: 6 inspections in Clondalkin Local Electoral Area and 2 in inspections Tallaght South Local Electoral Area

### **Q12/1219 QUESTIONS: Councillor E. Ó Broin**

Under the new regulations concerning AirBnB (i) how many applications for 'change of use' planning permission have been received in SDCC by LEA and (ii) how many homes have been registered as subletting rooms or whole houses in SDCC by LEA?

**REPLY:**

 (i) South Dublin County Council has received no planning applications for change of use to short term lettings since the introduction of the new regulations on 1/07/2019.

 (ii) South Dublin County Council has received 8 Form 15 registration forms. The details on Form 15, which are determined by Central Government, do not include Local Electoral Area as a dataset.

### **Q13/1219 QUESTIONS: Councillor E. Ó Broin**

During periods of prolonged snow fall such as the so-called 'Beast from the East' in 2018, SDCC ensures to the best of its ability that roads are kept clear. Less emphasis is placed on clearing footpaths. This choice discriminates against pedestrians. Can the council investigate acquiring plough or brush attachments for their current fleet of sweeping vehicles that could clear footpaths in each LEA in the event of prolonged snowfall? See attached photos of possible vehicle attachments.

**REPLY:**

Road Maintenance Dept operate 7 Gritting routes on the county roads. In the event of prolonged snow, Public Realm Dept vehicles have been used to clear snow from footpaths.

### **Q14/1219 QUESTIONS: Councillor E. Ó Broin**

Does SDCC currently have any programmes for the protection or conservation of any endangered or rare species of flora or fauna?

**REPLY:**

There are various ways of protecting species and their habitats through the planning system. Information on existing habitats and species is a requirement for large planning applications through the Environmental Impact Assessment process. It is now mandatory for developers to upload EIAs to a national portal as part of the planning application process.

Furthermore, all planning applications are appropriately assessed under the Habitats Directive to ensure no detrimental impact to the objectives set out for designated Special Protection Areas and Special Areas of Conservation.

In addition to statutory requirements, ecological assessments e.g. surveys for bats or other protected species, may be provided or sought for applications where there is concern over specific flora and/or flora.

Occasional ecological studies and surveys are also commissioned by the Council's Heritage Officer under the County Heritage Plan or as part of co-operative projects with other Council Departments or local community groups.  Whenever requested, the Heritage Officer advises on known records of habitats and species.

Outside the planning process, there are many environmental protection procedures undertaken by the Council, for instance through waste management.

The forthcoming County Biodiversity Plan which is currently being drafted, will include a focus on the gathering of ecological data as part of a wider objective relating to a Green Infrastructure Strategy for the County.  The objective of this Green Infrastructure Strategy is to identify, develop and sustain green corridors throughout the County that will serve to protect interconnectivity for wildlife and habitats.  This action will also serve to address objectives in the current County Development Plan relating to Green Infrastructure.

### **Q15/1219 QUESTIONS: Councillor G. O'Connell**

To ask the Chief Executive for a report on the operation of "FIXMYSTREET", which I believe is an excellent facility with tremendous potential, and to include the (a) average number of hits/complaints on a typical day, (b) the average time it takes (other than the automatic standard reply) to get back to  the customer and (c) if there are any plans to improve the system as people complain that they complain (for example about lights) and they never hear again and the light does not get fixed.

**REPLY:**

Fix Your Street was established in August 2011 as promised in the programme for Government. Fix Your Street allows users on a countrywide basis to report non-emergency issues such as graffiti, road defects, street lighting, water and drainage and litter/illegal dumping. Fix Your Street is not operated by the Council and we have no oversight or governance of how the operators conduct their business. However, we do moderate all queries received.

1. The total hits/complaints received in 2019 to date is 20,172 so on average 60 per day. SDCC have received 4000 hits/complaints to date which is an average of 12 per day.
2. The average time it takes for non-automatic replies for all Councils is 3.2 working days. Of the 4000 queries received by SDCC this year, 3849 have been closed and responded to within the 2 day commitment.
3. The performance data provided above demonstrates that the system is managed in accordance with its objectives i.e. 96% of queries received by SDCC are responded to and closed within 2 days and nationally within 3.2 days. Assuming people are interacting with the correct fixyourstreet.ie, should they provide an email address when logging a report, they will get an email to say when the report has been updated by the local authority and for every update thereafter.  This may be an acknowledgement by the individual local authority of receipt of the report, or more detailed response – sometimes seeking further information.  Assuming the respective Council interacts with fixyourstreet.ie as they are supposed to, then fixyourstreet.ie is a very efficient way of accepting reports for anywhere in the country.

### **Q16/1219 QUESTIONS: Councillor C. O'Connor**

To ask the Chief Executive to confirm what actions he is taking to ensure that our County is cycling friendly; will he appreciate the widespread interest in this matter and will he make a statement.

**REPLY:**

Promoting a modal shift to cycling is a big priority for the Council and in support of this the Council are involved in a number of important activities

1. Preparation of a County Mobility Strategy that will highlight where and how investment and interventions should be made to promote a shift onto sustainable modes of transport with a focus on public transport, cycling and walking. The preparation of this plan is now underway and is a piece of joint work with the NTA that we will discuss with the SPC in due course.

2. The Council is delivering sustainable transport projects that seek to improve our network of roads and streets so as to encourage more cycling and walking. With this objective in mind during 2019 we delivered a number of projects including at Orlagh Roundabout, Bawnogue, R120 and Fortunestown Junction. In 2020 we will be seeking to deliver even of these projects. Capital funding is proposed in the new Capital Programme and discussions are underway with the NTA about further funding.

3. The Council has an agreed Road Safety Plan through which we carry out a range of activities to promote road safety and increased cycling and pedestrian mobility. This includes, road safety awareness programmes, teach road safety in schools, promoting sustainable travel patterns to and from schools, national bike week, and putting in place bike maintenance and cycle parking infrastructure in key locations across the County.

### **Q17/1219 QUESTIONS: Councillor C. O'Connor**

To ask the Chief Executive to report on actions being taken to deal with the concern of the communities across the County in respect of the menace of scramblers; will he appreciate concerns being expressed in respect of the matter particularly in the lead up to Christmas and will he make a statement.

**REPLY:**

In 2017 South Dublin County Council convened a taskforce consisting of SDCC, Dublin City Council, Fingal County Council, Dept of Justice, An Garda Siochana, the Road Safety Authority and Motocross Ireland to examine the issue of scramblers being driven in public parks and open spaces. Some of the issues which arose at meetings of the task force in 2017 and 2018 were that the Gardai do not currently have the power to pursue scrambler bikes, to stop them, to impound them, to pursue them to other locations and to question the owners and drivers about their movements. It was felt that these issues needed to be addressed by new legislation. Equally the Council has been unable to date to identify the drivers of these vehicles and to hold them responsible for damage caused to parks and open spaces. While the Council’s taskforce is still active a period of time has elapsed in 2019 where no meetings have taken place, this was while confirmation was awaited from the government departments with regard to the legal position and the views of the Attorney General’s Office on the adequacy of existing legislation.

In parallel to the Council’s taskforce the government put in place a cross departmental group to examine the issues at hand and in particular to examine the legal position with regard to existing legislation, with the assistance of the Attorney General’s Office. The legal advice provided by the Office of the Attorney General indicated that, in the main, current road traffic and public order legislation appears to provide sufficient means to police this issue. This view is shared by both the Department of Justice and the Department of Transport, Tourism and Sport. The Department of Justice reconvened the cross-agency group in March to discuss this legal advice with members of An Garda Síochána (AGS); meeting with the Garda National Roads Policing Bureau (GNRPB), the Dublin Metropolitan Region (Tallaght District) and the Youth Diversion, Community Engagement &Public Safety Bureau and the general consensus was that new legislative powers are not required. In the absence of a need for new legislation, it is envisaged that an effective response to this anti-social behaviour will be informed by a combination of targeted enforcement measures, awareness raising, and youth engagement programmes. These measures will be progressed in conjunction with the relevant Departments and agencies. We have been assured by the Dept of Justice that both ministers and the Garda Commissioner remain committed to finding a workable solution to this problem and in this regard we have been informed that there have been some recent seizures/prosecutions under the Road Traffic Acts and that one of these was in a public park.

We remain to keep in close contact with the Department of Justice and have provided them with some background information and background data to assist them in formulating a potential response from them.

Separate to the above a Private Members Bill on the matter was brought before the Dáil earlier this year. It is understood that this Bill has passed the second stage and that it is due to be debated further in due course.

In addition to the work of the taskforce as outlined above the Council is arranging for boundary improvement works to be carried out at locations where scramblers, quad bikes and stolen cars are gaining access to public parks. Substantial boundary improvement works have taken place at both Bancroft Park and Butler McGee Park with further works due to take place at Killenarden Park, Jobstown Park, Quarryvale Park, St Cuthbert’s Park, Tymon Park, Dodder Valley Park as well as completion of fencing at Butler McGee Park at a total cost in excess of €500,000.

### **Q18/1219 QUESTIONS: Councillor C. O'Connor**

To ask the Chief Executive to confirm what arrangements are in place to deal with emergency calls through the Christmas period; will he give full details in that regard and make a statement.

**REPLY:**

South Dublin County Council's Severe Weather Assessment Team (SWAT) meets in advance of all storms on foot of any Met Eireann Weather Warnings received. The SWAT is made up of senior staff from across the organisation. The purpose of the meeting is to assess the readiness of the council to deal with the upcoming storm and severe weather events and put in place preventative actions as required.

South Dublin County Council  has under the Major Emergency Management Framework,  the following plans:

* Major Emergency Plan
* Flood Emergency Plan,
* Severe Weather Plan, and
* Rest Centre Plan.

The protocols for Severe Weather are contained in the plans, and being actioned upon receipt of weather warnings from Met Éireann, are as follows:

Status Yellow: Be Aware - A general notification email is sent to relevant staff across the organisation- inspections of key infrastructure and equipment carried out by relevant departments.

Status Orange: Be Prepared - Triggers a meeting of the Severe Weather Assessment Team (SWAT) comprised of senior management across all departments, who discuss the issues particular to that weather event and agree the appropriate response/ action from each department.

Status Red: Take Action - this should be a comparatively rare event and implies that recipients take action to protect themselves and/or their properties. The SWAT team is now a Crisis Management Team and meets as often as necessary - hourly, twice daily, etc., depending on dynamics of the weather event, possibly over the conference call facilities. National and Regional Emergency offices are likely also being updated via teleconference at this stage to facilitate inter agency cooperation between the LA, HSE and AGS.

The 2019-2020 Winter Maintenance Plan includes information on the 7 gritting routes and also on salt barns and the locations and availability of salt bins.

The gritting trucks can also have snow ploughs attached if they are required, information on the routes are available at the link. [Winter Gritting Routes 2019/20](http://intranet/Cmas/Search2.aspx?q=winter&p=1). The Council has 7 gritting trucks and 7 snow ploughs.

Information is provided to citizens throughout weather events on all available social media including our website [**www.sdcc.ie**](http://www.sdcc.ie/), The national winter ready web site also has very useful information and can be found at [**https://www.winterready.ie/en**](https://www.winterready.ie/en)

The Council has maintenance crews on standby to deal with emergencies over the Christmas and Winter period.  An emergency service is provided where members of the public seeking assistance in an emergency can contact the Council's out of hours emergency number at 01 4149000.

Crews from Roads, Water and Drainage, Housing and the Public Realm are on call to deal with flooding, fallen trees, frozen/burst pipes and other weather related incidents.

You can also follow the below Twitter accounts to stay updated.

[https://twitter.com/sdublincoco](https://eur04.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftwitter.com%2Fsdublincoco&data=02%7C01%7C%7C53e87b28c37b4706cc2208d771b5f7e2%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C637102898664754169&sdata=HVkkEgn5r%2BqVQCjVIa7seY%2FUR26COpYG2bXb5pUCQfo%3D&reserved=0)

[https://www.facebook.com/SouthDublinCountyCouncil](https://eur04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.facebook.com%2FSouthDublinCountyCouncil&data=02%7C01%7C%7C53e87b28c37b4706cc2208d771b5f7e2%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C637102898664754169&sdata=jtl%2B%2B%2F7N09EoedNTvAMTI4lMh7z1QfllNBtykGec%2FjY%3D&reserved=0)

[@emergencyIE](https://twitter.com/emergencyIE)

[@DubFirBrigade](https://twitter.com/DubFireBrigade)  
[@ESBNetworks](https://twitter.com/ESBNetworks)  
[@MetEireann](https://twitter.com/MetEireann)  
[@gardainfo](https://twitter.com/Gardainfo)  
[@GardaTraffic](https://twitter.com/GardaTraffic)  
[@IrishWater](https://twitter.com/IrishWater)  
[@IWCare](https://twitter.com/IWCare)  
[@opwireland](https://twitter.com/opwireland)

### **Q19/1219 QUESTIONS: Councillor C. O'Connor**

To ask the Chief Executive to present an update on his efforts to promote volunteerism throughout the county and will he make a statement.

**REPLY:**

The Council's Community Services team is dedicated to supporting community development, social inclusion and sports and recreation development throughout the County to provide an environment where all residents have the opportunity to belong, be included and participate.

The South Dublin Local Economic and Community Plan 2016-2021 (LECP) includes several volunteerism related actions and many services provided in the County are provided by volunteer led groups and organisations, supported by the Council.  The Council actively support and fund South Dublin County Volunteer Bureau, South Dublin County Volunteer Centre, the South Dublin Volunteer Corps and the Public Participation Network in their respective roles promoting, encouraging and supporting volunteerism in the County.

Community grants and other supports have been provided to community and voluntary groups across the County in 2019 (and will continue to be made available in 2020) to support community organisations working with older persons, environmental groups, youth groups, sports clubs, festival committees, tidy town groups along with many other volunteer activities.

There are also many programmes and events held annually to support and assist volunteerism through community wellbeing and by bringing a number of statutory agencies and community groups together including through the Healthy County Interagency Steering Group, Social Inclusion Week, Health and Wellbeing Week, Bealtaine, Play Day and our Sports Disability programme. The Council will continue to work with various organisations and agencies active in the County on the many projects, initiatives, campaigns and workshops in this regard.

Recognising and rewarding volunteer and community activity is also very important and the Council’s Community Endeavour Awards successfully do this on an annual basis. The 2019 awards held on Friday 6th December were a fantastic showcase of the great work undertaken by communities and volunteers across the County.

The Council is particularly conscious of the efforts of the many individuals and community organisations that work together on an ongoing basis to deliver and implement improvements in a sustainable and inclusive way in servicing the needs of their local communities. The Community Endeavour Awards aim to recognise and reward this community effort and achievement.

This ongoing support and encouragement for active volunteerism throughout the County underpins the work programmes of the Council’s Community Development team in their engagement with the wide range of voluntary community committees and groups.

### **Q20/1219 QUESTIONS: Councillor C. O'Connor**

To ask the Chief Executive to update the Council on his continued strategy to deal with the housing crisis; will he give his end of year views in respect of the matter and make a statement.

**REPLY:**

The current housing situation continues to be a major challenge facing all Councils throughout the country.

The Council has a projected delivery of over 500 homes this year through our Build and Acquisition programme, Part V and Approved Housing Bodies.   In addition, the provision of social housing through Leasing, RAS and HAP schemes continue to be a key part of social housing supply this year and into 2020 and beyond.

Proposals for housing delivery on large Council owned sites at Kilcarbery, Clonburris, Killinarden and Rathcoole are at early stages of development and form a major part of future housing supply in the County.

Housing supply is the key solution to the current housing/homeless situation through the avenues outlined above and will continue to examine additional opportunities for further housing delivery where possible.  In addition, the Housing Department continues to maximise the effectiveness of existing and new social housing stock through allocations, transfers and assisting rightsizing to help address the challenges provided by the current situation.  The numbers availing of the HAP scheme continue to rise and this form of social housing support, in addition to the comprehensive building programme that this Council is undertaking, will provide additional accommodation to those in need of long term housing.

Throughout 2019 our Homeless Unit provided assistance to those who found themselves homeless or at risk of becoming homeless.  This unit continues to operate an advice clinic in County Hall and provides outreach and place-finding services across the County as well as detailing emergency accommodation options including central placement, self-accommodate, family hubs and other supported accommodation.  Staff in the homeless unit organise emergency accommodation for those assessed as homeless through the Assessment and Placement Service. The Housing Department in conjunction with the Dublin Region Homeless Executive and other partners continue to look for suitable locations/properties throughout the County for use as appropriate emergency accommodation for single persons and families. Additional options to support persons moving on from supported temporary accommodation continue to be explored and we are also committed to the provision of housing first tenancies where appropriate.

### **Q21/1219 QUESTIONS: Councillor M. Seery-Kearney**

To ask the Chief Executive to comment and/or report on whether Council employees, agents or subcontractors have been subjected to any intimidation, threats including requests for protection money, during the course of carrying out their duties acting on behalf of the Council.

**REPLY:**

It is the unfortunate reality that council employees are often subjected to intimidation and threats owing to the nature of our work. Every effort is made to ensure that all staff are fully trained and supported in how to prevent and manage such situations both during and in the aftermath, and in conjunction with their line manager, to identify appropriate measures that should be taken to mitigate the likelihood of a reoccurrence, where this is possible. This is supplemented by having a comprehensive safety management system operational across the organisation, that protects and provides for employees’ safety, health and welfare at work as far as is reasonably practicable. Similarly within the procurement process, all tenderers must provide information which demonstrates the operation of health and safety systems and procedures in line with all relevant Safety Health and Welfare at Work legislation for each employee, as well as for any sub-contractors, agents or representatives.

### **Q22/1219 QUESTIONS: Councillor M. Seery-Kearney**

To ask the Chief Executive to report on the implementation and effectiveness of current provisions in bye-laws for abandoned vehicles, left with their registration plates intact, how often is this being reported, are the bye-law provisions adequate to deal with the situation.

**REPLY:**

Vehicles that are abandoned (which display identification marks) are managed by the Council's Litter Warden Service under Section 71 of the Waste Management Act 1996 as amended, which provides inter alia for the following:

1) Investigation of vehicle reported

2) Ownership checks & enquires

3) Communications with the owners (where known)

4) Taking ownership and removal of abandoned vehicles.

It can take up to 8 weeks to complete the above procedure depending on its complexity and level of co-operation from other relevant bodies.

In the case of burnt out vehicles, contact is made with An Garda Síochána to establish if the vehicles are "of interest" or require a Garda investigation. Generally, burnt out cars on public grounds causing risk to public safety are removed as soon as possible.

It should be noted that some complaints of "abandoned" cars are solely traffic related which are matters for the Gardai. Similarly, other reports relate to nuisance issues and are not in fact abandoned, such as:

* vehicles poorly parked
* vehicles causing an obstruction
* vehicles involved in residential parking disputes
* Broken down vehicles
* Untaxed and uninsured vehicles

The table below outlines the number of vehicles reported/and outcomes of how abandoned/burnt out vehicles have been dealt with for the period January to 27th November 2019

|  |  |  |
| --- | --- | --- |
| **January – November 27th 2019** | Abandoned Vehicles | Burnt out Vehicles |
| Total Reported | **676** | **135** |
| **Outcome** |  |  |
| Removed by SDCC Contractor | 43 | 99 |
| Removed by owner/unknown | 301 | 25 |
| Parking issues | 79 | 0 |
| Car in use/Not Abandoned | 125 | 0 |
| Garda Matter | 14 | 0 |
| Open cases | 114 | 11 |

### **Q23/1219 QUESTIONS: Councillor M. Seery-Kearney**

Does the Council have any provisions in place for clients with special needs, including autism, attending at the Council's offices and would the Council consider the provision of a sensory room for clients to assist them in accessing the Council's services.

**REPLY:**

South Dublin County Council has a long-standing commitment to access and equality and to meeting its responsibilities under all relevant equality and human rights legislation and policy. We are also committed to working with, and within, the framework of the UN Convention on the Rights of Persons with Disabilities (UN CRPD).

Action 21 of the National Disability Inclusion Strategy 2017 – 2021 requires all government departments and public bodies to become more autism friendly.

South Dublin Libraries have undertaken a variety of actions to become more autism friendly, including conducting sensory audits of individual libraries. Sensory audits look at issues such as:

* How spaces are lit and what the noise levels are in those spaces.
* Are spaces overly cluttered – clutter can be distressing for people with Asperger’s or who are on the autistic spectrum (visual noise).
* Does signage need to be improved to include more pictures and symbols.
* Is there a quiet room or space available where people can go during a meltdown or when they need to stim.

Social Stories have also been developed to help people with autism to prepare for visits to specific libraries, such as Lucan Library. The libraries also provide sensory friendly times where the lighting is lowered, telephones are turned down and technology is silenced.

The Autism Experience Exhibition has visited the County on three occasions over the past two years and a number of council staff have participated in it. Adam Harris, CEO and founder of AsIAm has also made an autism awareness presentation to council staff.

A significant range of access is available across Council facilities and services to meet the varied access needs of disabled people. However, sensory audits will be carried out, using the AsIAm Sensory Checklist, in County Hall and Civic Offices Clondalkin during 2020 to ascertain how these two civic buildings can become more sensory friendly to people accessing the Council’s services.

### **Q24/1219 QUESTIONS: Councillor M. Seery-Kearney**

To ask the Chief Executive if consideration has been given to the limiting of service times for waste disposal vehicles across the county to exclude the hours when rush hour traffic usually occurs and to report thereon if this matter has been given consideration previously.

**REPLY:**

In our experience, because all waste collection is private, waste collection companies plan their routes to minimise time spent in traffic. For this reason, most collections start at about 5:00 a.m. and most are finished by lunchtime. Only a small numbers of services need to operate in the afternoon.

SDCC also understand that there was High Court challenge related to the matter of time regulations brought by the service providers; the High Court sided with the service providers.

### **Q25/1219 QUESTIONS: Councillor L. Sinclair**

RE: Rebuilding Ireland Home Loan

To ask the Chief Executive to provide a goal timeline and an average timeline for the review process that takes place from when a recommendation is received from the underwriter to when the applicant is informed of this result.

**REPLY:**

The average waiting time from the date of the recommendation being returned from the underwriters to the applicant being informed regarding their Rebuilding Ireland Home Loan application with this Council is eight weeks.

The time frame for processing and approving such applications is contingent on a number of factors including the applicant(s) submitting supporting documentation/clarifying information contained on applications, scheduling of credit committee meetings, the number of approvals granted but not yet drawn-down and the availability of funding from the Department of Housing, Planning & Local Government for the scheme.

### **H7/1219 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS**

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

### **H8a/1219 PROPOSED DISPOSAL OF PROPERTIES/SITES**

### The following report by the Chief Executive, which had been circulated, were presented by Mr. F. Nevin, Director of Economic, Enterprise & Tourism Development.

**Proposed Disposal of 20.3 acres at Grange Castle Business Park to Microsoft Ireland Operations Limited.**

The Council at its meeting held on 9th July, 2007 noted a disposal of 18.9 acres or thereabouts at Grange Castle Business Park to Microsoft Ireland Operations Limited. Since then and with the approval of the Council a further 119.23 acres or thereabouts has been disposed to Microsoft Ireland Operations Limited. Minute H7b/0213 and H7e/0513 refers. Microsoft Ireland have developed their site on foot of a series of planning permissions granted since 2008, with Phase 1 of their development completed and officially opened in September, 2009.

Chief Executive Orders GC/16/16 and GC/15/18 provided for Licence Agreements to Microsoft Ireland Operations Limited for the use of two additional sites for temporary car parking and construction works purposes.

Microsoft Ireland Operations Limited have now applied to purchase the further area of 20.3 acres adjacent to their existing campus to meet ongoing demands in the data centre and cloud computing sector.

I recommend that the Council dispose of lands totalling 20.3 acres or thereabouts at Grange Castle Business Park to Microsoft Ireland Operations Limited, 70 Sir John Rogerson Quay, Dublin 2 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 by way of a 999 year Lease.

and subject to the following terms and conditions:-

1 (a) That the lands being disposed of in the first instance comprise approximately 20.3 acres or thereabouts. 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 ­­­­02\_028D\_9160 is annexed showing the site outlined in red.

1. The Council will retain a 5 metre wayleave area along the northern and western boundary, and a 5 metre wayleave along the southern boundary with the R134. These wayleaves are shown shaded yellow on Drawing No. 02\_028D\_9160. These wayleaves will be required within the perimeter of the lands being disposed of to facilitate the existing and future servicing by the Council of this site and any other lands.
2. That the consideration due to the Council shall be calculated on the basis of the sum of €600,000 (six 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 development proposed for the site does not receive full planning permission, and/or in the event of any of the terms and conditions of the disposal not having been satisfied.
   2. 80% of the Purchase Price shall be paid by the Purchaser on or before the signed/sealed Agreement for Lease is returned. The Council, on receipt of the consideration due under the Agreement for Lease and on receiving confirmation of payment from the Council's Finance Department, shall within ten (10) days return one part of the Agreement for Lease to the Purchaser. The return, by the Council, of one part of the Agreement for Lease shall enable the Purchaser to commence construction works on foot of the final grant of planning permission (provided that, for the avoidance of doubt, Microsoft Ireland Operations 10 Limited 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 conditions required by the Council.
   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. 11 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 Microsoft Ireland Operations Limited to pay the foregoing sums on the above dates. This interest rate penalty shall be calculated on a daily basis for any period of time deposits are outstanding without cause.

* 1. That Microsoft Ireland Operations Limited must apply for full planning permission (and if requested provide an Environmental Impact Statement) for the development the entire site not later than 6 months after the signing of final contracts or such other date as may be approved solely at the discretion of the Council. Microsoft Ireland Operations Limited shall forward to the Council within six months of the date of final grant of planning permission, and in any event, no later than one month prior to Microsoft Ireland Operations Limited commencing works on foot of the final grant of planning permission, a copy of the outline building programme for such works describing the key construction milestones.
  2. The Planning Application shall include in addition to the proposed data centre provision, the provision of an office building to the Southwest of the site of not less than 3000 m2, supporting a minimum staff of 120 persons. The construction of such office building shall form part of the first phase of development. The planning application should detail and meet design standards and landscaping appropriate to its location at an entrance to Grange Castle Business Park
  3. That: (i) if the construction works (meaning site preparation and shell and core construction) have not commenced within six months of the date of final grant of planning permission for the development, or such later date as may be agreed in writing with South Dublin County Council; or (ii) if shell and core construction works are not substantially completed in accordance with the final grant of planning permission within thirty (30) months from the date of commencement of such works then either party may by written notification on the other rescind the agreement for Lease / Contract for Sale. And further that, in the event that the final grant of planning permission is issued containing conditions which Microsoft Ireland Operations Limited considers to be onerous, Microsoft Ireland Operations Limited may by written notification to the Council rescind the agreement for lease / contract for sale. In event of rescission on any of the foregoing grounds, any monies paid to the date thereof under term no. 2 above shall be repaid to Microsoft Ireland Operations Limited without the payment of interest. It is acknowledged that construction of the office building and data centres may occur on a staged basis as will be evident from the building programme described in term no.4 above, and provided Microsoft Ireland Operations Limited have commenced and completed the first phase thereof within the time frames set out in this paragraph it will be deemed to have complied with its obligations herein.
  4. That the Council shall enter into an Agreement for Lease or Contract for Sale in respect of the sale of the site to Microsoft Ireland Operations Limited (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 Microsoft Ireland Operations Limited 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 office building and data centres. The Agreement / Contract shall contain further reasonable obligations upon Microsoft Ireland Operations Limited with respect to that construction to ensure the satisfactory completion of the approved development on the site.
  5. Microsoft Ireland Operations Limited 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. Microsoft Ireland Operations Limited must satisfy themselves as to the capacity of all services to service the proposed development.

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

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

9. That Microsoft Ireland Operations Limited shall undertake not to use the site for any purposes other than that of carrying out the proposed development, i.e. a data centre and related facilities and office accommodation which contain its substantial operations and subject to the terms of the “Master Lease” (see term no. 11 below). All buildings shall be occupied by the applicants or their tenants, agents, employees, invitees and/or assigns in accordance with the terms of the Master Lease.

10. That Microsoft Ireland Operations Limited 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. 4. 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.

11. That as soon as building works have reached eaves level (in other words the “topping-out” phase of construction, meaning that all foundations are in place, the structural system is erected and inspected, and the building is weather-tight with roof complete) in accordance with relevant planning permission(s) in the development on the site, and if the works have been carried out to the satisfaction of the County Architect acting reasonably, the Council will grant the 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 €500 per annum (exclusive of rates, taxes, and outgoings in respect of the site) which will be reviewed at the end of every 5 years of the term in line with any changes in the Irish Consumer Price Index. The Council’s Solicitors shall draft the Lease for approval by Microsoft Ireland Operations Limited’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.

* 1. 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.
  2. 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, receivership or liquidation 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 Microsoft Ireland Operations Limited part, including use of mediation/arbitration, or similar third-party intercession.
  3. That during the building period and pending the grant of the Master Lease, Microsoft Ireland Operations Limited will provide all reasonably required evidence of the ‘all risks’, public liability and employer’s liability insurance cover maintained by Microsoft Ireland Operations Limited for the construction period. It is acknowledged that following completion of the construction of the office building and data centres, the building and all insurable risks associated therewith will be included in Microsoft Ireland Operations Limited 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 Microsoft Ireland Operations Limited 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

Microsoft Ireland Operations Limited 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 Microsoft Ireland Operations Limited shall carry out at Microsoft Ireland Operations 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. Microsoft Ireland Operations Limited 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 Microsoft Ireland Operations Limited shall pay any V.A.T., stamp duty or taxes arising at any stage in the transactions (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 Microsoft Ireland Operations Limited 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 lands acquired from Robert Beattie (2002) and Martin McNulty (2016) for the future development of Grange Castle Business Park.

**Daniel McLoughlin**

**Chief Executive Officer**

### A discussion followed with contributions from Councillors C. Bailey, R. McMahon, K. Mahon, P. Kavanagh, S. Fay, P. Gogarty and L. Dunne.

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

The Mayor Councillor V. Casserly then called for a roll call vote on the item, the result of which was as follows:

**FOR: 20 (TWENTY)**

**Councillors V. Casserly, Y. Collins, T. Costello, M. Duff, A. Edge, K. Egan, A. Hayes, P. Kearns, B. Lawlor, R. McMahon, S. Moynihan, E. O’Brien, E Ó Broin, G. O’Connell, C. O’Connor, D. O’Donovan, L. O’Toole, B. Pereppadan, M. Seery-Kearney, J. Tuffy.**

### **AGAINST 12 (TWELVE)**

### **Councillors C. Bailey, W. Carey, F. Duffy, L. Dunne, S. Fay, P. Gogarty, M. Johansson, P. Kavanagh, K. Mahon, W. Priestley, D. Richardson, and L. Sinclair.**

### **ABSTAIN 0 (ZERO)**

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor M. Seery-Kearney and **RESOLVED:**

“That the proposed Disposal of 20.3 Acres at Grange Castle Business Park to Microsoft Ireland Operations Limited, be **ADOPTED** and **APPROVED.”**

### **H8b/1219 PROPOSED DISPOSAL OF PROPERTIES/SITES**

### The following report by the Chief Executive, which had been circulated, were presented by Mr. F. Nevin, Director of Economic, Enterprise & Tourism Development.

Disposal of additional lands at Scoil Chronain, Rathcoole, Co. Dublin with Minister for Education and Skills

The Council has been in active negotiations with the Minister for Education & Skills since 2013 in order to progress a land swap to cater to the growing needs of Scoil Chronain, Rathcoole, Co. Dublin.

The Council at its meeting held on 14h November 2016, noted the disposal of lands 1,750 square metres (0.175 ha) or thereabouts to the rear of Scoil Chronain to the Minister for Education & Skills in exchange for the plot of land measuring 650 square metres, together with a consideration of €135,000 (one hundred and thirty five thousand euro) plus VAT (if applicable).

The Department have now applied to purchase the further lands near the school in addition to the original agreement noted by the members. The matter was referred to the Council’s Valuer for examination and he has recommended the following terms which he considers to be fair and reasonable and which have been accepted by the Minister for Education & Skills.

I recommend that the Council dispose of the plot of land as outlined in red on the attached Indicative Drawing No. LD1237A to the Minister for Education & Skills, subject to the following terms and conditions:-

1. That the subject plot comprises an area of 0.37 hectares (3,700 square metres) or thereabouts and is outlined in red on the attached Indicative Drawing No. LD 1237A.
2. That the Council disposes of the subject plot for the consideration of €600,000 (six hundred thousand euro) plus VAT (if applicable).
3. That the subject plot is disposed of with full freehold title and vacant possession.
4. That any boundary feature constructed is in accordance with the Planning & Development and the Building Control legislation.
5. That each party will be responsible for their own fees.
6. That each party shall be responsible for their own VAT, Stamp Duty or other costs arising.
7. That all parties use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
8. That the Law Agent drafts the necessary legal agreements and includes any further terms deemed appropriate in Agreements of this nature.
9. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
10. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of lands acquired from Vincent Cosgrave in 2002 by Compulsory Purchase Order as part of the N7 Upgrade Works.

**Daniel McLoughlin**

**Chief Executive Officer**

A discussion followed with a contribution from Councillor E Ó Broin

### Mr. F. Nevin, Director of Economic, Enterprise & Tourism Development responded to the Members query.

### The Mayor Councillor V. Casserly then called for and the Members **AGREED** to, a show of hands vote the result of which was as follows:

**FOR: 31 (THIRTY-ONE)**

**AGAINST: 0 (ZERO)**

**ABSTAIN: 0 (ZERO)**

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor M. Seery-Kearney and **RESOLVED:**

“That the proposed Disposal of additional lands at Scoil Chronain, Rathcoole, Co. Dublin with Minister for Education and Skills be **ADOPTED** and **APPROVED.”**

### **H8c/1219 PROPOSED DISPOSAL OF PROPERTIES/SITES**

### The following report by the Chief Executive, which had been circulated, were presented by Mr. F. Nevin, Director of Economic, Enterprise & Tourism Development.

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 |
| 25 Ballyboden Road, Rathfarnham, Dublin 14 | Ciarán Hartigan and Susan Hartigan | €43.94 |

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

**Daniel McLoughlin**

**Chief Executive**

### The Mayor Councillor V. Casserly then called for and the Members **AGREED** to, a show of hands vote the result of which was as follows:

**FOR: 31 (THIRTY-ONE)**

**AGAINST: 0 (ZERO)**

**ABSTAIN: 0 (ZERO)**

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor M. Seery-Kearney and **RESOLVED:**

“That the proposed Disposal of fee simple in 25 Ballyboden Road, Rathfarnham, Dublin 14 be **ADOPTED** and **APPROVED.”**

**H9/1219 MANAGERS REPORT**

### The following reports by the Chief Executive, which had been circulated, were **CONSIDERED:**

[HI 9 a) Chief Executives Report](http://www.sdublincoco.ie/Meetings/ViewDocument/65194)

[HI 9 b) Statistics Report](http://www.sdublincoco.ie/Meetings/ViewDocument/65063)

HI 9 c) 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 22nd November 2019 = 1

A discussion followed with contributions from Councillors E Ó Broin, P. Kavanagh, R. McMahon, K. Mahon, L. Dunne and V. Casserly

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

The Reports were **NOTED.**

**H10/1219 PART 8-PROPOSED EXTENSION AND ALTERATIONS TO A DAY-HOUSE AT 19 KISHOGUE PARK, LYNCH’S LANE, LUCAN, CO. DUBLIN**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Director of Housing, Social and Community Development and were **CONSIDERED:**

**Chief Executive’s Report on Public Consultation in relation to the proposed Extension and Alteration to Day-House at No. 19 Kishogue Park, Lynch’s Lane, Lucan, Co. Dublin**

# Introduction

In accordance with the requirements of Part 8 of the Planning and Development Regulations, 2001 (as amended) (the Regulations), South Dublin County Council is seeking planning consent in relation to the to the proposed extension and alteration to Day-House at No. 19 Kishogue Park, Lynch’s Lane, Lucan, Co. Dublin.

Works to the existing day-house include: Extension and reconfiguration of the current building at 19 Kishogue Park, Lynch’s Lane, Lucan, Co. Dublin to create a 4-bedroom, 5-person, single-storey dwelling and all necessary associated ancillary works on the site. Works to the existing Day-house will include reconfiguration of the kitchen and shower room areas to create a kitchen, utility area and W.C. The living / dining area will also be extended. The works include alterations to the front boundary wall and entrance gates, new hard landscaping works and all necessary associated ancillary works on the site and adjacent areas.

The purpose of this Chief Executive’s Report is to present the outcome of the consultation, to respond to submissions made during the consultation period and to make recommendations in relation to the proposed development where appropriate.

# Site and Scheme Description

19 Kishogue Park is a single-storey, detached building. It is situated in a residential caravan park, just off the R136 Outer Ring Road. The site is within an existing Traveller Accommodation development and the completed works will not impact on the surrounding dwelling plots.

In construction detail and finishes, number 19 Kishogue Park is similar to the nearby Day-Houses which share the same building line, wall finishes, window opening sizes and arrangements, decorative details and roof covering. Like the other Day-Houses, number 19 has a garden / yard – the ground surface is poured concrete.

The proposed development comprises the following works: an extension to the existing Day-House comprising 4 bedrooms, an accessible bathroom, and modifications and extension to the existing kitchen/living area (to comply with current Department of Planning, Housing and local Government standards) and ancillary works within the confines of number 19 Kishogue Park. These have been designed in accordance with the recommendations of the consultant occupational therapist.

The proposed development will not affect the density of the estate.

The following areas apply to the site and building, as existing:

* Site area: 390 sq.m. / 0.095 acres / 0.038 hectares
* Existing internal floor plan area: 48.4 sq.m.

The following areas apply to the site and building, as proposed:

* Site area: 390 sq.m. / 0.095 acres / 0.038 hectares (remains the same)
* Proposed ground-floor day-house and extension, internal area: 138.0 sq.m.

Following the end of the consultation process, and following the final presentation to the Council Chamber, the layout will be adjusted to reflect the outcomes of the public consultation.

The overall Project Budget is subject to approval by the Department of Housing, Planning and Local Government and included South Dublin County Council’s Traveller Accommodation Programme 2019-202.

# The proposed works were approved at the Local Area Committee Meeting, C/442/18 (H7) Item ID: 60038.

# Public Consultation

Plans and particulars of the proposed extension and alteration for No 19 Kishogue Park, Lynch’s Lane, Lucan, Co. Dublin were on public display for six weeks from 5th September 2019 to 18th October 2019 (inclusive). During the public consultation information on the proposed extensions at Kishogue Park were disseminated to the public and submissions were invited.

The public consultation on the proposed extensions included the following statutory and non-statutory elements:

* + South Dublin County Council Website and Public Consultation Portal
  + Newspaper Notice in the Echo on the 5th September 2019
  + Public consultation displays in South Dublin County Council Offices at County Hall in Tallaght and Civic Offices, Clondalkin
  + Notification to Elected Members of the Area Committee

Submissions and observations on the proposed extensions could be made online and in writing for a period of over six (6) weeks between 5th September 2019 to 18th October 2019 (inclusive)

# Legislative Background

Section 179 (3) (a) of the Act, requires that the Chief Executive shall, after the end of the public consultation period, prepare a written report in relation to the proposed development and submit the report to the members.

Section 179 (3) (b) of the Act outlines that a report shall—

1. Describe the nature and extent of the proposed development and the principal features thereof, and shall include an appropriate plan of the development and appropriate map of the relevant area;
2. Evaluate whether or not the proposed development would be consistent with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the Development Plan and giving the reasons and the considerations for the evaluation;
3. List the persons or bodies who made submissions or observations with respect to the proposed development;
4. Summarise the issues, with respect to the proper planning and sustainable development of the area in which the proposed development would be situated, raised in any such submissions or observations, and give the response of the Chief Executive thereto; and,
5. Recommend whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report, or should not be proceeded with, as the case may be.

Under Section 179(4) of the Act, the elected members shall, as soon as practicable, consider the proposed development and the report of the Chief Executive. Following the consideration of the Chief Executive's report, the proposed development may be carried out as recommended in the Chief Executive's report, unless the local authority, by resolution, decides to vary or modify the development, otherwise than as recommended in the Chief Executive's report, or decides not to proceed with the development. A resolution must be passed not later than six (6) weeks after receipt of the Chief Executive's report.

# Environmental Impact Assessment and Appropriate Assessment

The proposed Scheme has undergone Appropriate Assessment Screening under the Habitats Directive (92/43/EEC). The proposal has undergone a preliminary examination for Environmental Impact Assessment of the proposal and the Planning Authority has concluded that there will be no real likelihood of significant effects on the environment arising from the proposed development and therefore an Environmental Impact Assessment is not required. ( Please see County Architect’s Report attached)

1. **Outcome of Public Consultation Programme**

No submissions/observations were received during the public consultation stage .

# Recommendation

Accordingly, it is considered that the proposed extension and alterations is in accordance with the proper planning and sustainable development of the area and therefore it is recommended that the Council adopt the following Motion:

*“As the proposed development is in accordance with the proper planning and sustainable development of the area, the Council approves the proposed extensions and alterations to No. 19 Kishogue Park, Lynch’s Lane, Lucan, Co. Dublin”*

### A discussion followed with contributions from Councillors P. Gogarty, L. O’Toole and E. Murphy

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

The reports were **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor P. Kavanagh and **RESOLVED:**

“That as the proposed development is in accordance with the proper planning and sustainable development of the area, the Council **APPROVES** the proposed extensions and alterations to No. 19 Kishogue Park, Lynch’s Lane, Lucan, Co. Dublin”

### **H11/1219 PART 8-PROPOSED EXTENSION AND ALTERATIONS TO TWO DAY-HOUSES AT NOS. 1 AND 10 BELGARD PARK, TALLAGHT, DUBLIN 24**

### The following reports by the Chief Executive, which had been circulated, was presented by Mr. C. Ward, Director of Housing, Social and Community Development and was **CONSIDERED:**

**Chief Executive’s Report on Public Consultation in relation to the proposed Extensions and Alterations to two Day-Houses at Nos. 1 and 10 Belgard Park, Cookstown Road, Tallaght, Dublin 24**

# Introduction

In accordance with the requirements of Part 8 of the Planning and Development Regulations, 2001 (as amended) (the Regulations), South Dublin County Council is seeking planning consent in relation to the proposed Extensions and alterations at 2 Number Day-Houses at Nos. 1 and 10 Belgard Park, Cookstown Road, Tallaght, Dublin 24.

The works include: Extension and reconfiguration of the current buildings at Nos. 1 and 10 to create in each case: a 2-bedroom, 3-person, single-storey dwelling and all necessary associated ancillary works on the site of each dwelling. Works to the existing Day-Houses will include reconfiguration of the kitchen and shower room areas to create a kitchen, utility area and W.C. The living / dining area will also be extended. The works include alterations to the front boundary wall and entrance gates, new hard landscaping works and all necessary associated ancillary works on the site and adjacent areas.

The purpose of this Chief Executive’s Report is to present the outcome of the consultation, to respond to submissions made during the consultation period and to make recommendations in relation to the proposed development where appropriate.

# Site and Scheme Description

Numbers 1 and 10 Belgard Park are each a single-storey, detached building. Both are situated in a residential caravan park, just off the Cookstown road. Each site is within an existing Traveller Accommodation development and the completed works will not impact on the surrounding dwelling plots.

In construction detail and finishes, numbers 1 and 10 Belgard Park are similar to the nearby Day-Houses which share the same building line, wall finishes, window opening sizes and arrangements, decorative details and roof covering. Like the other Day-Houses, numbers 1 and 10 Belgard Park have a garden / yard – the ground surface is poured concrete.

In each site, the proposed development comprises an extension to the existing Day-House comprising 2 bedrooms, an accessible bathroom, and modifications and extension to the existing kitchen/living area (to comply with current D.O.H. P.LG standards) and ancillary works within the confines of each site. These have been designed in accordance with the recommendations of the consultant occupational therapist.

The proposed development will not affect the density of the estate.

The following areas apply to the site and building at No.1 Belgard Park, as existing:

* Site area: 275 sq.m. / 0.068 acres
* Existing internal floor plan area: 29.5 sq.m.

The following areas apply to the site and building at No.1 Belgard Park, as proposed:

* Site area: 275 sq.m. / 0.068 acres (remains the same)
* Proposed ground-floor day-house and extension, internal area: 88.0 sq.m.

The following areas apply to the site and building at No.10 Belgard Park, as existing:

* Site area: 265 sq.m. / 0.065 acres
* Existing internal floor plan area: 29.5 sq.m.

The following areas apply to the site and building at No.10 Belgard Park, as proposed:

* Site area: 265 sq.m. / 0.065 acres (remains the same)
* Proposed ground-floor day-house and extension, internal area: 84.5 sq.m.

Following the end of the consultation process, and following the final presentation to the Council Chamber, the layout will be adjusted to reflect the outcomes of the public consultation if required.

The overall Project Budget is subject to approval by the Department of Housing, Planning and Local Government and included South Dublin County Council’s Traveller Accommodation Programme 2019-2024

The proposed works have been approved in principal at the Tallaght Local Area Committee Meeting T/550/18 H17/1118 Item ID:60393

# Public Consultation

Plans and particulars of the proposed developments for Nos. 1 and 10 Belgard Park, Cookstown Road, Tallaght, Dublin 24 were on public display for over six weeks from 3rd October to 20th November 2019 (inclusive). During the public consultation information on the proposed extensions at Belgard Park were disseminated to the public and submissions were invited.

The public consultation on the proposed extensions included the following statutory and non-statutory elements:

* + South Dublin County Council Website and Public Consultation Portal
  + Newspaper Notice in the Echo on the 3rd October 2019
  + Public consultation displays in South Dublin County Council Offices at County Hall in Tallaght and Civic Offices, Clondalkin
  + Notification to Elected Members of the Tallaght Area Committee

Submissions and observations on the proposed extensions could be made online and in writing for a period of over six (6) weeks between 3rd October to 20th November 2019 (inclusive)

# Legislative Background

Section 179 (3) (a) of the Act, requires that the Chief Executive shall, after the end of the public consultation period, prepare a written report in relation to the proposed development and submit the report to the members.

Section 179 (3) (b) of the Act outlines that a report shall—

1. Describe the nature and extent of the proposed development and the principal features thereof, and shall include an appropriate plan of the development and appropriate map of the relevant area;
2. Evaluate whether or not the proposed development would be consistent with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the Development Plan and giving the reasons and the considerations for the evaluation;
3. List the persons or bodies who made submissions or observations with respect to the proposed development;
4. Summarise the issues, with respect to the proper planning and sustainable development of the area in which the proposed development would be situated, raised in any such submissions or observations, and give the response of the Chief Executive thereto; and,
5. Recommend whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report, or should not be proceeded with, as the case may be.

Under Section 179(4) of the Act, the elected members shall, as soon as practicable, consider the proposed development and the report of the Chief Executive. Following the consideration of the Chief Executive's report, the proposed development may be carried out as recommended in the Chief Executive's report, unless the local authority, by resolution, decides to vary or modify the development, otherwise than as recommended in the Chief Executive's report, or decides not to proceed with the development. A resolution must be passed not later than six (6) weeks after receipt of the Chief Executive's report.

# Environmental Impact Assessment and Appropriate Assessment

The proposed Scheme has undergone Appropriate Assessment Screening under the Habitats Directive (92/43/EEC). The proposal has undergone a preliminary examination for Environmental Impact Assessment of the proposal and the Planning Authority has concluded that there will be no real likelihood of significant effects on the environment arising from the proposed development and therefore an Environmental Impact Assessment is not required. ( Please see County Architect’s Report attached)

1. **Outcome of Public Consultation Programme**

No submissions/observations were received during the public consultation stage .

# Recommendation

Accordingly, it is considered that the proposed development is in accordance with the proper planning and sustainable development of the area and therefore it is recommended that the Council adopt the following Motion:

*“As the proposed development is in accordance with the proper planning and sustainable development of the area, the Council approves the proposed extensions and alterations to two Day-Houses at Nos. 1 and 10 Belgard Park, Cookstown Road, Tallaght, Dublin 24”*

### A discussion followed with a contribution from Councillor S. Fay.

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

The reports were **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor L. Dunne and **RESOLVED:**

“That as the proposed development is in accordance with the proper planning and sustainable development of the area, the Council **APPROVES** the proposed extensions and alterations to two Day-Houses at Nos. 1 and 10 Belgard Park, Cookstown Road, Tallaght, Dublin 24”

### **H12/1219 3 YEAR CAPITAL PROGRAMME**

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

[H12 3 Year Capital Programme 2020 - 2022](http://www.sdublincoco.ie/Meetings/ViewDocument/65090)

### A discussion followed with contributions from Councillors M. Johansson, L. O’Toole, L. Dunne, R. McMahon, E Ó Broin, E. O’Brien, P. Kavanagh, J. Tuffy, Y. Collins.

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

The report was **NOTED.**

### **H13/1219 CORPORATE PLAN 2020 – 2024**

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

This Corporate Plan for 2020 - 2024 is presented to the Council for adoption within the six month timeframe since the inaugural annual meeting of the Council, in accordance with Section 134 of the Local Government Act 2001, as amended.  This plan is the result of extensive consultation across councillors and staff, the public and external stakeholder bodies, as well as strategic planning and analysis across the activities of the council. Progress on achieving the objectives will be monitored by an annual review by the CPG and will be reported on through the Annual Report and the monthly Chief Executive's report. Delivery will be executed through the preparation of annual Service Delivery Plans which will include clear performance targets. As was committed to in the previous Corporate Plan, the annual Service Delivery Plans will be distributed to every household in the county.

[Corporate Plan for 2020 - 2024](http://www.sdublincoco.ie/Meetings/ViewDocument/65137)

### A discussion followed with a contribution from Councillor E Ó Broin

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

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor M Seery Kearney and **RESOLVED:**

“That the Corporate Plan 2020 – 2024 be **ADOPTED** and **APPROVED**.”

### **H14/1219 POLLING SCHEME 2020**

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

**Background**

[**Section 28 of the Electoral Act 1992**](http://www.irishstatutebook.ie/1992/en/act/pub/0023/sec0028.html) requires that each County Council shall, as soon as may be, and thereafter at least once in every ten years, make a scheme dividing the County into Polling Districts and appointing a polling place for each polling district.  (A Polling Scheme does not specify Polling Station locations).  Such a Scheme is called a Polling Scheme. The Register of Electors is then produced in accordance with the districts defined within the scheme.

The last Polling Scheme was approved by South Dublin County Council in 2010.   Since then a number of circumstances have given rise to changes to the Register of Electors.  These include the existing 2013 Dáil Constituency Boundary, the Dáil Constituency Commission Report 2017, and the Local Electoral Areas as contained in the Local Electoral Area Boundary Committee No. 2 Report 2018.

The selection of Polling Stations (place of vote) prior to polling day is the responsibility of the Dublin County Returning Officer (Sheriff)

Some changes were enforced due to the new constituency/lea boundaries, and others were made to improve voting arrangements other than those already in place for some electors.  A number of large housing developments and a number of physical ground provisions and natural boundaries have also had an impact.

**Statutory Provisions**

Under Section 28(1) of the Electoral Act 1992, the Minister for Environment has set out the [**Electoral (Polling Scheme) Regulations 2005**](http://www.irishstatutebook.ie/2005/en/si/0108.html).  This document was the guiding reference used in the preparation of this draft Polling Scheme.

**Procedure**

Preparation of the draft scheme was based on the following factors:

1. The existing Register of Electors was used as a baseline for the preparation of the Polling Scheme, alongside a critical examination of the 2010 Polling Scheme.
2. Electoral (Polling Scheme) Regulations 2005.
3. The addition of all new housing developments received from Land Use Planning and Transportation Directorate since the last Polling Scheme in 2010.
4. Population levels in each Polling District.
5. Examination of voting arrangements in place for elections/referenda held in 2014, 2015, 2016, 2018 and 2019.
6. Consultation with Elected Members.
7. Consultation with County Registrar.
8. Public Consultation.

The main changes brought about by the Local Electoral Area Boundary Committee No. 2 Report 2018 was the creation of 7 Local Electoral Areas. The following is a detailed description setting out the electoral divisions that comprise each recommended local electoral area:

**Clondalkin**

Clondalkin-Dunawley, the part of the Clondalkin-Monastery electoral division west of the M50 motorway, the parts of the Clondalkin-Cappaghmore electoral division and the Clondalkin-Moorfield electoral division south of the South Western Commuter and Intercity railway line, Clondalkin Village, Newcastle, Rathcoole and Saggart.

**Firhouse - Bohernabreena**

Bohernabreena, Edmonstown, Firhouse-Ballycullen, Firhouse-Knocklyon and Firhouse Village.

**Lucan**

Lucan-St Helens, Lucan Heights, and the parts of the electoral division of Lucan Esker not contained in the Palmerstown-Fonthill electoral area.

**Palmerstown - Fonthill**

The parts of the electoral divisions of Clondalkin-Cappaghmore and Clondalkin-Moorfield not contained in the Clondalkin electoral area, Clondalkin-Rowlagh, the parts of the electoral division of Lucan Esker to the east of a line drawn along the R136 (outer ring road) commencing at the southern boundary of the electoral division marked by Kishoge railway station, and continuing along the R136 in a northerly direction to the junction of the R136 and the northern boundary of the electoral division, Palmerston Village and Palmerston West.

**Rathfarnham - Templeogue**

Ballyboden; those parts of the electoral division of Clondalkin-Ballymount and Clondalkin-Monastery electoral division east of the M50 motorway, Rathfarnham-Ballyroan, Rathfarnham-Butterfield, Rathfarnham-Hermitage, Rathfarnham-St. Enda's, Rathfarnham Village, those part of the electoral division of Tallaght-Kilnamanagh east of the M50 Motorway, Templeogue-Cypress, Templeogue-Kimmage Manor, Templeogue-Limekiln, Templeogue-Orwell, Templeogue-Osprey, Templeogue Village, Terenure-Cherryfield, Terenure-Greentrees and Terenure-St. James.

**Tallaght Central**

Those parts of the electoral division of Clondalkin-Ballymount west of the M50 motorway; Tallaght-Avonbeg, Tallaght-Belgard, Tallaght-Glenview, those parts of the electoral division of Tallaght-Kilnamanagh west of the M50 motorway; those parts of the electoral division of Tallaght-Kiltipper situated within the following line: commencing at the junction of the Firhouse Road West and Old Bawn Road (R113) (referred to hereafter as the first mentioned point), then proceeding in a south-easterly direction to the junction of the Old Bawn Road (R113) and the Kiltipper Road, proceeding along Kiltipper Road in a south westerly direction along the boundary of the Tallaght-Kiltipper electoral division to the roundabout marking the junction between the Kiltipper Road and the Kiltipper way, then proceeding along Kiltipper Way northwards until reaching the roundabout that intersects with the boundary line of the Tallaght-Kiltipper and Tallaght-Oldbawn electoral divisions, then proceeding along the boundary line in a easterly direction to the first mentioned point, Tallaght-Kingswood, Tallaght-Millbrook, Tallaght-Oldbawn, Tallaght-Springfield and Tallaght-Tymon

**Tallaght South**

Ballinascorney, Tallaght-Fettercairn, Tallaght-Jobstown, Tallaght-Killinardan and the part of Tallaght-Kiltipper electoral division not contained in the Tallaght Central local electoral area.

Amendments to the polling arrangements were presented to the OP&F Meeting of 21st March 2019 and at headed item no 14. at the Council Meeting of Monday 8th April 2019. These amendments are included in the following summary which reflects all the proposed changes to be included in the 2020 Polling Scheme.

|  |  |  |
| --- | --- | --- |
| **Register Book No.** | **Local Electoral Area** | **Recommended Change** |
| FA | Lucan | There is a proposed change to the polling scheme for the area contained in Lucan-St Helens Electoral Division. The proposal is to split the current polling district Book FA and create a new polling district Book F8 to provide a new polling place in closer proximity for the residents of Adamstown. This recommendation is to come into effect with the publication of the 2020-21 Register of Electors in February. |
| **F2** | Lucan | **This is a new book. The Townlands included in this book were previously included in Book FD which was split because of transferring over to voter.ie. Book FD originally traversed two Electoral Divisions and was incompatible with the implementation of the new voter.ie portal.** |
| **F3** | Lucan | **This is a new book. The Townlands included in this book were previously included in Book FO which was split because of transferring over to voter.ie. Book FO originally traversed two Electoral Divisions and was incompatible with the implementation of the new voter.ie portal.** |
| **F4** | Palmerstown -Fonthill | This is a new book. The Townlands included in this book were previously included in Book FO which was previously contained in Lucan LEA. Book FO was split based on the recommendations of the Local Electoral Area Boundary Committee No. 2 Report 2018. |
| F7 | Palmerstown -Fonthill | **This is a new book. The Townlands included in this book were previously included in Book FP which was previously contained in Lucan LEA. Book FP** was split based on the recommendations of the Local Electoral Area Boundary Committee No. 2 Report 2018. |
| F5 | Clondalkin | **This is a new book. The Townlands included in this book were previously included in Book FL,** which was split based on the recommendations of the Local Electoral Area Boundary Committee No. 2 Report 2018. |

|  |  |  |
| --- | --- | --- |
| **F6** | Clondalkin | **This is a new book. The townlands included in this book were previously included in Book FN, which** was split based on the recommendations of the Local Electoral Area Boundary Committee No. 2 Report 2018. |
| **G3** | Tallaght South | **This is a new book. The townlands included in this book were previously included in Book GR, which was split because of transferring over to voter.ie. This book GR traversed two Electoral Divisions and was incompatible with voter.ie.** |
| GJ | Tallaght Central | **This is a new book. The townlands included in this book were previously included in book GI, which was split because of transferring over to voter.ie. This book traversed two Electoral Divisions and was incompatible with voter.ie.** |
| GY | Tallaght South | **This is a new book. The townlands included in this book were previously included in book GI, which was split because of transferring over to voter.ie. This book traversed two Electoral Divisions and was incompatible with voter.ie.** |
| GZ | Tallaght South | **This is a new book. The townlands included in this book were previously included in book GQ, which was split because of transferring over to voter.ie. This book traversed two Electoral Divisions and was incompatible with voter.ie.** |
| HV | Tallaght South | **This is a new book. The townlands included in this book were previously included in book H, which was split because of transferring over to voter.ie. This book traversed two Electoral Divisions and was incompatible with voter.ie.** |

**Public Consultation Process**

Copies of the Draft Polling Scheme 2020 went on public display on the 2nd October 2019 at County Hall, Tallaght, Dublin 24YNN5, Clondalkin Civic Offices, Ninth Lock Road, Clondalkin, D22E9X5, the Council’s Consultation Portal at [**http://consult.sdublincoco.ie**](http://consult.sdublincoco.ie/)and on the Council’s website at  [**www.sdcc.ie**](http://www.sdcc.ie/)   from Wednesday 2nd October 2019 until Wednesday 6th November 2019. Notice that a Draft Polling Scheme was produced was advertised in the Local Newspapers on Thursday 3rd October 2019. Submissions were invited in relation to the Draft Polling Scheme to be received or before 5 p.m. on the 6th November 2019.

Six submissions were received as part of the consultation process. Two corrections to the Draft Polling Scheme have been made following on from the consultation process.

The following submissions were received.

|  |  |  |
| --- | --- | --- |
| **No** | **Summary of Submission** | **Response** |
| 1. Lynda Curtis | Schools should not be used as polling stations. Libraries and Community Centres should be used instead. | The requisition of polling stations is a matter for the Dublin County Returning officer. |
| 2. Cllr Liona O’Toole | A request to add another polling station to the Adamstown Area. | This is proposed in the Draft Polling Scheme to Split the FA Book and create a new book F8 and add a polling station in closer proximity to the residents of Adamstown. |
| 3. Brendan Fox | A request to add another polling station to the Adamstown Area. | This is proposed in the Draft Polling Scheme to Split the FA Book and create a new book F8 and add a polling station in closer proximity to the residents of Adamstown |
| 4. Maura McNamara | An Observation was made that there was an error in the Draft  Polling Scheme regarding the spelling of a townland as Wooddale instead of the correct spelling of Wood Dale. | Advised this clerical error will be resolved prior to the publication of the final Polling Scheme. |
| 5. Cllr Guss O’Connell | A Request was made that in the event of the name of the LEA “Palmerstown – Fonthill” being changed in the future, could the name Palmerstown be given prominence. | Section 23 of the Local Government Act 2001 empowers the Minister for Housing, Planning and Local Government to divide a local authority area into local electoral areas and to amend those areas. |
| 6. Cllr Guss O’Connell | In 2015 a plebiscite was held in Palmerstown that the name Palmerston Village to be amended to the name of ***Palmerstown Village***. The name Palmerston Village is still referred to in the Draft Polling Scheme. | The Plebiscite held in 2014 was approved by resolution at the Council meeting held in November 2014 specifically related to addresses in the geographical area of Palmerstown Village. Palmerston Village in the context of the Draft Polling Scheme refers solely to the Electoral Division. |

**Members’ Statutory Business**

As the making of a Polling Scheme is a reserved function the adoption of the following resolution is required:

***“That the Draft Polling Scheme 2020 is hereby confirmed by this Council in accordance with*** [***Section 28 of the Electoral Act 1992***](http://www.irishstatutebook.ie/1992/en/act/pub/0023/sec0028.html) ***as amended by*** [***Section 12 of the Electoral (Amendment) Act 2001***](http://www.irishstatutebook.ie/2001/en/act/pub/0038/sec0012.html)

Once the scheme is formally approved it will come into effect with the publication of the 2020-21 Register of Electors on the 15th February 2020, and shall be furnished to the Minister and to each returning officer, each local authority and member of the Dáil for each constituency to which the scheme relates.   It will also be required to give public notice of the making of the scheme.

A discussion followed with contributions from Councillors M. Johansson, P. Gogarty, J. Tuffy, S. Moynihan, L. O’Toole, R. McMahon, A. Hayes, Y. Collins, E. Murphy, P. Kavanagh.

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

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor M. Seery-Kearney and **RESOLVED:**

“That the Polling Scheme 2020 be **ADOPTED** and **APPROVED**.”

### **H15/1219 REVOKE CLONBURRIS STRATEGIC DEVELOPMENT ZONE SCHEME 2008 IN LINE WITH SECTION 171 OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)**

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

This headed item proposes a resolution to revoke the Clonburris SDZ Planning Scheme 2008.

**Rationale for Revoking the Clonburris SDZ Planning Scheme 2008**

On May 8th 2019, An Bord Pleanála, under the provision of the Planning and Development Act, 2000 (as amended) APPROVED the making of the planning scheme for Clonburris, subject to modifications and clarifications.

South Dublin County Council has now prepared a consolidated planning scheme document, integrating the modifications and clarifications as approved by An Bord Pleanála. The consolidated Clonburris SDZ Planning Scheme 2019 document will now be used by the Planning Authority in assessing all planning applications in the SDZ and is available at [www.clonburris.ie](http://www.clonburris.ie/)

South Dublin County Council published a notice of approval of the Clonburris SDZ Planning Scheme 2019 as required under the Planning and Development Act, 2000 (as amended), on Monday September 30th 2019 in the Irish Times and Thursday October 3rd in the Lucan Gazette.

Section 171 of the Planning and Development Act 2000 (as amended) outlines that the Council may revoke a planning scheme by resolution, with the consent of the relevant development agency. The revoking of a Planning Scheme is a reserved function. This has not been carried out by South Dublin County Council (SDCC) to date for the Clonburris SDZ Planning Scheme 2008.

The Clonburris SDZ Planning Scheme 2019 is a strategic framework prepared having regard to current planning and environmental policy and legislation and using best practice urban design principles for the development of the area.

The Clonburris SDZ Planning Scheme 2008 does not comply with the Government Order (December 2015) designating the SDZ and is being revoked to prevent any public or planning policy uncertainty for the development of the lands.

**Recommendation**

Following the approval and preparation of the Clonburris SDZ Planning Scheme 2019, the Chief Executive hereby recommends that a resolution is passed to revoke the Clonburris SDZ Planning Scheme 2008**.**

### A discussion followed with a contribution from Councillor L. O’Toole

### Mr. M. Mulhern, Director of Land Use, Planning and Transportation responded to the Members query.

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor Y. Collins and **RESOLVED:**

“To revoke the Clonburris strategic development zone scheme 2008’ in line with section 171 of the planning and development act 2000 (as amended).”

### **H16/1219 PROPOSED EXTINGUISHMENT OF PUBLIC RIGHT-OF-WAY BETWEEN 47-49 ROWLAGH PARK AND REAR OF 45 – 47 ROWLAGH PARK**

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

[H16 Extinguishment of PROW](http://www.sdublincoco.ie/Meetings/ViewDocument/65029)

### A discussion followed with contributions from Councillors P. Kavanagh, W. Carey and E Ó Broin.

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

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor M. Johansson and **RESOLVED:**

“That 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 47-49

Rowlagh Park and rear of 45-47 Rowlagh Park, Clondalkin, Dublin 22 be extinguished”.

### **H17/1219 PROPOSED VARIATION NO. 4 OF THE DEVELOPEMENT PLAN - ALIGNMENT WITH REGIONAL SPATIAL AND ECONOMIC STRATEGY (RSES)**

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

Proposed Variation No. 4 to the South Dublin County Council Development Plan 2016-2022 seeks to respond to the recent changes in National and Regional planning policy, namely the publication of the National Planning Framework (NPF) in 2018 and the Eastern and Midland Regional Assembly (EMRA) Regional Spatial and Economic Strategy (RSES) in 2019. Proposed Variation No.4 ensures consistency with the RSES, in particular the core strategy, and all other Regional Policy Objectives.

**Background**

Project Ireland 2040; National Planning Framework (‘NPF’) was published on the 16th of February 2018, and sets out a course for planning and development in Ireland. The NPF was adopted on the 29th of May 2018 and was further supported by the publication of the Implementation Roadmap for the National Planning Framework (‘Roadmap’) which was published on the 3rd of July 2018. This document confirmed that the NPF was adopted as a strategy to replace the National Spatial Strategy (NSS) and advised that the NPF is of direct relevance to the preparation of Regional Spatial and Economic Strategies (RSES) (adopted the 3rd of May 2019) and County Development Plans.

The Roadmap highlights that one of the key reasons the Government has put the NPF in place is to shape and coordinate planning, economic and spatial development and infrastructure investment at national, regional and local levels, through RSESs, prepared by the three Regional Assemblies, and City and County Development Plans and Local Area Plans.

Additional legislative provisions have been made under Section 11(1) of the Planning and Development (Amendment) Act 2018 which included provisions for the initiation of review of City/County Development Plans to be:

I. Deferred on a once-off basis, where due to commence prior to or within a period of 3 months after the initial making of the relevant RSES, until not later than a period of 3 months after the relevant RSES has been made;

II. Temporarily suspended, where commenced and ongoing and where a draft plan has not been submitted to the members of the Planning Authority under Section 11(5)(a) of the Act, prior to the initial making of the relevant RSES in each case, until not later than a period of 3 months after the relevant RSES has been made; and

III. Rendered consistent with the RSES, either through (a) a variation of the Development Plan or (b) if considered more appropriate, a full review, to commence within a maximum period of 6 months after the making of the relevant RSES.

Option III is of relevance to South Dublin County Council (SDCC), as the current Development Plan was adopted in May 2016 and a deferral or suspension has not occurred. The RSES for the Eastern and Midland Regional Assembly (EMRA) area was made on 28th June 2019. Therefore, following a detailed analysis of the RSES and the Development Plan, Proposed Variation No.4 was initiated.

A review and detailed analysis of the Core Strategy has been carried out and South Dublin County Council (SDCC) is satisfied that the Core Strategy aligns with the RSES population targets.

**Proposed Changes**

The Proposed Variation No. 4 will result in the following changes to the Development Plan:

1. Amendments to the Core Strategy and associated tables in the written statement; and
2. Amendments to text and objectives/policies throughout the written statement.

**Chief Executive's Report on Submissions**

Public consultation on Proposed Variation No. 4 took place from the 7th October 2019 to 4th November 2019 inclusive (a period of 4 weeks). A total of 13 submissions were received in respect of Proposed Variation No. 4 raising issues in relation to the following:

1. Core Strategy
2. Settlement Strategy
3. Housing Strategy
4. Climate Action
5. Water Supply and Wastewater
6. Transport

The Chief Executive's response and recommendation to the above issues is outlined in the attached Report.

**RECOMMENDATION:**

Under Section 13 of the Planning and Development Act, the members of the authority, having considered the proposed variation and chief executive’ s report may, as they consider appropriate, by resolution,

* make the variation;
* make the variation with the modifications recommended in the Chief Executive’s Report;
* make the variation with or without the modifications recommended in the Chief Executive’s Report and with or without further modification; or
* they may refuse to make the variation.

**The Chief Executive recommends to the Council that the members make Proposed Variation No.4 to the County Development Plan**

### A discussion followed with a contribution from Councillor L. O’Toole

### Mr. M. Mulhern, Director of Land Use, Planning and Transportation responded to the Members query.

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor M. Seery Kearney and **RESOLVED:**

“That the Proposed Variation No.4 to the County Development Plan with the modifications recommended in the Chief Executive’s Report be **ADOPTED** and **APPROVED**”

### **H18/1219 PROPOSED VARIATION NO. 5 TO THE DEVELOPMENT PLAN - OUTDOOR ADVERTISING**

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

Proposed Variation No. 5 of the South Dublin County Council County Development Plan 2016-2022 seeks to adopt and integrate a South Dublin County Council (SDCC) Outdoor Advertising Strategy (2019) into the County Development Plan and amend the existing Land Use Tables and signage policy to facilitate its implementation.

**Story So Far**

May 2019 – Chief Executive presented to Council regarding Digital Communication, Outdoor Advertising and Branding Strategy.

July 2019 – Director of Land Use Planning & Transportation presented to Council on County Development Plan Variation – Outdoor Advertising Strategy

September 2019 - Director of Land Use Planning & Transportation presented a briefing note on Proposed Variation No.5 to Council

November 2019 - Director of Land Use Planning & Transportation presented to Land Use Planning and Transportation SPC Meeting on Proposed Variations.

**Rationale for Proposed Variation No.5 (Outdoor Advertising)**

With advances in technology, increasing demand for customer communication, as well as enhanced service delivery, SDCC are seeking to respond to these challenges by developing an updated and modern policy position on outdoor advertising. SDCC will seek to provide, manage and guide outdoor advertising in SDCC’s administrative area, with an overall aim of benefiting the County by establishing a new communication network to engage with SDCC’s customers and to promote SDCC’s services.

Proposed Variation No. 5 to the Development Plan, including the adoption of the supporting SDCC Outdoor Advertising Strategy (2019), is a first step in addressing this challenge and facilitating a proactive planning policy on outdoor advertising.

South Dublin is a unique County with a mixture of agricultural land, industrial and employment areas, established suburban settlements, historical villages, emerging town centres and significant new development and regeneration areas. It is important the Council works to improve the physical environment of the County and to foster a greater sense of place. Through the County Development Plan, the Council strives to have policies that nurture and enhance the built and natural environment through creative, intelligent and co-ordinated interventions.

In recent years there have been sizeable advances in technology and an increasing demand for communication and information from the public. Across Dublin and other European cities, Councils and public bodies are taking a more coordinated approach to the delivery of outdoor advertising. Significant, underutilised value exists in the public domain of the County which, if carefully harnessed, coordinated and well managed can have positive impacts on the street environment and can also present revenue opportunities for the Council.

SDCC are seeking to respond to these challenges by developing an updated and modern policy position on outdoor advertising. SDCC will seek to provide, manage and guide outdoor advertising in SDCC’s administrative area, with an overall aim of benefiting the County by establishing a new communication network to engage with SDCC’s customers and to promote SDCC’s services. The policy is based on an analysis of how sensitive different parts of the County are to advertisement structures and identifies constraints and opportunities for the location of these structures.

**Proposed Changes to the County Development Plan**

The Proposed Variation No. 5 will result in the following changes to the Development Plan:

* Amend Zoning Tables and Zoning Objective Matrix to move ‘Advertising and Advertising Structures to ‘open for consideration’ in various zones;
* Amend Section 11.2.8 Signage – Advertising, Corporate and Public Information Section; and
* Add ‘South Dublin County Council Outdoor Advertising Strategy (2019)’ as a Schedule 6 in the document.

**Chief Executive's Report on Submissions**

Public consultation on Proposed Variation No. 5 took place from the 7th October 2019 to 4th November 2019 inclusive (a period of 4 weeks). A total of 9 submissions were received in respect of Proposed Variation No. 5 raising issues in relation to the following:

1. Principle of Outdoor Advertising Strategy
2. Implementation
3. Public Realm
4. Zones for Advertising Control
5. Development Management Standards

The Chief Executive's response and recommendation to the all the issues is outlined in the attached report.

**RECOMMENDATION:**

Under Section 13 of the Planning and Development Act, the members of the authority, having considered the proposed variation and chief executive’ s report may, as they consider appropriate, by resolution,

* make the variation;
* make the variation with the modifications recommended in the Chief Executive’s Report;
* make the variation with or without the modifications recommended in the Chief Executive’s Report and with or without further modification; or
* they may refuse to make the variation.

**The Chief Executive recommends to the Council that the members make Proposed Variation No.5 to the County Development Plan with the modifications recommended in the Chief Executive’s Report.**

A discussion followed with contributions from Councillors M. Johansson, E Ó Broin, E. Higgins and P. Kavanagh

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

### The Mayor Councillor V. Casserly then called for and the Members **AGREED** to, a show of hands vote the result of which was as follows:

**FOR: 23 (TWENTY-THREE)**

**AGAINST: 1 (ONE)**

**ABSTAIN: 0 (ZERO)**

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor E. Higgins and **RESOLVED:**

“That the Proposed Variation No.5 to the County Development Plan with the modifications recommended in the Chief Executive’s Report be **ADOPTED** and **APPROVED**”

### **H19/1219 DEVELOPMENT CONTRIBUTION SCHEME 2016 - 2020 INDEXATION INCREASE**

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

[Section 48 of the Planning & Development Act, 2000](http://www.irishstatutebook.ie/eli/2000/act/30/section/48/enacted/en/html), as amended, enables a Planning Authority, when granting planning permission under Section 34 of the Act, to include conditions requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of a local authority (regardless of other sources of funding for the infrastructure and facilities).

Section 48 (2) specifies that the basis for the determination of the contribution shall be set out in a Development Contribution Scheme which shall state the basis for determining the contributions to be paid in respect of public infrastructure and facilities which are provided or are to be provided by a Local Authority.

Levies collected under the Section 48 Scheme fund the following classes of publicly provided infrastructure and facilities

|  |
| --- |
| **Class of Public Infrastructural Development** |
| Class 1: Roads infrastructure & facilities |
| Class 2: Surface Water & Environment infrastructure & facilities |
| Class 3: Community facilities & amenities |
| Class 4: Parks and open spaces facilities & amenities |
| Class 5: Economic, Enterprise and Tourism Development including Libraries |

The South Dublin County Council Section 48 Development Contribution Scheme 2016-2020 (due for review in 2020) adopted by the Council at its meeting on 14th December 2015 includes the following provision:-

Indexation in accordance with the Tender Price Index may be applied to be effective from 1st January 2018 for permissions granted after this date, having regard to the prevailing economic circumstances, subject to the approval of the Council.

Indexation is a system used to connect prices and asset values. It requires identifying a price index, and determining whether linking the value to the price index will achieve the desired impact.

In line with the above indexation has been applied heretofore as follows:

January 2018: With the approval of the Elected Members at the January 2018 Council Meeting, an indexation rate of 6.3 % was applied to the scheme and became effective on permissions granted after 1st January 2018. The levy as follows was accordingly applied: -

* Residential Development                                 € 90.42 per sq metre
* Industrial/Commercial Development                 € 79.70 per sq metre

January 2019: With the approval of the Elected Members at the December 2018 Council Meeting, an indexation rate of 7.2% was applied to Industrial/Commercial Development only and became effective on permissions granted after 1st January 2019. The levy as follows was accordingly applied: -

* Residential Development                                 € 90.42 per sq metre
* Industrial/Commercial Development                 €85.47 per sq metre

Given the high cost of infrastructure with costs continuing to rise it would be prudent for South Dublin County Council to apply a 6.6% increase from the 1st January 2020 in line with the [SCSI index.](https://www.scsi.ie/documents/get_lob?id=1474&field=file)  (This is a construction price index, covering tenders for non-residential projects. It is a sentiment index and the only independent assessment of construction tender prices in Ireland. The survey tracks tender price inflation in non-residential construction projects with capital values over €0.5 million and is the indexation most appropriate and applicable to all Development Contribution Schemes).

This will result in an increase from €90.42 to €96.39 per square meter for residential development and an increase from €85.47 to €91.11 for industrial/commercial development for which permission is granted after this date.

Accordingly, it is recommended that the 6.6% increase be applied to the residential and industrial/commercial development levy rates as set out below:

|  |  |  |
| --- | --- | --- |
|  | **Residential**  **Per Sqm** | **Industrial/Commercial**  **Per Sqm** |
| **Sn 48 Levy Rates 01.01.2020** | **€96.39** | **€91.11** |

As this is a reserved function the approval of the elected members is required and subject to this approval a notice will be published advising members of the public of the increase to be effective from 1st January 2020.

The following resolution is required to give effect to the increase from 1/1/2020:

**“That South Dublin County Council hereby approve that the SCSI Tender Price Indexation rate of 6.6% is applied to the residential and industrial/commercial development levy rates under the Section 48 Development Contribution Scheme 2016-2020, to become effective from 1st January 2020, on permissions granted after that date..**

### A discussion followed with contributions from Councillors R. McMahon, P. Kavanagh, P. Gogarty and F. Duffy.

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

### The Mayor Councillor V. Casserly then called for and the Members **AGREED** to, a show of hands vote the result of which was as follows:

**FOR: 22 (TWENTY-TWO)**

**AGAINST: 2 (TWO)**

**ABSTAIN: 0 (ZERO)**

The report was **NOTED** and it was proposed byCouncillor V. Casserly, seconded by Councillor P. Kavanagh and **RESOLVED:**

“That South Dublin County Council hereby approve that the SCSI Tender Price Indexation rate of 6.6% is applied to the residential and industrial/commercial development levy rates under the Section 48 Development Contribution Scheme 2016-2020, to become effective from 1st January 2020, on permissions granted after that date.”

### **CORRESPONDENCE**

### **Departmental**

### **C1/1219** Letter dated 29th October from the Department of Housing, Planning & Local Government in relation Motion 5 (Directly Elected mayor for Dublin) from the November 2018 Council Meeting.

[Co1 - Department of Housing, Planning Local Government](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=65010)  
[Letter sent by SDCC](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=65011)

### **C2/1219** Letter dated 12th November from the Clare County Council in relation a screening process of all newborn infants for immune compromise.

[Co2 - Letter from Clare County Council](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=65009)

Meeting Finished @ 7:00pm

**Motions not reached**

### **(M1) Bike Rental Scheme**

### **Councillor Shane Moynihan**

That this Council calls for the introduction of a South Dublin Bikes scheme, modelled on the Dublin bikes scheme, as a practical step to increase cycling in our county.

### **(M2) SPC SCHEME**

### **Councillor Eoin Ó Broin**

The composition of the Land use Transportation & Planning SPC is:

Elected Members x 6  
Development Construction x 1  
Business Commercial x 1  
PPN x 1(environmental pillar)

This council agrees that following this meeting a delegate from the Dublin Cycling Campaign (<https://www.dublincycling.com/>), is invited to be included as an additional ex officio non elected member of the SPC. This change in the composition of the Land use Transportation & Planning  SPC is to reflect the imperative that Dublin's leading advocates of improved cycling infrastructure are members of the county's leading planning forum. Although the other current members of the committee, both elected and non-elected, could advocate for cycling infrastructure, none would have the  hands on experience of Dublin Cycling Campaign that could both highlight the significant risks posed to cyclists today while also providing valuable contributions to discussions on future transport corridors. Dublin Cycling Campaign's input would also help formulate the policy changes needed to achieve the significant modal shift towards cycling implicit in the county's climate, health, road safety, air quality and congestion reducing goals and help reduce cycling related casualties

### **(M3)** [**TRAINING AND THE NATURAL ENVIRONMENT**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=64363)

### **Councillor Carly Bailey**

That this council calls on the Chief Executive to review and reform current training, existing practices as well as methods of cross and inter-department communications in order to ensure that the needless destruction of natural environments, whether protected or not within the South Dublin County jurisdiction (a recent example being the Wetlands in Sean Walsh Memorial Park) can never happen again.

Further that all areas currently protected or in discussion as being protected would be brought to the public's attention by way of a page on the council's website or similar and regular updates given to councillors and all departments within the council. Such a review and reform ought to include ways to ensure that all departments are kept up to date about issues of this nature.

Proficient biodiversity training for all staff members, whether directly employed by the council or by private operators appointed to carry out work on behalf of the council should also be provided if this is not already being done.

Training should be provided to every staff member whether involved in the initial decision making or in the subsequent work of cutting, planting, digging, moving, replacing, spraying or any other work that comes into contact with the natural environment.

Signing up to the All Ireland Pollinator Plan and other similar initiatives should also be considered if not already done so.

### **(M4) AGE FRIENDLY PARKING SPACES**

### **Councillor E. Higgins**

That this Council investigates the feasibility of assigning Age Friendly Parking spaces at County Buildings.

### **(M5) BOOK RENTAL SCHEME**

### **Councillor Liam Sinclair**

That this council calls on the Department of Education to set up book rental schemes as mandatory in all primary and secondary schools to replace the current practice of students purchasing their own books.

If this motion is agreed a letter will issue to the relevant Minister and the reply, when received, will be circulated.

### **(M6) HALLOWEEN BONFIRES**

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

That this Council calls on the Chief Executive to ensure that adequate resources are made available to deal with damage to our Open Spaces following the recent Bonfire season and in reporting will he give his initial reaction to how the Council responded to that recent challenge and will he make a statement.

### **(M7)** [**RESIDENTIAL DEVELOPMENTS ON LANDS WITH OVER 1000 TREES**](http://intranet/cmas/documentsview.aspx?noinc=true&id=64676)

### **Councillor P. Gogarty**

That any housing developments on Council owned lands that involve the potential loss of more than 1,000 native trees not be proceeded with for the time being in the interests of sustainability, biodiversity and meeting the Council's climate change strategy targets and that the future use of such lands be instead considered during the next development plan process following submissions from any local communities concerned.

### **(M8) DOMESTIC WASTE COLLECTION**

### **Councillor C. King**

Following the attached Sinn Féin motion that was passed in March of this year, This Council reaffirms it’s call to the Chief Executive to review the current waste collection services in conjunction with the other Dublin local Authorities and the Unions with a view to the remunicipalisation of the domestic waste service whereby the Council would take charge once again of the Service but this time in a more efficient and cost competitive manner than was previously the case

### **(M9) LIBRARY SERVICES**

### **Councillor J. Tuffy**

That the Council commends the library service and its successes in moving to a system without fines and where books can be taken and returned at any library in the Country and also new initiatives such as the 'Bark in the Park' and because the library service is so important in terms of social inclusion that it will provide more support for further expansion and innovation in the Mobile Library and Library Outreach services, and explore further mobile library stop provision, or mobile library special events, including in our villages and urban centres, and mini libraries that are accessible to the wider public.

### **(M10) SAFETY OF CYCLISTS**

### **Councillor E. Murphy**

To ask the Chief Executive to react to the national legislation passed recently on safe passing distances for overtaking cyclists and investigate the provision of signage and roadmarkings throughout the County to advocate for a safe passing distance of 1.5m.

### **(M11) MAINTENANCE SERVICE**

### **Councillor T. Costello**

That this Council (or subcontractors working on their behalf) contact tenants when work has been approved to be carried out on their homes and sub contractor appointed to advise them on approximate date of when works will start.

### **(M12) PLANNED MAINTENANCE PROGRAMME**

### **Councillor A. Edge**

That the Chief Executive, in light of the recent rent increase affecting some of the poorest in the county, ensures that the accelerated maintenance programme is expedited and that priority is given to those households with older residents and residents with medical conditions and to prepare a report.

### **(M13) CRISP PACKET RECYCLING**

### **Councillor Y. Collins**

That the Chief Executive engage with Terracycle or other alternative recycling companies to implement a crisp recycling scheme so that we as a local authority can take our own steps to deal with plastic problem and reduce the environmental damage caused by littering

### **(M14) HUMAN TISSUES BILL**

### **Councillor P. Kearns**

That this Council calls on the Minister for Health to report on the legislative timeline for the advancement of the Human Tissues Bill.

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

Mayor

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