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

Minutes of South Dublin County Council Tallaght Area Committee Meeting held on Monday 26th April 2021.

### **PRESENT**

|  |  |
| --- | --- |
| Costello, Teresa  | Mahon, Kieran |
| Duff, Mick | O’Connor, Charlie |
| Fay, Sandra | Pereppadan, Baby |
| Holohan, Patrick | Richardson, Dermot  |
| King, Cathal | Sinclair, Liam |

### **OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Senior Planner | H. Craigie  |
| A/Senior Planner | E. Burke |
| Senior Engineer | L. Magee |
| Senior Executive Officer | E. Leech & C. Hurson  |
| A/Senior Executive Officer | M. McAdam  |
| Senior Executive Engineer | J. Hegarty  |
| Senior Executive Parks Superintendent  | M. Ní Dhomhnaill  |
| Senior Executive Planner  | J. Johnston  |
| Executive Engineer | M. Johnson |
| Senior Executive Librarian | L. Joyce  |
| Senior Staff Officer  | J. Sweeney  |
| Staff Officer | B. Carroll |
| Assistant Staff Officer  | A. Ryan |
| Clerical Officer  | S. Hope |

Councillor. L. Sinclair presided.

Apologies were received from Cllr. L. Dunne.

### **T/164/21 H1/0421 Item ID:69822**

Minutes of Tallaght Area Committee Meeting held on 22nd March 2021 which had been circulated, were submitted and **APPROVED** as a true record and signed.

It was proposed by Councillor L. Sinclair, seconded by Councillor M. Duff and **RESOLVED:**

"That the recommendations contained in the Minutes of the Tallaght Area Committee Meeting held on 22nd March 2021 be **ADOPTED** and **APPROVED**."

[HI (1) Minutes of Tallaght ACM 22nd March 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=70092)

**QUESTIONS**

It was proposed by Councillor L. Sinclair, seconded by Councillor M. Duff and RESOLVED: "That pursuant to Standing Order No. 1, Question Nos. 1 to 13 be ADOPTED and APPROVED.”

## **Environment**

### **T/165/21 Q1/0421 Item ID:69905**

Proposed by Councillor M. Duff

"Could the Chief Executive please give an update regarding the Designated Trading Areas and costs in Tymon Park. Has there been any expressions of interests for the Tea/Coffee concession in Tymon Park, Tymon North entrance and could an explanation be given why the permit fee for Ice/Confectionery permit is €10,000 in Tymon Wellington entrance as opposed to €5000 at the Tymon, Tymon North entrance."

**REPLY:**

The fees applicable to each designated Casual Trading Area are included in the First Schedule of The South Dublin County Council Casual Trading Byelaws 2016 made by resolution at the meeting of South Dublin County Council held on 20th June 2016. These fees have remained unchanged.

for operational reasons, the Tea/Coffee Casual Trading area at Tymon Park (Wellington entrance) is currently unavailable.

### **T/166/21 Q2/0421 Item ID:70016**

Proposed by Councillor Sandra Fay

"Has South Dublin County Council or any other Council piloted at text system to help improve their litter free place. By introducing a text alert system, it will help speedy clean up and pleasant environment for the majority in the community, instead of focusing on a minority. Can we encourage report litter or pollution incidents to help facilitate cleaner living environment on or website rather than focusing on residents expected to report to encourage prosecutions and fines”.

**REPLY:**

Customers may report incidents of littering or illegal dumping in any of the following ways:

* by contacting South Dublin County Council Customer Care at 01 4149000
* by email to info@sdublincoco.ie
* by using the [Customer Care Online Form](http://www.sdublincoco.ie/index.aspx?pageid=1279&amp;proceed=true&amp;lng=english)
* or by logging the complaint on [www.fixyourstreet.ie](http://www.fixyourstreet.ie)

Customers may also report incident to the EPA hotline 1850 365121

### **T/167/21 H2/0421 Item ID:69829**

Proposed by Environment

New Works (No Business)

### **T/168/21 C1/0421 Item ID:69837**

Proposed by Environment

Correspondence (No Business)

### **T/169/21 M1/0421 Item ID:69686**

Proposed by Councillor T. Costello Seconded by Councillor C. O’Connor

"To ask can South Dublin County Council consider allocating more space to add more allotments in Tymon Park. Currently there are only 13 in the whole of Tymon Park resulting in many years waiting list."

**REPORT:**

There are currently 15 allotments in Tymon Park, 2 allotments were recently split creating an additional allotments which have been offered to the next 2 people on the waiting list.

A full review of the Council's Allotments Policy was initiated at the Environment, Water and Climate Change SPC on 16th February 2021.  As part of this review, capacity and supply & demand will be examined. A full report with recommendations will be brought back to the SPC in due course.

A discussion followed with contributions from Cllrs. T. Costello, M. Duff, C. King, P. Holohan, K. Mahon & C O’Connor.

M. McAdam replied to the Member’s queries.

The motion was **AGREED**.

## **Water & Drainage**

### **T/170/21 H3/0421 Item ID:69836**

Proposed by Water & Drainage

New Works (No Business)

### **T/171/21 C2/0421 Item ID:69847**

Proposed by Water & Drainage

Correspondence (No Business)

## **Public Realm**

### **T/172/21 Q3/0421 Item ID:69967**

Proposed by Councillor C. O'Connor

"To ask the Chief Executive to update members on contacts in respect of issues in Butler/McGee Park and will he refer to previous commitments to hold a meeting with local stakeholders with regard to the future development of this important local issue, will he give assurances and make a statement."

**REPLY:**

The next meeting of the Fettercairn Estate Management Group is being organised by the Council's Housing Dept to take place on May 12th.  It is currently proposed that staff from the Public Realm Section will attend that meeting, and that a follow on meeting will take place directly after that to discuss issues regarding Butler McGee Park.  Invitations to the meeting regarding Butler McGee Park will be issued to representatives from the St Mark's GAA and St Mark's Celtic clubs as well as to the Fettercairn Estate Management Group.

### **T/173/21 Q4/0421 Item ID:70011**

Proposed by Councillor T. Costello

"To ask Chief Executive what locations are planned to be covered in the Tree Planting Season for this year."

**REPLY:**

The draft tree planting programme is being prepared and will be presented to the Area Committee in Autumn 2021. Potential sites for tree planting are being inspected to assess their suitability for new trees, considering factors such as services, sightlines, warning signs and traffic signals, and space for future growth. Areas targeted for new tree planting will be those where trees have been removed or where there is an identified need to increase the overall tree cover. Requests from Council members and local residents for new trees in their road or area will be taken into consideration within the planting programme.

### **T/174/21 H4/0421 Item ID:69834**

Proposed by Public Realm

New Works (No Business)

### **T/175/21 C3/0421 Item ID:69845**

Proposed by Public Realm

Correspondence (No Business)

### **T/176/21 M2/0421 Item ID:69907**

Proposed by Councillor M. Duff Seconded by L. Sinclair

That this Area Committee calls for the introduction of Big Belly Solar bins in Tymon Park to assist this destination Park to reduce the amount of overflow of litter bins, experienced once the warmer weather attracts more visitors to Tymon Park.

**Report:**

South Dublin County Council parks have seen a huge increase in footfall and usage of facilities during the various periods and levels of Covid 19 restrictions, particularly during those periods where movement has been restricted to within a 5km radius of home.  This has resulted in an increase in usage of litter bins and unfortunately an increase in litter in parks in general.

South Dublin County Council put in place increased cleaning and litter bin servicing in April/May 2020 and this has remained in place at all times throughout the pandemic, at a substantial increase in cost to the Council. The servicing of litter bins in parks at weekends is a relatively new aspect of the cleansing and litterbin service, it was introduced in the first instance on bank holiday weekends in the four main parks and was then increased in the early days of Covid 19 restrictions to cover all park litter bins being serviced once over each weekend as well as on bank holidays when they occur. The cost of the weekend element of the cleaning and litter bin services which are currently in place in town and village centres and in parks is approximately €260,000 per year.

The current arrangements in Tymon Park are currently being reviewed in light of a renewed increase in park usage with days lengthening and weather improving, as the Covid 19 restrictions remain in place.  The provision of additional temporary bins is being trialled in Corkagh Park at the present time with some modifications being made at present to usage of a more robust bin type.  If the trial is deemed successful in Corkagh Park then the provision of temporary bins will be considered for Tymon Park also.  It is expected that as the restrictions are eased and removed that usage of parks will return to a more normal level, when people are able to travel beyond their own county and indeed out of the country.

It is clear that litter is at times being left beside and on top of litter bins by people using the parks for legitimate purposes.  It is most likely the case that users see this as responsible disposal of waste items such as coffee cups etc however these items usually end up on the ground, scattered around the park and contributing to the litter problem.  The Council would like to appeal to all park users as follows –

* If a litter bin is full, please do not leave litter or bagged dog waste beside the bin or on top of it.  Instead please either take your waste home or put it in another litter bin.
* Weekends are particularly busy in our parks during lockdown.  While the parks litter bins are serviced over the weekends and at bank holidays, it is not always possible to service bins before they become full nor is it possible to service them multiple times in one day.
* The Council would like to appeal to park users to apply the 'Leave no trace' principle and to take their waste home for disposal if at all possible and to deal with their waste items in a responsible manner.
* The Council would like to direct members of the public to the [www.mywaste.ie](http://www.mywaste.ie/) website as well as to the Council website [www.sdccc.ie](http://www.sdccc.ie/) for information and tips on good environmental practice in the management and recycling of waste.

The current position with regard to the provision of solar powered bins is that while these bins are considered to be suitable in certain locations there is regrettably no funding in place at the present time to cover the substantial cost in providing this bin type.  As previously reported the cost of a single unit is in the region of €6,000.  A cost/benefit analysis is being prepared at the present time to examine the cost to provide this bin type in certain locations against potential savings arising from them.

A discussion followed with contributions from Cllrs. M. Duff, S. Fay, P. Holohan, C. King & C O’Connor.

L. Magee replied to the Member’s queries.

A commitment was given to circulate report findings regarding Big Belly Bins trial in Rathfarnham to Councillors – L. Magee.

The motion was **AGREED**.

### **T/177/21 M3/0421 Item ID:70013**

Proposed by Councillor S. Fay Seconded by L. Sinclair

Area Committee commits to including area at Whitestown Stream Jobstown as a funding priority- either as a stand-alone project or through the 2022 works projects- with funding streams to be discussed upon managements report on projected costs associated with the area.

**REPORT:**

The initial report on Whitestown Stream was presented to the March meeting of this area committee, it is currently proposed that the next stage report will be presented to the May meeting.  During previous discussions on this matter it was proposed that the process of identifying and agreeing a set of solutions would be concluded no later than the June meeting of this area committee.  If this is achieved, it will be possible for the proposals to be costed and considered during the budget process in the second half of the year.

It is expected that the level of expenditure required to address certain issues will be such that it cannot be factored into the revenue budget for next year, it would therefore have to be considered during the preparation of the capital works programme and budget.  It is not possible to give any definite commitment on this matter at this stage.  The process to discuss and agree budget priorities will obviously take place later in the year and this will present an opportunity for the Tallaght elected members to seek funding for the agreed proposals as a matter of priority and urgency.

A discussion followed with contributions from Cllrs. S. Fay, P. Holohan, K. Mahon, C. King, T. Costello, C O’Connor & L. Sinclair.

L. Magee replied to the Member’s queries.

A commitment was given to come back to the May Tallaght ACM with a proposal. If the proposal is passed a presentation with costings will be made to the June Tallaght ACM – L. Magee.

The motion was **AGREED**.

### **T/178/21 M4/0421 Item ID:69956**

Proposed by Councillor P. Holohan Seconded by Councillor L. Sinclair

This motion is regarding De Selby Lawns, many of the residents have contacted me voicing their concerns. I consider this a matter of urgent attention. The arch way is leading directly onto the Blessington Road which is very dark and dangerous. This is situated 100m from a children´s play area. This needs some sort of gate installation to avoid any serious accidents occurring here. (Photos Attached).

**REPORT:**

The installation of a barrier/gate at this location has been included on the Public Realm Improvement Works Program for the current year and this programme of works was approved by the elected members at the February meeting of the County Council.  Arrangements will now be made to have this dealt with as a matter of urgency.

[Photo 1](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=69826)
[Photo 2](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=69825)

A discussion followed with contributions from Cllrs. P. Holohan, M. Duff, C O’Connor & T. Costello.

L. Magee replied to the Member’s queries.

A commitment was given to consider this for next year’s improvement program – L. Magee.

The motion was **AGREED**.

### **T/179/21 M5/0421 Item ID:70010**

Proposed by Councillor B. Pereppadan Seconded by Councillor L. Sinclair

To ask the Chief Executive if The Tree Planting Section could plant mature trees and hedges between Verschoyle Drive and the basketball court adjacent to the road due to its close proximity to residents and the associated noise issue (photo attached). Since the construction of the court, it has been having a negative impact on the residents who must frequently deal with the noise caused by the basketball court, especially late into night and in the early mornings. No consideration has been given to these residents for the last few years and they are tired of hearing about the tree planting season being over each time a request is put forward.

**REPORT:**

It is proposed to plant trees in the area between Verschoyle Drive and the basketball court in Winter 2021/22. The Council’s Tree Planting Programme is normally carried out between November and March as this is the most appropriate time of the year for planting of trees.

The draft Tree Planting programme will be presented to the Area Committee in Autumn.

 It should be noted that it will take time before the trees will reduce the noise from the basketball court. If the noise is being created as a result of antisocial behaviour, other remedies should be examined.

[Photo](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=69939)

A discussion followed with contributions from Cllrs. B. Pereppadan & L. Sinclair.

M Ní Dhomhnaill replied to the Member’s queries.

The motion was **AGREED**.

## **Community**

### **T/180/21 H5/0421 Item ID:69824**

Proposed by Community

Deputations for Noting (No business)

### **T/181/21 H6/0421 Item ID:69826**

Proposed by Community

New Works (No Business)

### **T/182/21 C4/0421 Item ID:69838**

Proposed by Community

Correspondence (No Business)

## **Housing**

### **T/183/21 Q5/0421 Item ID:69979**

Proposed by Councillor T. Costello

"To ask the Chief Executive how many vacant council houses are there in the Tallaght, broken down by Bedroom Size and length of time vacant."

**REPLY:**

As of 31st March 2021, 46 properties in the Tallaght Central and South Electoral Area were on the voids list. The table below breaks down the properties based on property size and current stage in the relet process.

|  |  |  |
| --- | --- | --- |
|   | **Property Size** | **Total based on process stage** |
| **1 Bed** |  | **2 Bed** | **3 Bed** | **4 Bed** |
| **Ready for Relet** | 3 | 7 | 7 |  0 | **17** |
| **Works in Progress** | 3 | 1 | 4 | 2 | **10** |
| **Tendering** | 2 | 11 | 6 |  0 | **19** |
| **Total** | **8** | **19** | **17** | **2** | **46** |

The average relet time (key to key) is currently 19 weeks.

### **T/184/21 Q6/0421 Item ID:69957**

Proposed by Councillor T. Costello

"To ask Chief Executive how many HAP tenancies are active in Citywest."

**REPLY:**

There are 331 addresses, list on the HAP IT system, with an address of Citywest. There may be HAP tenants in the administrative area which are not captured if they have anything other than Citywest in the address.

### **T/185/21 Q7/0421 Item ID:69906**

Proposed by Councillor M. Duff

"Could the Chief Executive inform this Area Committee if the Council has Building Insurance in place for all its Housing stock and if so, can tenants use this Insurance, through Housing Maintenance Inspectors, to claim where works are required to repair ceilings and tracing of leaks, where works have been carried out to adapt bathrooms etc, at the tenants or previous tenants own expense and Housing Maintenance refuse to carry out repairs."

**REPLY:**

The Council insures the structure of all rented houses against fire, flood and storm damage. However, it is up to the tenant to insure their belongings in their home (contents insurance).

If you are a tenant and wish to carry out any alterations to your home, you must apply for permission in the first instance to Housing Maintenance Section in accordance with the terms and conditions of your tenancy agreement. The tenant shall be responsible for the repair of any damage which results from alterations to the property. If the Council inspects the property and undertakes repairs resulting from such alterations the cost of these repairs will be charged to the tenant.

### **T/186/21 Q8/0421 Item ID:69908**

Proposed by Councillor M. Duff

"Could the Chief Executive please inform this Area Committee the number of exclusion orders issued to people residing in SDCC Social Housing in the Tallaght Area in 2020, as a result of Drug convictions incurred by those residents."

**REPLY:**

No Exclusion Orders have been obtained in respect of breaches of tenancy in the Tallaght area for 2020 in respect of drug convictions however, the Council have served twenty-five tenancy warnings in respect of breaches of tenancy involving the use of, or distribution of controlled substances as defined in the misuse of Drug Act in 2021.

The Council is currently seeking legal advice from the Law Agent in respect of pursuing Exclusion Orders under the Housing (Miscellaneous Provisions) Acts 1997-2014 in respect of a number of cases.

### **T/187/21 Q9/0421 Item ID:69968**

Proposed by Councillor C. O'Connor

"To ask the Chief Executive to confirm the number of boarded up and unoccupied council houses currently in Tallaght and will he detail actions being taken to allow these houses to be allocated and will he make a statement."

**REPLY:**

As part of the procedure, once a property is formally surrendered, Housing Maintenance will secure the property prior to any works taking place. Securing a property typically involves the installation of security screens to ensure a vacant property is not subjected to vandalism. Where security screens are used, they remain in place until the day the new tenant moves in.

As of 31st March 2021, the breakdown and status of the 46 vacant properties in our housing stock in Tallaght South/Central is as follows:

* Ready for allocation: 18 properties
* Works ongoing: 7 properties
* Tender stage: 21 properties

Once properties are nearing completion, the Allocations Section are advised of the availability to minimise delays in reallocation of properties.

### **T/188/21 Q10/0421 Item ID:69969**

Proposed by Councillor C. O'Connor

"To ask the Chief Executive if he could now organise the long promised remote meeting with Fettercairn Estate Management Group who continue to cope and deal with the issues of concern in the Estate, will he also update members on matters being dealt with and will he make a statement."

**REPLY:**

A remote meeting of the Fettercairn Estate Management Group took place on 21st April 2021.

The Estate Management Unit is committed to supporting this committee in addressing any issues or concerns they have with regard to their estate. Staff from the Estate Management Unit are in regular contact with the committee members and take appropriate action on issues highlighted.

The next meeting is of the Fettercairn Estate Management Group is scheduled to take place on 12th May 2021.

### **T/189/21 H7/0421 Item ID:69848**

Proposed by Elaine Leech

Anti-Social Quarterly Statistics 2021

**REPLY:**

**The following is a statistical analysis of anti social behaviour reported to the Council in respect of Council tenanted households in the Tallaght Area Committee area in the first quarter of 2021 (1st January - 19th March).**

|  |
| --- |
| **STATISTICAL ANALYSIS OF ANTI SOCIAL BEHAVIOUR REPORTED TO COUNCIL IN THE TALLAGHT ACM AREA** |
| **Incidents** | **2020 TOTAL**  | **1st Qtr 2021** | **2nd Qtr 2021** | **3rd Qtr 2021** | **4th Qtr 2021** | **2021 TOTAL**  |
| **CATEGORY A** |  |   |   |   |   |  |
| Drugs Activity reported to SDCC | 101 | 7 |   |   |   | **7** |
| Criminal Activity reported to SDCC | 24 | 8 |   |   |   | **8** |
| Joyriding reported to SDCC | 9 | 0 |   |   |   | **0** |
| Violence/intimidation/ harassment reported to SDCC | 124 | 24 |   |   |   | **24** |
|   |   |   |   |   |   |  |
| **CATEGORY B** |  |   |   |   |   |  |
| Squatters/illegal occupiers reported to SDCC | 41 | 8 |   |   |   | **8** |
| Vandalism reported to SDCC | 21 | 5 |   |   |   | **5** |
| Physical condition of property reported to SDCC | 30 | 8 |   |   |   | **8** |
| Physical condition of Garden reported to SDCC | 69 | 15 |   |   |   | **15** |
| Racism reported to SDCC | 2 | 0 |   |   |   | **0** |
| Vacant House reported to SDCC | 38 | 5 |   |   |   | **5** |
| Neighbour Dispute (including parking) reported to SDCC | 7 | 1 |   |   |   | **1** |
|   |   |   |   |   |   |  |
| **CATEGORY C** |  |   |   |   |   |  |
| Noise/disturbance reported to SDCC | 70 | 11 |   |   |   | **11** |
| Pets/animal nuisance reported to SDCC | 9 | 1 |   |   |   | **1** |
| Children Nuisance reported to SDCC | 13 | 3 |   |   |   | **3** |
| Selling alcohol | 1 | 1 |   |   |   | **1** |
|   |   |   |   |   |   |  |
| **Total Incidents reported to SDCC** | **560** | 97 |   |   |   | **97** |
|   |   |   |   |   |   |  |
| **Total Complaints reported to SDCC** | **608** | 133 |   |   |   | **133** |
|   |   |   |   |   |   |  |
| **Total Actions taken by Allocations Support Unit Staff -     Main actions listed below** | **3946** | 850 |   |   |   | **850** |
|  |   |   |   |   |  |
| Housecall / Inspection | 553 | 40 |   |   |   | **40** |
| Demand for Possession Section 15 & 17 | 2 | 0 |   |   |   | **0** |
| Abandonment notice served | 6 | 0 |   |   |   | **0** |
| Surrenders Obtained (including Termination of Tenancy under Section 15) | 39 | 14 |   |   |   | **14** |
| Warnings issued | 166 | 34 |   |   |   | **34** |
| Interviews held (formal office and by phone) | 1544 | 368 |   |   |   | **368** |
| Pre-Tenancies (includes following up Tenancy Checks) Group Tenancies were held in respect of new developments. | 223 | 6 |   |   |   | **6** |
| Complaints received by Whatsapp |   | 17 |   |   |   | **17** |

E. Leech made a presentation.

A discussion followed with contributions from Cllrs. P. Holohan, T. Costello & M. Duff.

E. Leech replied to the Member’s queries.

The report was **NOTED**.

### **T/190/21 H8/0421 Item ID:69830**

### Proposed by Housing

New Works (No Business)

### **T/191/21 C5/0421 Item ID:69841**

Proposed by Housing

Correspondence (No Business)

## **Planning**

### **T/192/21 H9/0421 Item ID:69881**

Proposed by Jim Johnston

Strategic Housing Development Ref. No, SHD3ABP-309731-21 at Lands to the west of Old Belgard Road and north, south and west of Cookstown Road, Cookstown Industrial Estate, Dublin 24.

[Costello site SHD3](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=70137)

J. Johnston made a presentation.

A discussion followed with contributions from Cllrs. C. King, P. Holohan, K. Mahon, M. Duff, T. Costello, S. Fay, C O’Connor & L. Sinclair.

J. Johnston took note of the Member’s queries.

The report was **NOTED**.

### **T/193/21 H10/0421 Item ID:69833**

Proposed by Planning

New Works (No Business)

### **T/194/21 C6/0421 Item ID:69844**

Proposed by Planning

Correspondence (No Business)

### **T/195/21 M6/0421 Item ID:69909**

Proposed by Councillor T. Costello Seconded by Councillor L. Sinclair

Can Planning Enforcement outline what actions can be taken against existing shopfronts in the Tallaght Village ACA area that are not Historic in appearance or in line with ACA's.

**REPORT:**

Commencing an enforcement complaint:
To initiate a planning enforcement investigation, a completed planning enforcement complaint form is required. A planning enforcement complaint form can be downloaded from our website www.sdcc.ie. Services > Planning > Enforcement. This complaint form is required to meet the Council's legislative obligations but is also a critical part of the process, designed to safeguard the confidentiality of your personal information. It is our policy to keep the name of the complainant confidential both during the course of any enforcement proceedings and afterwards when the case is completed. However, this information may subject to the provisions of the Freedom of Information Act 1997 (as amended) and accordingly may be subject to disclosure with the identity of complainants redacted by South Dublin County Council. In exceptional circumstances, this information may be subpoenaed by a Court. Anonymous complaints cannot be considered by planning enforcement.

The complaint form can be submitted directly to the planning enforcement department via post or e-mail (planenforcement@sdublincoco.ie.). The complainant should describe in detail on the complaint form the alleged unauthorised development, or in the case of alleged non-compliance with conditions of a planning permission the complainant should identify the planning application reference number which is being breached using the Council's online mapping system available at >Services >Planning >Planning Applications >Search and View.

The mechanisms at the planning authorities disposal are set out in the Planning and Development Act 2000 (as amended). A development which is in breach of the conditions of its planning permission or failed to obtain planning permission (not exempted development) is classed as unauthorised development. When a planning authority receives a complaint in relation an alleged unauthorised development or non-compliance with planning conditions, the matter is investigated. The planning authority can decide that the complaint is frivolous or without substance. The planning authority alone has the discretion to decide this having regard to the current planning legislation/regulations.
Where a complaint is found to be valid, the planning authority may issue a warning letter, served under section 152 of the Planning and Development Act 2000 (as amended). A warning letter must issue within 6 weeks of receipt of a valid compliant. The respondent has 4 weeks to submit their response. On receipt of the submission, the planning authority will decide if further enforcement action is warranted. An enforcement notice issues under Section 154 of the Planning and Development Act 2000 (as amended). The Enforcement notice is a legal document which details the expectations of the planning authority to the landowner on how it expects the development to be rectified / regularised. Failure to comply with an enforcement notice is a criminal offence and may result in legal proceedings being initiated.

It is vital to note that unauthorised development can gain immunity (statute barred) from enforcement action over time (7 years).

A discussion followed with contributions from Cllrs. T. Costello, M. Duff, C. King, C O’Connor & K. Mahon.

E. Burke replied to the Member’s queries.

A commitment was given to follow up on the active enforcement complaints in the Architectural Conservation Area as a Headed Item at the May Tallaght Area Committee Meeting - E. Burke.

The motion was **AGREED**.

### **T/196/21 M7/0421 Item ID:70012**

Proposed by Councillor S. Fay Seconded by Councillor L. Sinclair

Area Committee commits to recognising and categorising Whitestown Stream at Jobstown as a park. (possibly as part of Whitestown Stream Linear Park) and will advocate such in upcoming Development Plan.

**REPORT:**

Whitestown Stream as it passes through Jobstown is zoned as open space in the County Development Plan. The lands are managed by public realm as open space.

Public Realm has indicated that it would not come under the current definition of a park. The categorisation of a particular area of open space as a park is not a matter for the Development Plan. There may be opportunity to address further as part of the forthcoming Parks and Open Space Strategy.

A discussion followed with contributions from Cllrs. S. Fay, K. Mahon, P. Holohan, C. King & L. Sinclair.

H. Craigie replied to the Member’s queries.

The motion was **AGREED**.

## **Transportation**

### **T/197/21 Q11/0421 Item ID:69964**

Proposed by Councillor C. O'Connor

"To ask the Chief Executive to arrange an immediate survey of all footpaths in Virginia Heights and to then include all necessary repairs in the current Footpaths programme and will he please note that some of these footpaths are in a poor and dangerous condition."

**REPLY:**

Virginia Heights is not included on the 2021 Roadworks and Footpath repair programme. The Area Engineer will be requested to inspect the estate and if necessary, include in the 2022 Programme subject to availability of finance.

### **T/198/21 Q12/0421 Item ID:69965**

Proposed by Councillor C. O'Connor

"To ask the Chief Executive to take immediate action to deal with the genuine concerns of the residents of Kingswood Village, Old Naas Road, in respect of the issue of HGV's driving through the Village and creating danger as already represented to you, will he give assurances and make a statement."

**REPLY:**

The Traffic department will conduct a Traffic assessment of the location and will present a solution to the June TMM.

### **T/199/21 H11/0421 Item ID:69835**

Proposed by Transportation

New Works (No Business)

### **T/200/21 C7/0421 Item ID:69846**

Proposed by Transportation

Correspondence (No Business)

### **T/201/21 M8/0421 Item ID:70014**

Proposed by Councillor S. Fay Seconded by L. Sinclair

This Area Committee request Chief Executive to look at the potential for increasing use at Whitestown stream Jobstown by cyclists walkers and Community Groups by targeted activity by the Community and Social Inclusion Teams.

**REPORT:**

 The council will look at the feasibility of developing a greenway along this section of the Whitestown Stream linking Jobstown to the pedestrian and cycling facilities along the N81 and beyond. There is a proposed minor greenway included in the National Transport Authority (NTA) Greater Dublin Cycle Network Plan along this stream from Jobstown Road crossing the N81 at the existing signalised pedestrian crossing into Killinarden and running all the way to Tallaght Village. The Roads Section will engage the NTA and the Public Realm Section in order to progress this scheme.

A discussion followed with contributions from Cllrs. S. Fay, L. Sinclair & K. Mahon.

M. Johnson replied to the Member’s queries.

The motion was **AGREED**.

### **T/202/21 M9/0421 Item ID:70015**

Proposed by Councillor S. Fay Seconded by Councillor L. Sinclair

Can Chief Executive update on the proposed discussion between Tallaght Councillors, SDCC and Transport for Ireland regarding Bus Connects Infrastructure projects in the Tallaght Wards.

**REPORT:**

The NTA have said that they have completed the 3rd round of non-Statutory public consultations.  The NTA have assessed the submissions and where possible have made revisions to the route designs.  The NTA propose lodging a planning application for the Core Bus Corridors with An Bord Pleanála later this year.  There will be another opportunity to make submissions in this phase of planning process.

A discussion followed with contributions from Cllrs. S. Fay, K. Mahon, M. Duff & L. Sinclair.

J. Hegarty replied to the Member’s queries.

The motion was **AGREED**.

## **Libraries & Arts**

### **T/203/21 Q13/0421 Item ID:69962**

Proposed by Councillor C. O'Connor

"To ask the Chief Executive will he now confirm plans for the opening to the public of Castletymon Library, will he detail services to be offered and also plans to promote the availability of services and will he make a statement."

**REPLY:**

"We anticipate substantial completion of the building works in 6-8 weeks following the lifting of restrictions for construction. The tender for the furniture has been awarded and we expect delivery in May. Fitout of books and other items will follow and we expect opening the library in Q3. A full range of library services will be available in the new library, including adult, young adult and children’s' services. Books, DVDs, CDs, Newspapers and Magazines will be available for borrowing along with free access to the Internet and Wi-Fi. Computer classes will be offered as well as online information, E-Books, E-Audio and other online resources. Regular story times are planned, along with STEAM activities, class visits and Babies Love Books sessions.

In terms of promotion, contacts have been made to date with the following:

* Every school in the area via email and phone. We are currently offering STEAM sessions virtually to the schools and a poetry event to secondary schools
* We are working with Rose Cottage and Tymon North Community Unit to provide ACORN tablets for older people and music sessions also
* Creative writing sessions for Tymon Park Friends are planned for May
* Contact with St. Aengus' Community Centre and Kilnamanagh Family Recreation Centre
* Series of Toys, Technology and Training events for Parents and children with additional needs, promoted initially through the local schools
* First Five Little Library bag to be distributed to Early Learning Centres in May
* Early Years music generation sessions planned for June, along with recycling workshops for children

Closer to the opening there will be planned media articles for the local press and social media platforms".

### **T/204/21 H12/0421 Item ID:69823**

Proposed by Libraries & Arts

Application for Arts Grants (No Business)

**REPLY:**

There are no Arts grants for this meeting.

### **T/205/21 H13/0421 Item ID:69825**

Proposed by Libraries & Arts

Library News & Events

[H-I (13) (i) Library Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=70029)
[H-I(13) (ii) Online Programme of Events](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=70030)

Laura Joyce made a presentation.

A discussion followed with contributions from Cllrs. M. Duff.

L. Joyce replied to the Member’s queries.

The report was **NOTED**.

### **T/206/21 H14/0421 Item ID:69831**

Proposed by Libraries & Arts

NEW WORKS (No Business)

### **T/207/21 C8/0421 Item ID:69842**

Proposed by Libraries & Arts

Correspondence (No Business)

### **T/208/21 M10/0421 Item ID:69963**

Proposed by Councillor C. O'Connor Seconded by Councillor L. Sinclair

That this Tallaght Area Committee calls on the Chief Executive to revisit the decision to provide a new library building in Rathcoole to cater for the Citywest area, and in considering the matter will the Chief Executive appreciate the strong view of the community in Citywest that the proposed library should be located locally where there is a clear need for facilities and will he make a decision for discussion.

**REPORT:**

 "As was updated at the March ACM, there was a report brought to the July 2019 County Council meeting on library provision in the West of the County. The report recommended Rathcoole Village as a location for the extension of library services to the West of the County. The report was agreed by the Members and it is currently being developed in conjunction with a proposed larger development plan on Council owned lands at Rathcoole".

A discussion followed with contributions from Cllrs. C. O’Connor, S. Fay, C. King and M. Duff.

L. Joyce replied to the Member’s queries.

The motion was **AGREED**.

## **Economic Development**

### **T/209/21 H15/0421 Item ID:69828**

Proposed by Economic Development

New Works (No Business)

### **T/210/21 C9/0421 Item ID:69840**

Proposed by Economic Development

Correspondence (No Business)

## **Performance & Change Management**

### **T/211/21 H16/0421 Item ID:69832**

Proposed by Performance & Change Management

New Works (No Business)

### **T/212/21 C10/0421 Item ID:69843**

Proposed by Performance & Change Management

Correspondence (No Business)

## **Corporate Support**

### **T/213/21 H17/0421 Item ID:69827**

Proposed by Corporate Support

New Works (No Business)

### **T/214/21 C11/0421 Item ID:69839**

Proposed by Corporate Support

Correspondence (No Business)

### **T/215/21 M11/0421 Item ID:69970**

Proposed by Councillor C. O'Connor Seconded by Councillor L. Sinclair

"To ask the Chief Executive to contact the Department of Housing, Local Government and Heritage expressing the serious concern of members that difficulties with legislation has caused the delay in holding the plebiscite to change Brookmount Tallaght, to Brookmount Drive, Tallaght as requested by the residents who are upset at the situation and will he note the urgency of the situation."

**REPORT**

If the motion is agreed, a letter will be issued to the Minister for his attention and when a reply is received, the Committee will be notified accordingly.

A discussion followed with contributions from Cllrs. C O’Connor and T. Costello.

C. Hurson replied to the Member’s queries.

The motion was **AGREED**.

### **T/216/21 M12/0421 Item ID:69972**

Proposed by Councillor C. O'Connor Seconded Councillor L. Sinclair

That this Tallaght Area Committee calls on the Chief Executive to contact Garda Commissioner Drew Harris regarding the concerns of the community in City West in respect of the policing arrangements for the area which clearly needs its own Garda station, and which is currently serviced from Clondalkin and Tallaght Garda stations, will he ask if this is good use of Garda resources and will he seek assurances.

**REPORT:**

If the motion is agreed, a letter will be issued to the Garda Commissioner for his attention and when a reply is received, the Committee will be notified accordingly.

The motion was **AGREED**.

**The meeting concluded at 18.00.**