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

Minutes of South Dublin County Council April 2022 County Council Meeting held on Monday 11 April 2022

### **PRESENT**

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

### **OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin.  |
| Directors/ Heads of FunctionHead of FinanceHead of I.T. | L. Maxwell, J. Frehill, M. Mulhern, C. Ward, T. Walsh R. FitzGerald.T. Kavanagh. |
| Senior Executive OfficersSenior Engineer | C. Hurson, S. Conroy, J. Moroney-WardM. McAdam, G. Walsh |
| Administrative Officers | M. Reilly, N. Noonan |
| Senior Staff OfficerAssistant Staff OfficerClerical OfficerSord | L. AbbeyA. Hagan.D. Murphy.A. O’Brien. |

The Mayor, Councillor P. Kavanagh, presided.

Apologies were received from Councillors C. King and E. Ó Broin

The Mayor, Councillor P. Kavanagh, welcomed everyone to the first webcast of a South Dublin Council Meeting and informed the Members of the etiquette for Remote and Hybrid Meetings:

Members attending remotely must check that they can access the “Chat Function” before commencing the meeting

Members can indicate they wish to speak on an item through the chat function – using “Speak please”

Members must be able to be seen, specifically for roll call, when speaking and voting.

Mics to be on mute until invited to speak through the Chair.

Members attending in person can indicate they wish to speak by signalling to the Mayor.

**WEBCASTING NOTICE**

This meeting may be filmed for live or subsequent broadcast via the Councils website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is subject to the Freedom of Information Act 2014, the Data Protection Act 1988, General Data Protection Regulations (EU) 2016/679 and the Defamation Act 2009. Data collected during this webcast will be retained in accordance with the legislation.

Therefore, by entering the Council Chamber and using the seats around the meeting tables, public gallery etc. you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting.

At the outset of the meeting the Mayor, Councillor P. Kavanagh proposed and the Members’ **AGREED** to **vary the sequence of items on the agenda in order to take Headed Item no. 3 (H3) next**

### **H3a/0422 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

**Draft Calendar of Meeting Dates**

**April 2022**

**\*\*Please Note:- It is intended that the April and May Council Meetings will be hybrid from the Council Chamber and will be webcast.**

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| --- | --- | --- | --- |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. |  |  |  |  |
| Tue. |  |  |  |  |
| Wed. |  |  |  |  |
| Thur. |  |  |  |  |
| Fri. | 1st April |  |  |  |
|  |
| **Date** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 4th April | **CPG Meeting** | 3:00pm |  |
| Tue. | 5th April |  |  |  |
| Wed. | 6th April | **Local Traveller Accommodation Consultative Committee (LTACC)** | 3:00pm |  |
| Thur. | 7th April |  |  |  |
| Fri | 8th April |  |  |  |

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| **Date** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 11th April | **Council Meeting** | 3:30pm - 7:00pm | 28/03/2022 |
| Tue. | 12th April | **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 | 29/03/2022 |
| Wed. | 13th April |  |  |  |
| Thur. | 14th April | **Women’s Caucus** | 5.30pm |  |
| Fri | 15th April | **Good Friday** |  |  |

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| **Date** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 18th April | **Bank Holiday** |  |  |
| Tue. | 19th April |  |  |  |
| Wed. | 20th April | **Clondalkin Area Committee***Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 04/04/2022 |
| Thur. | 21st April |  |  |  |
| Fri | 22nd April | **JPC** | 10:00am |  |

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| **Date** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 25th April | **Tallaght Area Committee***Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 07/04/2022 |
| Tue. | 26th April | **Lucan-Palmerstown-North Clondalkin** *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 08/04/2022 |
| Wed. | 27th April | **Deputations** | 3:00pm |  |
| Thur. | 28th April |  |  |  |
| Fri | 29th April |  |  |  |

**May 2022**

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| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 2nd May | **Bank Holiday** |  |  |
| Tue. | 3rd May | **CPG Meeting** **Environment, Water, Climate Change & Biodiversity SPC** | 3:00pm5.30pm - 7.00pm | 28/03/2022 |
| Wed. | 4th May | **Arts, Culture, Gaeilge, Heritage & Libraries SPC** | 5.30pm - 7.00pm | 29/03/2022 |
| Thur. | 5th May |  |  |  |
| Fri. | 6th May |  |  |  |
|  |
| **Date** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 9th May | **Council Meeting** | 3:30pm - 7:00pm | 22/04/2022 |
| Tue. | 10th May | **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 | 25/04/2022 |
| Wed. | 11th May | **Economic Enterprise & Tourism Development SPC** | 5.30pm - 7.00pm | 05/04/2022 |
| Thur. | 12th May | **Housing SPC**  | 5.30pm - 7.00pm | 06/04/2022 |
| Fri | 13th May |  |  |  |

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| **Date** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 16th May |  |  |  |
| Tue. | 17th May | ***Social, Community & Equality SPC*** | 3.00pm - 4.30pm | 12/04/2022 |
| Wed. | 18th May | **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 | 04/05/2022 |
| Thur. | 19th May | **Traffic Management Meeting****(Rathfarnham – Templeogue – Firhouse – Bohernabreena)****Traffic Management Meeting****(Clondalkin)****OP&F**  | 2:00pm – 2:45pm2:45pm – 3:30pm3:30pm – 6:00pm | 05/05/2022 |
| Fri | 20th May |  |  |  |

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| **Date** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 23rd May | **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 – 3:00pm3.00pm - 6.00pm | 09/05/2022 |
| Tue. | 24th May | **Traffic Management Meeting****(Lucan-Palmerstown-North Clondalkin)****Lucan-Palmerstown-North Clondalkin** *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 2:15pm – 3:00pm3.00pm - 6.00pm | 10/05/2022 |
| Wed. | 25th May | **Deputations** | 3:00pm |  |
| Thur. | 26th May | **Land Use, Planning & Transportation SPC** | 5.30pm - 7.00pm | 22/04/2022 |
| Fri | 27th May |  |  |  |

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

### **H3b/0422 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

**REPLY:**

**The following report went to the March 2022 OP&F meeting.**

“[**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.

**Training Notified Since January 2022**

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| --- | --- | --- | --- |
| **Name**  | **Organisation**  | **Location**  | **Date**  |
| AILG Annual Conference  | AILG  | Inisowen Gateway Hotel Buncrana, Inishowen, Co. Donegal  | 23rd – 24th March 2022  |
| IPI Annual Planning Conference 2022  | Irish Planning Institute  | Kilkenny Ormonde Hotel, Co. Kilkenny  | 7th – 8th April 2022  |
| LAMA Spring Training Seminar | LAMA | Hotel Kilkenny, Co. Kilkenny | 11th – 12th April 2022 |

  **Training Attended Since January 2022**

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| --- | --- | --- | --- | --- |
| **Name**  | **Organisation**  | **Location** | **Date** | **Councillors in Attendance** |
| AILG Module 1 - Elected Members Personal Safety and Risk Assessment  | AILG  | Mullingar Park Hotel, Co. Westmeath  | 17th February 2022 | Cllr. Deirdre O'DonovanCllr. Guss O'Connell |
| AILG Module 1 - Elected Members Personal Safety and Risk Assessment  | AILG  | Silver Springs Hotel Clayton, Co. Cork  | 19th February 2022  | Cllr. Brian Lawlor Cllr. Shirley O’ Hara Cllr. Kenneth Egan Cllr. Baby Pereppadan Cllr. David McManus Cllr. Ronan McMahon |

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

**Conferences Notified**

None

**Conferences Attended Since January 2022**

None

**Requirements on members in relation to attendance at conferences**
(1) Having been authorised to attend an event under section 142, a councillor is required in all circumstances to –

1. a) attend that event and participate in the proceedings to the greatest extent possible, and
2. b) submit a written report within 15 days to the Cathaoirleach, who shall submit the report to the next ordinary meeting of the council. The report must indicate the nature of the meeting and contain a summary of the proceedings. This report shall be made available free of charge on request to any member of the public; for this purpose it may be put on the local authority’s website. The requirements in relation to reports by attendees and making the report available to the public are in large part new requirements under section 142(5)(f) (as amended) and section 142(5)(fa).

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.”

**This is now before full Council for final approval.**

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

### **H3c/0422 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

[H3 (c) Standing Orders Review](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74750)

Standing Orders Review was **APPROVED** on the proposition of Councillor P. Kavanagh and seconded by Councillor F. Timmons.

Councillor C. Bailey requested a copy of the Standing Orders and Ms. L. Maxwell, Director of Corporate Services and Change Management agreed to circulate Standing Orders to all Councillors

### **H1/0422 CONFIRMATION AND REAFFIRMATION OF MINUTES - FOR APPROVAL**

(a) Minutes of the County Development Plan Meeting Minutes on 1st March 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor L. Donaghy.

[(a) Dev Plan - 1st March](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74777)

(b) Minutes of the Adjourned County Development Plan Minutes on 3rd March 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor L. Donaghy.

[(b) Dev Plan - 3rd March](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74778)

(c) Minutes of the Adjourned County Development Plan Minutes on7th March 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor L. Donaghy.

[(c) Dev Plan - 7th March](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74779)

(d) Minutes of the Adjourned County Development Plan Minutes on9th March 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor L. Donaghy.

[(d) Dev Plan - 9th March](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74780)

(e) Minutes of the March Council Minutes on 14th March 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Kavanagh seconded by Councillor L. Donaghy.

[(e) March Council Minutes 14th March 2022](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74730)

### **H2/0422 REPORTS OF AREA COMMITTEES - FOR NOTING**

### **a) Rathfarnham/Templeogue/Firhouse/Bohernabreena Area Committee**

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

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

**b) Clondalkin Area Committee**

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

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

**c) Tallaght Area Committee**

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

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

**d)** **Lucan/Palmerstown/North Clondalkin Area Committee**

*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.

### **H4/0422 STRATEGIC POLICY COMMITTEES - FOR NOTING**

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

### **H5/0422 REPORTS REQUESTED BY AREA COMMITTEES - FOR NOTING**

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

It was proposed by Councillor P. Kavanagh, seconded by Councillor R. McMahon and **RESOLVED**:

“That pursuant to Standing Order No. 22 (f), Questions numbered Q1 – Q25 be **ADOPTED** and **APPROVED.”**

### **Q1/0422 QUESTION Councillor T. Costello**

To ask the Chief Executive how many units have been allocated/secured to assist Ukrainian Refugees seeking accommodation within SDCC - broken down by own door / shared accommodation

**REPLY:**

As part of the EU-wide humanitarian response for people fleeing the war in Ukraine and seeking protection in Ireland, the Government is providing accommodation through the International Protection Accommodation Service (IPAS).

A webpage on the whole-of-Government response to the situation in Ukraine is available at [www.gov.ie/ukraine](https://eur04.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.gov.ie%2Fukraine&amp;data=04%7C01%7Cadriennemoloney%40SDUBLINCOCO.ie%7C50c649cf784f414d246f08da0ce1fe4b%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C637836462012726030%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&amp;sdata=atbhAwv1l8IBvxAK8AZcwgCZBAonV9E3VT6iguaGgT8%3D&amp;reserved=0).

### **Q2/0422 QUESTION: Councillor T. Costello**

To ask the Chief Executive how long is the current process time for Social Housing Support applications (based on all necessary information and documentation being submitted)

**REPLY:**

The period for assessing social housing applications has unfortunately risen from approximately 10 weeks at the end of 2021 to in excess of 12 weeks recently.  There are ongoing impacts on resources due to repeated follow-ups with prospective applicants in relation to incomplete applications and missing documentation which are resulting in delays processing applications.  These impacts will be addressed with the introduction in the coming weeks of an online only social housing application process for the majority of housing applicants that will require online submission of all required supporting documentation for a valid application to be made.

### **Q3/0422 QUESTION:** **Councillor T. Costello**

To ask the Chief Executive how many housing support applications were received in the past 12 months

**REPLY:**

1,781 completed social housing applications were received in the twelve months to the end of February 2022.

### **Q4/0422 QUESTION: Councillor T. Costello**

To ask the Chief Executive of the housing support applications that were received in the past 12 months how many were submitted without relevant supporting documentation or incompletely filled out

**REPLY:**

Incomplete social housing applications received are not formally recorded until they are submitted complete with all required supporting documentation.  However, there are ongoing impacts on staff resources processing social housing applications due to repeated follow-ups with prospective applicants in relation to incomplete applications and missing documentation which are resulting in delays processing applications and staff report that the majority of applications received are incomplete in some way when initially received.  These impacts will be addressed with the introduction in the coming weeks of an online only social housing application process for the majority of housing applicants that will require online submission of all required supporting documentation for a valid application to be made.

### **Q5/0422 QUESTION: Councillor L. Donaghy**

Can the Chief Executive provide me with the overall number of road traffic accident deaths within the Local Authority boundary in each of the last five most recent years for which final or preliminary figures are available?

**REPLY:**

This information is not currently available within South Dublin County Council.

The Road Safety Authority (RSA) compile the data and a request has been issued to the RSA.

The detail will be circulated once received.

### **Q6/0422 QUESTION: Councillor L. Donaghy**

Can the Chief Executive provide me with the number of road traffic accident cyclist deaths within the Local Authority boundary in each of the last five most recent years for which final or preliminary figures are available?

**REPLY:**

This information is not currently available within South Dublin County Council.

The Road Safety Authority (RSA) compile the data and a request has been issued to the RSA.

The detail will be circulated once received.

### **Q7/0422 QUESTION: Councillor L. Donaghy**

Can the Chief Executive provide me with the number of road traffic accident pedestrian deaths within the Local Authority boundary in each of the last five most recent years for which final or preliminary figures are available?

**REPLY:**

This information is not currently available within South Dublin County Council.

The Road Safety Authority (RSA) compile the data and a request has been issued to the RSA.

The detail will be circulated once received.

### **Q8/0422 QUESTION: Councillor L. Dunne**

To ask the Chief Executive how many private rental inspections have been carried out in the 1st quarter of 2022 and how many of those inspections were found to have breached minimum standards?

**REPLY:**

Inspections of private rented properties are primarily carried out on the Council's behalf by external contractors on a planned inspection programme covering properties with Housing Assistance Payment (HAP), Rental Accommodation Scheme (RAS) and Approved Housing Bodies (AHB) tenancies.  In addition, Environmental Heath Officers (EHOs) inspect properties where complaints are reported to the Council.

Where properties fail any of the nine regulatory minimum standard items, the landlord will be notified of non-compliance and requested to resolve the issues identified with follow-up inspections arranged as necessary.  Several follow-up inspections may be carried out on the property depending on the nature of the non-compliance before a final inspection is undertaken.

Generally, the principal reasons for non-compliance with the minimum standards relate to easily rectifiable and/or relatively minor issues including window restrictors not being in place, absence of fire blankets, boiler servicing not up to date, the presence of mould, extractor fans not working etc.  Any major contraventions of the standards are referred to EHOs for final inspection and they will proceed to issue of a prosecution notice if the required works are not completed within a set timeframe.

The year-to-date figures for inspections carried out and non-compliance as at 30th March 2022 were as follows:

|  |  |  |
| --- | --- | --- |
|   | **No. Inspections** | **No. Non-Compliant** |
| Planned First Inspections | 549 | 532 |
| Complaint-Related First inspections | 43 | 39 |
| Follow-up Inspections | 293 | 261 |
| Final Inspections | 27 | 2 |

### **Q9/0422 QUESTION: Councillor M. Johansson**

To ask the Chief Executive to produce a report on the number of construction sites and the number of workers employed week-by-week in the county currently contracted by SDCC.

**REPLY:**

According to the contracts database there are 12 building contracts live currently.  These are predominately for the construction of social housing developments.

SDCC does not hold records of the number of workers employed week-by-week in the county currently contracted by SDCC.

### **Q10/0422 QUESTION: Councillor M. Johansson**

To ask the Chief Executive if any inspections by SDCC have taken place to ensure adherence to employment laws following on the passing of Motion 2 (Item ID: 73452) in January 2022, or if no inspections have taken place to report on actions taken to implement the motion?

**REPLY:**

Rather than requesting the Council to carry out inspections, the motion referred to sought to have the Council enter into an agreement with a Trade Union regarding a system of employment compliant inspections on all construction sites where SDCC have contracted out works. The Council were advised that this motion was not implementable as it was asking the executive to operate outside of our remit as the main contractor in public works contracts. The motion was subsequently amended at the January Council meeting to include “*this Council will write to the Workplace Relations Commission, the Department of Employment Affairs and Social Protection and the Revenue Commissioners asking them to police the issue of bogus self-employment on Local Authority projects".*

Correspondence was duly issued to the Department of Employment Affairs and Social Protection and the Revenue Commissioners as agreed. To date a reply has been received from the Revenue Commissioners which has been circulated to all members.

### **Q11/0422 QUESTION: Councillor K. Mahon**

To ask the Chief Executive can he comment on what impact inflation and rising costs of material will have on the provision of affordable homes at Killinarden, Kilcarbery , the Belgard Square site and any other proposed affordable housing initiatives on council owned land

**REPLY:**

While there is significant concern about the potential cost impacts on the projects cited in the question due to inflation, supply chain, labour availability and other issues, these will only be fully determined at upcoming tender and other key project milestones.  These impacts and potential mitigation measures will be considered in consultation with the Elected Members as well as the Department of Housing, Local Government and Heritage and other relevant stakeholders.

### **Q12/0422 QUESTION: Councillor K. Mahon**

To ask the Chief Executive if the Council has requested additional funding from central government due to rising costs of material provision to assist in the provision of affordable homes, if so what is the status of any such request?

**REPLY:**

Applications by the Council to the Department of Housing, Local Government and Heritage for support for the delivery of affordable homes are made on a project-by-project basis under the DHLGH Affordable Housing Fund.  Applications will be made for support under this fund for the affordable housing projects at Clonburris, Belgard Square North and Clonburris in particular when there are formal projected development cost updates by way of tender or other key project milestones.   In addition, the Council, both directly and through the local government sector's Housing Delivery Coordination Office, continues to engage with DHLGH on all housing delivery challenges including recent and potential future cost impacts due to inflation, supply chain, staff availability and other issues.

### **Q13/0422 QUESTION: Councillor K. Mahon**

To ask the Chief Executive to comment on the proposed impact of the Government's approach to rate supports during the Covid pandemic and any subsequent tapering off of state supports? Does he see a similar level of expenditure as 2022 being available through rates for the 2023 Budget?

**REPLY:**

In August 2020, the Government announced a six-month waiver of Commercial Rates in Circular Fin 11/2020. The waiver applied to large categories of businesses impacted by the Covid-19 pandemic. A small number of categories such as Global Utility Networks, Data Centres, Large Supermarkets and Public Sector were excluded from this scheme. The scheme was extended in October 2020, for an additional 3-month period, to the end of December 2020. This 9-month waiver scheme provided support to South Dublin County Council’s Commercial Rates customers to the value of €59.2m and was applied to 6,740 accounts.

In January 2021, a new waiver scheme was announced to continue to support businesses most impacted by the Covid-19 restrictions. This was a more focused scheme and therefore, modified eligibility criteria to qualify for the scheme applied. Businesses in the eligible categories, such as hospitality, leisure, retail, personal care, and childcare had the waiver applied to their accounts. This scheme covered quarter 1 – quarter 3 2021 or 75% of the annual rates.

In October 2021, a more targeted waiver scheme was announced for quarter 4 of 2021 for 25% of the annual rates. With the lifting of restrictions, the quarter 4 waiver was targeted at businesses that remained most impacted by the Covid-19 pandemic. Eligible categories included hospitality, leisure, entertainment, tourism, and airports.

The 2021 waiver schemes provided financial support to SDCC’s Commercial Rates customers to the value of €27.8m across 2,321 accounts.

The quarter 4 2021 waiver scheme was extended for quarter 1 of 2022. In 2022 to date, credits to the value of €2.9m have been applied to 470 accounts. There is no indication that the rates waiver scheme will be extended beyond quarter 1 of 2022.

The 2023 Annual Budget process won’t begin for several months, but the process will include a full evaluation of all incomes and expenditures for the forthcoming year.

### **Q14/0422 QUESTION: Councillor D. Ó Brádaigh**

To ask the Chief Executive to confirm that the dedicated email for queries in relation to door and window inspections windowsanddoors@sdublincoco.ie is now operational as emails have returned 'undeliverable', if operational, how many queries have been received and to confirm if this channel can be used to request confirmation of both inspections, decision outcomes and approximate individual scheduling of work approvals.

**REPLY:**

Tenants with maintenance queries in respect of their windows and doors are encouraged to use the online portal of the integrated housing system at [https://hol.sdublincoco.ie](https://hol.sdublincoco.ie/) to log any maintenance requests while representations on behalf of tenants in relation to such matters should be submitted through the membersnet system.

The email address **windowsanddoors@sdublincoco.ie** was particularly intended for internal communications and follow-up engagement with tenants relating to specific works/completion dates and should not replace the agreed corporate communications protocols for elected representatives or customers.

### **Q15/0422 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive to present an update on the Travellers Accommodation Programme.

**REPLY:**

The Traveller Accommodation Programme (TAP) 2019-2024 was adopted by the Elected Members in July 2019. The Department of Housing, Local Government and Heritage are currently preparing guidelines which will issue shortly in relation to the mid-term review of progress under the current TAP. Once the midterm review is completed, the Council will present a report to the elected members. Any amendments to the proposed accommodation programme must then be made within seven months.

Four sites were prioritised to be progressed in the current TAP for construction/redevelopment works to provide long-term, sustainable Traveller Accommodation in the County:

**Fonthill Road**: Proposals for the construction of this new Traveller- specific innovative development will comprise of seven new ‘A’ rated energy efficient homes: five four-bedroom and two three-bedroom two storey houses The Part 8 planning application will be published shortly and will go to public consultation. The proposals will be available for inspection at County Hall, Tallaght, and Civic Offices, Clondalkin or online on the Council’s Consultation Portal.

**Adamstown –**Planning approval in Adamstown for the delivery of six units of accommodation (four-bedroom homes) has been granted under a Part V agreement with the developer. It is expected that these units will be available for allocation in 2022.

**Owendoher Haven** – The Council held ten individual consultation meetings with residents between 16th and 23rd March 2022 regarding the redevelopment of the site. The revised designed plans for two storey homes based on the consultation process with CENA has been widely welcomed and a follow up group meeting with their representatives is to be scheduled for April.

**Oldcastle Park -** With the agreement of the Local Traveller Accommodation Consultative Committee, the Council has completed a Traveller led consultation process through CENA (Culturally Appropriate Homes Limited), a Traveller-led Voluntary Accommodation Association, to bring forward proposals for the redevelopment of Oldcastle Park. Preliminary drawings for the location of new Traveller specific and social housing units have recently been completed by our Architectural Services Department. The Council has now recommenced engagement with the residents regarding the type and design of their new homes. It is expected that the final design plans for the redevelopment towards a Part 8 Public Consultation process will be progressed in 2022.

In addition, the TAP cited the potential for casual vacancies in both Traveller specific accommodation and standard social housing as key part of meeting the housing needs of Traveller households.  To date under the current TAP, 18 Traveller households have been allocated casual vacancies in Traveller specific accommodation. In addition, several Traveller households have separately been allocated standard social housing from private rented or other accommodation along with 27 Traveller households having transferred to standard social housing from Traveller specific accommodation sites.

Two specially adapted medical chalets are also currently under construction to meet the accommodation needs of households in existing Traveller accommodation developments and fifteen households have also been approved for new mobile homes under the Council's pilot carvan/mobile home loan scheme.

### **Q16/0422 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive if he can report any progress over the last 6 months on dealing with the Boarded up Council houses issues;will he give details for each Electoral Area and will he make a statement?

**REPLY:**

The Housing Maintenance and Refurbishment Section undertake relet works on vacant housing stock throughout the County to ensure stock is brought back into productive use for letting.  The average re-let time for all Council properties re-allocated in 2022 currently stands at 27 weeks.  In the six months from October 2021 to March 2022, 70 Council properties were re-allocated with an average re-let time of approximately 30 weeks.  Our housing allocations, maintenance and estate management teams are intensively managing all aspects of the re-let process, including the surrender process, procurement and management of contractors and their work schedules, the allocation of properties to tenants and the use of the new integrated housing system, to increase efficiencies and to improve our average re-let time.

There are currently 116 vacant housing stock units representing just over 1% of our overall housing stock and shown by status and electoral area as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Electoral Area** | **Procurement** | **Works In Progress** | **Allocation** | **Totals** |
| Clondalkin | 3 | 5 | 4 | 12 |
| Firhouse-Bohernabreena | 0 | 0 | 2 | 2 |
| Lucan | 1 | 2 | 1 | 4 |
| Palmerstown Fonthill | 9 | 17 | 10 | 36 |
| Rathfarnham Templeogue | 1 | 1 | 6 | 8 |
| Tallaght Central | 4 | 1 | 6 | 11 |
| Tallaght South | 14 | 12 | 17 | 43 |
| **Totals** | **32** | **38** | **46** | **116** |

As can be seen above, allocations processes have commenced for a considerable number of the currently vacant properties.  However, with continuing housing delivery through new developments and Part V, the Elected members should note that it is increasingly challenging in comparison to re-allocate vacant existing Council properties in several areas whether through choice-based letting, transfers or providing for priority housing needs.

### **Q17/0422 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive to present details of proposed completion dates for all Council Housing Projects in the County and will he make a statement?

**REPLY:**

Progress on development of the Council’s large sites is as follows:

* **Kilcarbery:** Works progressing well on site with initial social, affordable purchase and cost rental (through Túath Housing) homes scheduled for delivery in Q2 2022.  The developer will commence initial ground works on phase 2 of the development this summer.
* **Killinarden:** Stage 2 of SHD process complete with ABP.  JV partner to proceed to lodging Stage 3 of SHD planning application by end of June 2022.
* **Clonburris:**Canal Extension (118 homes) Part 8 advertised 31/3/22 with deadline for submissions on 17/5/22 while the Kishogue South-West Part 8 will go on display in late April 2022 with reports on both to the July Council meeting.  A design team is also being procured is manage design of subsequent phases.
* **Belgard North (Affordable Rental) –** Second phase of tender process to commence in May 2022.  We intend to present an overview of operational considerations to Elected members at the May Council meeting.
* **Rathcoole:** Proposed changes to the zoning of site during the County Development Plan process will require a redesign to be undertaken in the coming weeks which will focus on a development primarily comprising social housing and Traveller accommodation.

There are also currently 16 social housing construction projects in the Council's build pipeline (including four Council supported AHB schemes for priority needs accommodation) with projected delivery of 478 new homes from 2022 onwards as follows:

|  |  |  |
| --- | --- | --- |
| Project | No. | Update |
| Fernwood/Maplewood\*AF | 40 | Due for practical completion in Q2 but there are on-site delays that are being taken up with Clúid and the contractor. |
| Riversdale, Clondalkin | 43 | Phase 1 of 25 homes on site & due for practical completion by June 2022.  Contractor appointed for invasive species removal works for phase 2. |
| Watercourse Grove, Homeville | 16 | Contractor issues are delaying progress - revised completion date to be confirmed. |
| St. Catherine’s Way, Knockmore | 12 | On site and due for practical completion in Oct 2022. |
| Templeogue Village\*AF | 10 | On site & due for practical completion in Q1 2023. |
| Whitestown Way\*AF | 81 | On site & due for practical completion in Q1 2023. |
| Old Nangor Road | 10 | Details of updated contractor programme awaited from Dublin Simon following re-tender. |
| Balgaddy | 69 | Tender issued with closing date in April 2022. |
| St. Mark Ave\* inc. 9 AF homes | 38 | On site & due for practical completion in Q4 2022. |
| Eircom Site/Nangor Road | 93 | Site works commenced in March 2022 with projected practical completion by September 2023. |
| Old Bawn (Brady’s Field)\*AF | 12 | Tenders being assessed to prepare Stage 4 DHLGH funding report and to appoint contractor. |
| Lucan Road, Palmerstown\*AF | 4 | Tender process underway with Túath Housing advising likely completion date in 2023. |
| Grand Canal Lindisfarne | 19 | Tenders being assessed to prepare Stage 4 DHLGH funding report and to appoint contractor. |
| St. Aongus' Green | 12 | Design team being procured to progress detailed design and tenders. |
| St. Ronans Crescent | 9 | Design team being procured to progress detailed design and tenders. |
| Pearse Brothers Park | 10 | Design team being procured to progress detailed design and tenders. |

In addition, preliminary initial design work is progressing on a number of additional sites proposed in the Council's draft Housing Delivery Action Plan 2022-2026, namely Alpine Heights, Deansrath/Melrose, Castlefield, Kilcarbery 2 and Oldcastle Park, with a view to presenting proposals to local Area Committees later this year.

### **Q18/0422 QUESTION:**  **Councillor C. O'Connor**

To ask the Chief Executive what actions he is taking to promote the Local Authority Home Loan Scheme and will he make a statement?

**REPLY:**

The new Local Authority Home Loans scheme (LAHL) for the purchase of new or second-hand residential properties and for self-builds was launched on 4th January 2022.  Details of how to apply for this new loan were announced in a press release and associated social media updates including full information being provided on [www.sdcc.ie](http://www.sdcc.ie).  Information was also provided in the January Chief Executive's Report.

In addition, we will continue to promote and advertise the scheme on social media and publications including South Dublin County Today, the citizens' newsletter, which will be circulated to all homes in the County.

65 applications have been received to date since the scheme was launched in January 2022.

### **Q19/0422 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive to confirm actions being taken in respect of the Litter Management Programme; will he appreciate the concern of many in respect of this ongoing challenge and will he make a statement?

**REPLY:**

The South Dublin County Council Litter Management Plan 2020-2022 proposes to address the negative impacts of litter on our county, improve the quality of life and sense of wellbeing of our residents, and enhance our commercial and tourism potential through effective and efficient enforcement of legislation and regulation, management and maintenance of our public realm and communication, education, and awareness. The Litter Management Plan includes annual action plans. Progress on the annual action plans is reported twice yearly to each Area Committee. A full report was presented to members at the February Area Committee Meetings.

Initiatives ongoing include but are not limited to the following:

* Planned / Scheduled public realm works including scheduled and reactive clean-ups
* Village cleansing
* Road sweeping
* Litter Bin provision and replacement
* Anti-Dumping Grant applications to DCCAE via WERLA
* Education and awareness programmes
* Dog Foul campaigns - cinema and radio advertisements / dog foul bags / green dog walker promo
* Social Credits Scheme - Landscaping projects / community clean-ups supports / Small Paint Schemes
* Dublin Canvas
* Graffiti removal
* Litter Warden Patrols - Fixed Penalty Notices
* Use of CCTV and other technologies

Improvements have been achieved which have been reflected in IBAL and Tidy Towns reports, and once again the Council is very appreciative of the community and voluntary efforts that are made alongside the Council’s work to bring about these positive changes.

All incidents of 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. 392 Litter Fines were issued in 2021; 78 fines have been issued up to the end of February 2022.

To date in 2022 12 cases have been heard in Court; 5 of which were successful. Currently, there are an additional 30 cases awaiting hearing.

As part of the Council's commitment to deliver on the objectives of the Corporate Plan and Litter Management Plan, there is an increased targeted focus on known litter generator areas; a number of structured routes have been identified for continuous patrol, as well as ad hoc patrols and investigations as required.

As always, the Council is grateful for assistance and support from local residents or others in their investigations of such incidents as they arise. In the absence of substantive evidence / witness statements and the presence of such witnesses in court it is not possible for us to bring successful prosecutions.

### **Q20/0422 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive to present his review of last years Halloween Bonfire Season confirming costs involved and if the review has informed his plans for the 2022 Season.

**REPLY:**

The clean up of bonfire sites was completed in November 2021, landscape reinstatement at sites where required has taken place in some locations where ground conditions have improved however these repairs are still outstanding in some locations where the ground remains soft.  It is expected that these sites will be addressed later in April.  The cost information given previously and copied below does not include the final reinstatement costs which are not known as yet, however these are not expected to increase the total costs in a major way.  The measures to be taken in 2022 will be very similar to those taken in recent years, with one addition being the provision of a sum of €20,000 to hold a fireworks display for the benefit of the community this Halloween**.**

A total of 180 bonfire sites were recorded around the County in 2021 and this is a substantial reduction from the 280 sites recorded in 2020.  There are a number of factors to which the reduction can be attributed and these include the vigilance and efforts taken by local residents to prevent bonfires in their areas.  The Council held meetings with Kilnamanagh Neighbourhood Watch as well as residents from Aylesbury and Tymon North this year in advance of Halloween to coordinate the efforts of the residents, the Council, and the Gardai in identifying and removing material stockpiles and minimising the impact of bonfires on those areas.  A meeting was also held with Clondalkin area elected members on the same matter.  The pre-Halloween collections of the Council show an increase from 2020 in materials intercepted before Halloween with Council crews out collecting material on 13 of the 14 days prior to Halloween. It is also quite likely that the weather helped to reduce the number of bonfires held this year also.

The tonnage collected before Halloween in 2020 was 237 tonnes however this increased to 332 tonnes in 2021.  Public Realm crews collected 70 tonnes of bonfire material on Halloween weekend itself in 2021 and 33 tonnes of material on the bank holiday weekend prior to Halloween. The tonnage removed from bonfire sites after Halloween has reduced which is consistent with the number of fires held, this figure was 355 tonnes in 2020 and this has decreased to 276 in 2021.  The overall tonnage has increased slightly from 592 tonnes in 2020 to 608 tonnes in 2021.  The overall cost shows a slight increase also however the final figure is estimated at present.

A comparison of statistics for 2020 and 2021 is set out below.

|  |  |  |
| --- | --- | --- |
|   |  2021 | 2020  |
|  Number of bonfires |  180 | 280  |
|  Tonnage collected before Halloween |  332 |  237 |
|  Tonnage collected after Halloween |  276 |  355 |
|  Total tonnage collected |  608 |  592 |
|  Total costs |  €155,000 (estimated) |  €150,000 |

### **Q21/0422 QUESTION: Councillor F. Timmons**

To ask the Chief Executive to explain the reason for the council charging €300 for a memorial tree and planting and to ask how that this is broken down and to include how the applications are assessed and what the criteria is ?

**REPLY:**

South Dublin County Council permits memorial trees within its parks in areas under the control and/or maintenance of the Council, subject to the availability of suitable locations and in line with the policy on Infrastructure Naming, provision of Memorials & Plaques. The location of the tree shall be at the discretion of South Dublin County Council.

The Council will be responsible for the selection of tree species, planting and maintenance works required. In the case of a tree, no plaques/memorial plates or other features will be permitted.  A fee of €300 will be charged as a contribution to the cost of associated works (cost of tree €150-€200 and then labour, administration, and maintenance costs). The fee also covers the cost of a replacement tree should the tree be damaged in the event of vandalism or failure of a tree (within 18 months of planting). The Council will arrange on a one-off basis for a replacement.  The Council reserves the right to remove or relocate a tree at any time should it be considered necessary. Requests should be sent in writing to Environment, Water and Climate Change Dept, Administrative Officer, Public Realm Administration section.

All applications are accepted, the council determine the most suitable location and species of tree in consultation with the member of the public that has requested the planting of the tree.

### **Q22/0422 QUESTION: Councillor F. Timmons**

To ask the Chief Executive what supports SDCC will provide to Ukrainian refugees and to outline what the council response will be to the many issue facing Ukrainian refugees in SDCC ?

**REPLY:**

The Council will be re-convening the South Dublin Community Response Forum to coordinate the community-led response to support to Ukrainian refugees as they arrive in the County.   The forum will bring relevant statutory, community and voluntary agencies at local level to be an information source and signpost to services including local health, education, social and other integration needs as well as identifying and addressing issues arising where possible.  The Mayor will participate on this forum on behalf of the Elected Members who will be updated on forum activity as it progresses.

### **Q23/0422 QUESTION: Councillor F. Timmons**

To ask the Chief Executive what supports SDCC can provide to Ukrainian refugees who are in need of English-speaking course where they can learn English as needed?

**REPLY:**

The Council will be re-convening the South Dublin Community Response Forum to coordinate the community-led response to support to Ukrainian refugees as they arrive in the County.   The forum will bring relevant statutory, community and voluntary agencies at local level to be an information source and signpost to services including local health, education, social and other integration needs as well as identifying and addressing issues arising where possible.  The Mayor will participate on this forum on behalf of the Elected Members who will be updated on forum activity as it progresses.  There will be engagement with the Department of Education and/or the Dublin Dun Laoghaire Education and Training Board as necessary through the forum in relation to training and learning supports such as those outlined in the question.

### **Q24/0422 QUESTION: Councillor F. Timmons**

To ask the Chief Executive how many are on the housing list in SDCC by electoral area and housing need ?

**REPLY:**

The following table outlining current social housing need was included in an Allocations and Homelessness Update presented to most recent meeting of the Housing Strategic Policy Committee in February 2022, showing the number of households by areas of preference and housing need by number of bedrooms:

|  |  |
| --- | --- |
| **Total No. Applications**  | **6,420**  |
| **North of Naas Road Only**  | **South of Naas Road Only**  | **North & South Naas Road**  | **Total**  |
| 1-bed  | 813  | 1-bed  | 1358  | 1-bed  | 1050  | **3,221**  |
| 2-bed  | 635  | 2-bed  | 768  | 2-bed  | 711  | **2,114**  |
| 3-bed  | 319  | 3-bed  | 335  | 3-bed  | 296  | **950**  |
| 4-bed  | 39  | 4-bed  | 35  | 4-bed  | 61  | **135**  |
| **Total**  | **1,806**  | **Total**  | **2,496**  | **Total**  | **2,118**  | **6,420**  |

Updates on numbers and breakdown housing and homeless applications are provided to the Housing SPC on an ongoing basis.

### **Q25/0422 QUESTION: Councillor F. Timmons**

To ask the Chief Executive how many houses/apartments are expected to be provided from 2019 – 2024 (the term of the current Council) - broken down by type i.e. part Vs, construction etc. ?

**REPLY:**

1,048 newly built social homes were provided in the County during the period 2019 to 2021 through the Council's construction programme, Approved Housing Body (AHB) projects and homes delivered through Part V.   A further 1,742 further new build social homes are currently projected for delivery between 2022 and 2024 under the County's draft five-year Housing Delivery Action Plan 2022-2026 as part of the national housing policy, Housing for All which seeks to significantly increase delivery of new build housing.  The Council will continue to work with AHBs and the private sector to achieve projected outturns in the coming years including the objective of up to 50% of new build being delivered by AHBs.  In addition, it should be noted that Part V projections are contingent upon private sector delivery of approved and proposed planning permissions in the County.

The breakdown of new build social housing provided during 2019-2021 and planned for delivery during 2022-2024 is as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **New Build Social Housing** | **Council/AHB** | **Part V** | **Total** |
| Delivered 2019-2021 | 697 | 351 | 1,048 |
| Projected 2022-2024 | 1,266 | 476 | 1,742 |

### **H6/0422 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS**

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

### **H7a/0422 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. J. Frehill, Director of Economic, Enterprise & Tourism Development, and were **CONSIDERED:**

**LD 1557 Proposed disposal of substation site and grant of Right of Way to the ESB - St Catherine's Row, Killinarden Heights, Tallaght, Dublin 24**

The Electricity Supply Board (ESB) have made an application to acquire the freehold interest in a plot of land for a substation at the above address and a Right of Way (ROW) to access same.  The subject plot is outlined in red with the ROW coloured yellow on attached Drawing No. LR-ASD-2022-18019-01.

The substation will provide essential service to the proposed Part 8 social housing development of 12 units at Catherine’s Row, Killinarden Heights, Tallaght, Dublin 24.

Accordingly, I recommend that South Dublin County Council disposes of its freehold interest in the plot of land outlined in red, and grants a ROW to access same as coloured yellow on Drawing No. LR-ASD-2022-18019-01 to Electricity Supply Board (ESB) in accordance with Section 211 of the Planning and Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001 subject to the following terms and conditions: -

1. That the Council dispose of its freehold interest in the plot of land outlined in red, subject area comprising of approximately 9.01 square metres or thereabouts, on Drawing No. LR-ASD-2022-18019-01.
2. That the Council grants a ROW to access the above plot as coloured yellow, subject area comprising of approximately 17.425 square metres or thereabouts, on Drawing No. LR-ASD-2022-18019-01.
3. That the total consideration shall be the sum of €1 (one euro)plus VAT (if applicable). The consideration figure is exclusive of accommodation works, fees and reinstatement costs.
4. That there should be no building within 3 metres of Irish Water/Water Services Infrastructure.
5. On completion of the works, the Applicant (ESB), shall have access to the wayleave area for the purpose of inspecting, repairing, and maintaining the underground cables.  They shall provide satisfactory advance written notice to the Council of any intended works to the cables and shall complete reinstatement works to the satisfaction of Council. All works to be carried out with minimum disruption to the Council and members of the public. All works and work procedures shall comply with Health and Safety regulations.
6. That the works are carried out in an efficient and reasonable timeframe once entry is made on site. All works to be carried out with minimum disruption to the Council and members of the public. All works and work procedures shall comply with Health and Safety regulations.
7. That the ESB shall pay a contribution in respect of the Council’s legal fees.
8. That South Dublin County Council holds the freehold title to the wayleave area.
9. That in the event of any name change to Applicant prior to formal completion of the legal transfer, the Applicant must provide documentary evidence to the Council proving that the new named party is one and the same as the named Applicant heretofore to enable the transfer to complete.
10. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
11. That the Law Agent shall draft the necessary documents and include any further terms deemed appropriate in Agreements of this nature.
12. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
13. That the disposal is subject to the necessary approvals and consents being obtained.

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

**D. McLoughlin**

**Chief Executive**

It was proposed by Councillor M. Duff, seconded by Councillor P. Kavanagh, and **RESOLVED:**

“That the proposed disposal of substation site and grant of Right of Way to the ESB - St Catherine's Row, Killinarden Heights, Tallaght, Dublin 24 be **ADOPTED** and **APPROVED.”**

### **H7b/0422 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. J. Frehill, Director of Economic, Enterprise & Tourism Development, and were **CONSIDERED:**

**LD 1539 Disposal of and regularisation of plots of land at Esker, Lucan, Co. Dublin - SDCC & St Laurence O'Toole Diocesan Trust**

At a meeting held on the 22June 1988, Dublin County Council agreed terms for a disposal and exchange of lands at Esker, Lucan, Co. Dublin - Minute No. C/0469/88 refers. The basis of the exchange was that the Council required portions of land for the construction of the Lucan Bypass and for improvement works to the Newcastle Road which were owned by the St. Laurence O’Toole Diocesan Trust and the Trust in turn required lands owned by the Council for the development of the schools.

However, this land exchange did not reach conclusion.

The Council was subsequently approached with a request to dispose of an additional portion of land to the Trust and in the course of consideration and engagement with the schools and the parish on this request, it became clear that it was not practical to progress the aspects of the original exchange proposal.

It has been agreed by both parties that the residual matters of outstanding title issues need to be resolved. This will regularise title, provide security for the school’s building projects and footprint, and secure a wider beneficial community use appropriate in this case as Council owned land is involved. In addition, it will regularise two residual plots in this area that now form part of the local Road Infrastructure.

Following examination of the matter and consideration by the Council’s Valuer, the Council is prepared, subject to the necessary approvals being obtained, to dispose of 2 plots of land, as shown marked ‘A’ and ‘A1’ on the attached Disposal Drawing No. LA/03/22 subject to the following terms and conditions:-

1. That the Council disposes, by way of a Lease, 2 plots of land to the St. Laurence O’Toole Diocesan Trust for ceding to the School’s Authority, the details of which are as follows:-
	1. Marked ‘A’ on attached Disposal Drawing No. LA/03/22 having an area of 0.35 hectares/0.86 acres or thereabouts
	2. Marked ‘A1’ on attached Disposal Drawing No. LA/03/22 having an area of 0.23 hectares/0.56 acres or thereabouts

for the total ameliorated consideration of €22,000 (twenty-two thousand euro) plus VAT (if applicable).

1. That the St. Laurence O’Toole Diocesan Trust transfers to the Council the freehold title to the lands marked ‘X’ and ‘Y’ on the attached Disposal Drawing No. LA/03/22.
	* Plot ‘X’has an area measurement of 0.008hectares/0.02 acres approximately and was required for the N4 Upgrade Scheme.
	* Plot ‘Y’has an area measurement of 0.093 hectares/0.23 acres approximately and was required for the realignment of the adjoining local road.
2. For the purposes of clarity and completeness of the historic agreements, it is intended that the balance of the lands hatched in red and marked ‘B’ on Disposal Drawing No. LA/03/22 comprising 0.378 hectares/0.934 acres be retained by St. Laurence O’Toole Diocesan Trust for ceding to the School’s Authority.
3. That the Council retains wayleave over areas coloured yellow on plots marked ‘A1’ and ‘A’ on Disposal Drawing No. LA-03-22. No building works of any kind are permitted on the wayleave areas.
4. That the ameliorated consideration referred to at No. 1 above reflects the wider community benefit accruing by virtue of the provision of facilities for Community uses including the Esker Community Initiative, Liffey Valley Sound FM, St. Patrick’s Academy and Esker Scouts.
5. That the Council grants a 300-year Lease at an initial annual rent of €100 per annum subject to review at 5 yearly intervals linked to variations in the Consumer Price Index.
6. That the proposed Lessee grants a Right of Way (both pedestrian and vehicular) to the Council and its nominees from Cannonbrook Lawn, through the plot hatched in red and marked ‘B’. This Right of Way if required, is solely for the purpose of providing an access to the lands identified as Plot A1.
7. That plots ‘A1’ and ‘B’ be used to accommodate non-profit community and recreational purposes for the widest possible community benefit and in particular for the groups comprising the Esker Community Initiative and those identified in Community Department Report. In the event of a breach of this term, the Council reserves the right to terminate the Lease and to resume possession and occupation of the lands, together with any buildings erected thereon.
8. That all boundary features shall be in accordance with the Planning & Development and the Building Control legislation.
9. That the above proposal is subject to satisfactory title being held.
10. That the Lessee shall pay the Council’s legal fees plus VAT and outlay.
11. That the Lessee shall pay the Council Valuer’s fees of €800 (eight hundred euro) plus VAT.
12. That in the event of any name change to Applicant prior to formal completion of the legal transfer, the Lessee must provide documentary evidence to the Council proving that the new named party is one and the same as the named Applicant heretofore to enable the transfer to complete.
13. That the Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements of this nature.
14. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
15. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
16. That this proposed disposal and exchange is subject to the necessary approvals and consents being obtained.

The lands being disposed of were acquired from Joseph and Elaine Blake in 1980 for housing and open space purposes.

**D. McLoughlin**

**Chief Executive**

Councillor P. Gogarty supported the disposal.

It was proposed by Councillor P. Gogarty, seconded by Councillor L. O’Toole, and **RESOLVED:**

“That theDisposal of and regularisation of plots of land at Esker, Lucan, Co. Dublin - SDCC & St Laurence O'Toole Diocesan Trust be **ADOPTED** and **APPROVED.”**

### **H8/0422 MANAGERS REPORT** - **FOR NOTING**

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

[HI 8 a) Chief Executive's Monthly Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74786)

[HI 8 b) March Statistics Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74805)

HI 8 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 25th March 2022= 0

A discussion followed with contributions from Councillors K. Mahon, M. Johansson, D. McManus, R. McMahon, W. Carey, Y. Collins, P. Holohan and L. McCrave. Councillors welcomed the new statistics dashboard. Queries were raised in relation to the dashboard, the collection figure for rents and commercial rates.

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

### **H9/0422 PART 8 FOR PROPOSED WORKS AT LUCAN DEMESNE AND LUCAN PROMENADE – FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. M. Mulhern, Director of Land Use, Planning & Transportation.

###

[01 Chief Executives Report on the Lucan Demesne and Promenade Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74714)
[01a Lucan Demense and Promenade Presentation for Council Meeting](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74816)
[02 Project Description AHIA](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74686)
[03 Demesne Park Entrance Layout - Existing](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74687)
[04 Demesne Park Entrance Layout - Proposed](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74688)
[05 Promenade Layout - Existing](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74689)
[06 Promenade Layout - Proposed](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74690)
[07 Demesne PE and Promenade Engineering Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74691)
[08 Demesne PE and Promenade Environmental Impact Assessment Screening](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74692)
[09 Demesne PE and Promenade AA Screening](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74693)
[10 Demesne PE and Promenade Ecological Impact Assessment](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74694)
[11 Demesne PE and Promenade Archaeological Impact Assessment Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74695)
[12 Part 8 Site Notice Demesne and Promenade](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74696)
[13 Newspaper Ad Lucan Demesne and Promenade](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74697)
[14 Public Consultation Reports on Developing Lucan as a Tourist Destination](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74698)
[15 Lucan Destination Towns - CHL Survey and Consultation](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74699)
[16 Architectural Conservation Officer Report Promenade and Demesne Entrance](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74751)
[Appendix 1 Leaflet](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74662)
[Appendix 2 Lucan Projects Leaflet](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74702)
[Appendix 3 Observations Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74711)
[Appendix 4 Liffey Promenade Demesne Park Entrance EIA Screening EcIA Addendum](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74810)
[Appendix 5 Liffey Promenade Demesne Park Entrance Screening Addendum for AA](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74811)

A discussion followed with contributions from Councillors D. Ó Brádaigh, V. Casserly, G. O’Connell, E. O’Brien, L. O’Toole, P. Holohan and K. Mahon. Councillors spoke in support of the Part 8 raising queries in relation to wheelchair access, a pedestrian crossing, and maintenance of the bridge.

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

It was proposed by Councillor P. Kavanagh, seconded by Councillor D. Ó Brádaigh and **RESOLVED:**

**“**That the part 8 for proposed works at Lucan demesne and Lucan promenade be **ADOPTED** and **APPROVED.”**

### **H10/0422 PART 8 FOR PROPOSED WORKS AT LUCAN VILLAGE GREEN AND MAIN STREET – FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. M. Mulhern, Director of Land Use, Planning & Transportation and Mr. D. McLoughlin, Chief Executive.

[01 Lucan Village Green and Main Street presentation to Council](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74817)
[01a Lucan Village Green and Main Street Part 8 report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74769)
[01b Existing Drawing Lucan Village](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74728)
[01c Proposed Part 8 Drawing Lucan Village](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74729)
[02a Part 8 proposed parking (as consulted on) Lucan Village](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74735)
[02b Proposed Additional Car Parking Spaces post Part 8 consultation](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74685)
[03 Engineering Report for Lucan Village Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74722)
[04 Project Description and Architecural Heritage Impact Assessment](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74720)
[05 Screening Statement for Appropriate Assessment Lucan Village Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74762)
[06 Environmental Impact Assessment Screening Report Lucan Village Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74727)
[07 Ecological Impact Assessment Lucan Village Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74726)
[08 Parking data survey Lucan Village (May 2021)](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74733)
[09 Parking Data Survey SUMMARY Lucan Village (Nov/Dec 2021)](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74737)
[10 Parking Data Survey DETAIL Lucan Village (Nov/Dec 2021)](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74739)
[11 Traffic Counts Lucan Village](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74736)
[12 Report of SDCC Architectural Conservation Officer](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74747)
[13 SDCC Planning part 8 advertisement](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74732)
[Appendix 01 Leaflet to 700 Lucan Businesses and Residents Jan 2022 (during Part 8 consultaiton)](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74661)
[Appendix 02 Leaflet to Lucan Village Businesses Oct 2021 (informal pre-Part 8 engagement)](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74715)
[Appendix 03 Log of submissions received via SDCC portal or in writing for Lucan Village Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74746)
[Appendix 04 Log of Pro Forma and hard copy submissions recieved for Lucan Village Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74749)
[Appendix 05 Copy of petition (1) recieved for Lucan Village Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74753)
[Appendix 06 Copy of petition (2) recieved for Lucan Village Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74754)
[Appendix 07 Lucan Destination Towns Survey](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74684)
[Appendix 08 Public Consultation Reports on Developing Lucan as a Tourist Destination](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74683)
[Appendix 09 Village Green Main St. EIA EcIA Screening Addendum](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74808)
[Appendix 10 Village Green Main St. Screening Addendum for AA](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74809)

The following amendment was proposed by Councillor P. Gogarty and seconded by Councillor F. Timmons.

“That "H-I (10) PART 8 FOR PROPOSED WORKS AT LUCAN VILLAGE GREEN AND MAIN STREET" be amended by removing the proposals on parking and other works along the referenced part of Main Street, focusing solely on the Village Green works only.”

An amendment was also proposed by Councillor V. Casserly and seconded by Councillor B. Lawlor.

“To amend the chief executives report to include only the parts of the report focused on the Lucan Village Green, excluding the alterations and removals of parking spaces on Main Street, and making provision for pedestrian crossings, which if they necessitate removal of parking spaces, that alternative spaces are put in place in the immediate vicinity.”

The Mayor, Councillor P. Kavanagh, proposed and the Members **AGREED** to take both Motions in tandem as they were similar in nature.

A discussion on the amendments followed with contributions from Councillors P. Gogarty, V. Casserly, G. O’Connell, and L. O‘Toole, who spoke in support of the amendment. Councillors M. Johansson, J. Tuffy, M. Duff, C. Bailey, L. Sinclair, E. O’Brien, P. Kearns, W. Carey, L. Donaghy, P. Kavanagh all spoke in support of the original Part 8 without any amendments.

Councillors D. Ó Brádaigh, A. Edge, B. Lawlor, K. Mahon queried consultation with the Lucan Area Committee and the impact of supporting the amendments on the Part 8.

Mr. D. McLoughlin, Chief Executive and Mr. M. Mulhern, Director of Land Use, Planning & Transportation, responded to the Members queries informing that the Part 8 had been brought to the Lucan Area Committee and confirmed the Part 8 could proceed should the amendment be agreed.

The Mayor Councillor P. Kavanagh then called for a **ROLL CALL VOTE** and the Members AGREED the result of which was as follows:

**FOR: 20 (TWENTY)**

**Councillors V. Casserly, Y. Collins, T. Costello, A. Edge, K. Egan, T. Gilligan, P. Gogarty, A. Hayes, B. Lawlor, L. McCrave, R. McMahon, D. McManus, S. Moynihan, E. Murphy, G. O’Connell, D. O’Donovan, S. O’Hara, L. O’Toole, B. Pereppadan and F. Timmons**

**AGAINST: 15 (FIFTEEN)**

**Councillors C. Bailey, W. Carey, L. Donaghy, M. Duff, L. Dunne, P. Holohan, M. Johansson, P. Kavanagh, P. Kearns, K. Mahon, D.** **Ó Brádaigh, C. O’Connor, L. Sinclair, J. Tuffy and L. Whelan.**

**ABSTAIN: 0 (ZERO)**

The Amendments to the Part 8 for proposed works at Lucan Village Green and Main Street was **AGREED**.

Councillor D. O’Brádaigh proposed the following amendment which fell as a result of the previous amendment.

“To offset any loss of car parking spaces on Main Street, an additional 10 car parking spaces will now be introduced at the nearby location immediately west of the AIB car park entrance along the Leixlip Road, resulting in a zero net loss.”

The following amendment was proposed by Councillor W. Carey and seconded by Councillor L. Dunne.

“The Manager will conduct a review of the Village scheme six months after its completion, including consultation with elected members, local businesses, health service providers and the wider community.”

A discussion followed with contributions from Councillors W. Carey and K. Mahon.

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

The Amendment proposed by Councillor W. Carey to the Part 8 for proposed works at Lucan village green and main street was **AGREED**.

The following amendment was proposed by Councillor G. O’Connell and seconded by Councillor L. O’Toole.

“That in addition to opening up the visual access to the Village Green, pedestrian access be also enhanced by provision of a pedestrian bridge between the Main Street and Village Green.”

A discussion followed with contributions from Councillor G. O’Connell, P. Kavanagh, M. Johansson, P. Gogarty, D. Ó Brádaigh, C. Bailey, L. O’Toole, W. Carey, J. Tuffy, E. O’Brien, P. Kearns, and B. Lawlor. Members queried the cost of such a project and was this within the scope of the Part 8 as proposed.

Mr. M. Mulhern, Director of Land Use, Planning & Transportation responded to the Members informing that this proposal represents a Material Amendment to the proposed Part 8.

The Mayor, Councillor P. Kavanagh, ruled the amendment proposed by Councillor G. O’Connell Out of Order.

Councillor L. O’Toole proposed the following amendment which **FELL** as a result of the passing of the amendments proposed by Councillor P. Gogarty and V. Casserly.

This council amends the Headed item No 10 Part 8 Lucan village, to allow the Part 8 be brought to Area Committee as outlined below:

As provided for under Part 8 of the Planning and Development Regulations 2001-2015, where the elected members have up to 6 weeks from the Managers Report to decide on a Part 8, and in light of the amount of material to be considered that the Chief Executive’s Report for the Proposed Works at Lucan Village Green and Main Street be referred to the Lucan Palmerstown North Clondalkin Area Committee for consideration before coming to the Full Council for decision.

The Mayor, Councillor P. Kavanagh then proposed a **ROLL CALL VOTE** on the Part 8 for proposed works at Lucan Village Green and Main Street, As Amended and the Members **AGREED**, the result of which was as follows:

**FOR: 32 (THIRTY-TWO)**

**Councillors C. Bailey, W. Carey, V. Casserly, T. Costello, L. Donaghy, M. Duff, L. Dunne, A. Edge, T. Gilligan, P. Gogarty, A. Hayes, M. Johansson, P. Kavanagh, P. Kearns, B. Lawlor, K. Mahon, L. McCrave, R. McMahon, D. McManus, S. Moynihan, E. Murphy, D. Ó Brádaigh, E. O’Brien, G. O’Connell, C. O’Connor, D. O’Donovan, S. O’Hara, L. O’Toole, B. Pereppadan, F. Timmons, J. Tuffy and L. Whelan**

**AGAINST: 1 (ONE)**

**Councillor L. Sinclair.**

**ABSTAIN: 0 (ZERO)**

It was proposed by councillor P. Kavanagh and seconded by Councillor V. Casserly that the Part 8 for proposed works at Lucan village green and main street as amended be **ADOPTED** and **APPROVED**.

At this point in the meeting the Mayor Councillor P. Kavanagh proposed and the Members **AGREED** to take Headed Item 11 (H 11) and Headed Item 12 (H12) in tandem as they were of a similar nature

### **H11/0422 TAKING IN CHARGE OF THE AUBREY MANOR HOUSING ESTATE – FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. M. Mulhern, Director of Land Use, Planning & Transportation

**REPLY:**

The following report was considered at the Clondalkin Area Committee Meeting of March 16 2022.

**PROPOSED DECLARATION OF ROADS TO BE PUBLIC ROADS TAKING IN CHARGE OF HOUSING ESTATE ITEMS**

The following report was considered at the Clondalkin Area Committee Meeting of March 16, 2022.

“Statutory Notice under Section 11 of the Roads Act 1993 and Section 180 of the Planning and Development Act 2000 has been given of the Council’s intention to consider the Declaration of Roads to be Public Roads and the Taking in Charge of Utility Items in the Aubrey Manor Housing Estate.

The Public Consultation was advertised in the press and was available for public viewing on an online Portal. This Public Consultation period ran from the 24 January 2022 until 7 March 2022.

**Submissions Received:** 1no. submission was received during the Public Consultation Process.  It was from the developer Milanville Ltd. who were the developers of the Aubrey Manor estate.

1. The submission queries a couple of strips of green space which were advertised as not being Taken in Charge but on reflection SDCC are happy to include in these Taking in Charge areas.
2. The submission queries the exclusion of parking areas and footpaths behind said parking areas. The parking areas have been amended and are now to be Taken in Charge.  The footpaths fronting houses 1 to 8 on the Avenue and 1 to 6 on the Square are considered private and shall not be Taken in Charge by SDCC.

**SDCC Assessment of the Elements to be Taken in Charge:**

* The Roads and footpaths marked in yellow on Map reference BC-1457 for Taking in Charge are fully compliant with the relevant specifications and is built to a high standard.
* The Public Lighting is fully compliant with the relevant specifications and is constructed to a high standard.
* The Green Open Spaces and Planting is fully compliant with the relevant specifications and is constructed to a high standard.
* The Watermains are fully compliant with the relevant specifications and constructed to a high standard.
* The Storm Drainage is fully compliant with the relevant specifications and constructed to a high standard.
* The Foul Drainage is fully compliant with the relevant specifications and constructed to a high standard.

**SDCC Taking in Charge Recommendation:**

* It is recommended that the Roads detailed in the Roads Schedule (see schedule at end of this document) and marked in Yellow on the map reference number BC-1457 should be declared Public Roads and Taken in the Charge of South Dublin County Council.
* The Items numbered (2) to (6) and identified on the Map reference number BC-1457 should be Taken in Charge by South Dublin County Council.”

The recommendation of the Committee will be brought before the April County Council.

 It is now a matter for this Council to agree to the recommendation and the following resolution is required:

 “That the roads referred to in the attached schedule be and are hereby declared to be Public Roads, and that the open spaces, sewers, watermains or drains within the attendant ground of the development be Taken in Charge”.

[H11 (b) Taking in Charge Aubrey Manor Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74635)

**REPLY:**

**Declaration of Roads to be Public Roads - Roads Act 1993 - Aubrey Manor, Rathcoole, Co. Dublin**

**Submissions**

**Observations report**

|  |  |  |  |
| --- | --- | --- | --- |
| **URN** | **Author** | **Location** | **Map Attached** |
| SD-C222-1 | Milanville Ltd | Aubrey Manor, Rathcoole | No |
|   |
| **Title: Mapping Query** |
| **Theme: Taking in Charge** |
| Dear Sirs,As company director of Milanville Ltd, the company that currently owns the common areas in Aubrey Manor, I wish to make the following statement.It appears that the taking in charge maps on the portal do not include the entire public open space areas within Aubrey Manor. There is a long strip of grass to the west boundary and a larger piece to the north east, along with a couple of smaller quadrants along the parking bays which are not currently identified as proposed to be taken in charge by SDCC. In addition there are paths infront of 1-8 The Avenue and 1-6 The Square that are not marked for taking in charge, along with an L shaped verge in front of 18 & 19 The Square.I wish to make it clear that Milanville Ltd is offering the entire remaining roads and open spaces for Taking in Charge. We do not believe it is in the interests of the residents, our company or indeed SDCC if portions of this estate remain in private ownership.I have attached a map that clearly shows all of the areas Milanville Ltd are offering for TIC. We strongly believe that it is essential that all of the areas on this attached map are taken in charge, so as not to leave small pockets of no mans land throughout the development. We trust that the current map on display can be amended to reflect this.Yours Sincerely,Director, Milanville Ltd. |
| **Attachments (1)** |
| [Taking in Charge Map 2..pdf](https://consult.sdublincoco.ie/en/system/files/materials/7510/7883/Taking%20in%20Charge%20Map%202..pdf) |
|   |

It was proposed by Councillor P. Kavanagh, seconded by Councillor F. Timmons, and **AGREED** that in relation to the Aubrey Manor housing estate:

 “That the roads referred to in the attached schedule be and are hereby declared to be Public Roads, and that the open spaces, sewers, watermains or drains within the attendant ground of the development be Taken in Charge”.

### **H12/0422 TAKING IN CHARGE OF THE REMAINDER OF WILKINS VIEW HOUSING ESTATE – FOR APPROVAL**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. M. Mulhern, Director of Land Use, Planning & Transportation

**REPLY:**

The following report was considered at the Rathfarnham/Templeogue/Firhouse/Bohernabreena Area Committee Meeting of March 8, 2022.

**"Taking In Charge of a Housing Estate under Section 180 of the Planning & Development Act 2000 - Wilkins View, Limekiln Lane, Dublin 12**

Note:  Under a previous Taking in Charge process completed on Tuesday 7th May 2019, the Roads, Footpaths, Green Open Spaces and Public Lighting in the Wilkin’s View Estate were previously Taken in Charge by South Dublin County Council.

**At that time insufficient information was submitted on the condition and specification of the watermains, storm drainage and foul sewerage. Therefore, these items were not Taken in Charge at that time.**

The following report considers the Taking in Charge of the following utilities in the Wilkin’s View Housing Estate:

* **The Watermain network.**
* **The Storm Drainage network.**
* **The Foul Drainage network.**

Statutory Notice under Section 180 of the Planning and Development Act 2000 has been given of the Council’s intention to consider the Taking in Charge of the above Items in the Wilkin’s View Housing Estate.

The Public Consultation was advertised in the press and was available for Public viewing on an online Portal. This Public Consultation period ran from the 24 January 2022 until 7 March 2022.

**Submissions Received:** No submissions were received during the Public Consultation Process.

**SDCC Assessment of the Elements to be Taken in Charge:**

* The Watermain is fully compliant with the relevant specifications and constructed to a high Standard.
* The Storm Drainage is fully compliant with the relevant specifications and constructed to a high standard.
* The Foul Drainage is fully compliant with the relevant specifications and constructed to a high standard.

**SDCC Taking in Charge Recommendation:**

It is recommended that the Watermain network, Storm Drainage and Foul Drainage as detailed on the attached Map BC -1454 is Taken in Charge by South Dublin County Council."  The recommendation of the Committee will be brought before the April County Council Meeting.

It is now a matter for this Council to agree to the recommendation and the following resolution is required:

“That the foul sewers, watermains and drains within the attendant ground of the development (the roads and footpaths have been previously taken in charge) be Taken in Charge”.

[H12 (b) - Taking in Charge Wilkins View Map](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74628)

A discussion followed with contributions from Councillors M. Johansson and P. Kavanagh, queries were raised regarding the details shown on the map.

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

It was proposed by Councillor P. Kavanagh, seconded by Councillor F. Timmons, and **AGREED** that in relation to the remainder of Wilkins view housing estate:

“That the foul sewers, watermains and drains within the attendant ground of the development (the roads and footpaths have been previously taken in charge) be Taken in Charge”.

### **H13/0422 DRAFT ANNUAL REPORT 2021 - FOR APPROVAL**

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

### [H13 Draft 2021 Annual Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74806)

The report was **NOTED** and it was proposed byCouncillor P. Kavanagh, seconded by Councillor W. Carey, and **RESOLVED:**

 “That the Draft Annual Report 2021 be **ADOPTED and APPROVED.**”

### **H14/0422 ANNUAL FINANCIAL STATEMENT**

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

[(a) Annual Financial Statement 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74647)
[(b) Additional Expenditure](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74648)

A discussion followed with contributions from Councillors R. McMahon and G. O’Connell who raised queries in relation to malicious damage and bad debt provisions.

Mr. R. FitzGerald, Head of Finance responded to the Members queries.

The Annual Financial Statement 2021 was **NOTED**.

The Additional Expenditure report was **NOTED** and it was proposed by Councillor P. Kavanagh seconded by Councillor R. McMahon and **RESOLVED**:

That, in accordance with Section 104 of the Local Government Act 2001, the additional expenditure not provided in the 2021 budget as outlined in the table attached be **ADOPTED** and **APPROVED**.

### **H15/0422 CAPITAL PROJECTS PROGRESS REPORT – FOR NOTING**

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

[H15 Capital Projects Progress Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74759)

A discussion followed with contributions from Councillors L. Dunne, M. Johansson, P. Kearns, B. Lawlor, C. Bailey, K. Mahon, L. O’Toole, and C. O’Connor. Members welcomed the report and raised queries regarding the cost rental model, housing construction projects, Lucan Swimming Pool and the Whitestown Stream works.

Mr. D. Mc Loughlin, Chief Executive, responded to the Members queries.

### **C1/0422 REPLIES & CORRESPONDENCE**

**Replies**

[(a) Reply from Minister for Health re. IVF Services](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74629)
[(b) Reply from Minister for Housing, Local Government and Heritage re. Voting Rights to include 16 and 17-year-olds.](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74630)
[(c) Reply from Charlie Bird re. Motor Neurone Disease](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74631)
[(d) Reply from Russian Ambassador re. Invasion of Ukraine](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74632)
[(e) Reply from Reply from Minister for Education re. State Examinations 2022](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74744)

**Correspondence**

[(f) Correspondence from Westmeath County Council re. Children with Spina Bifida](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74633)
[(g) Correspondence from Dun Laoghaire-Rathdown County Council re. County Development Plan](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=74745)

The replies and correspondence were **NOTED**.

### **M1/0422 UNIVERSAL DESIGN AND ACCESSIBILITY IN PUBLIC SPACES**

### **It was proposed by Councillor Peter Kavanagh, and seconded by Councillor V. Casserly**

This County Council agrees to write to the Minister for Transport, asking him to bring forward legislation to underpin universal design and accessibility in public spaces, increasing access for people with disabilities, older people, and families.

**REPORT:**

If this motion is agreed, a letter will be issued to the Minister for Transport. Response, when received, will be circulated to the Members.

A discussion followed with contributions from Councillors P. Kavanagh, V. Casserly, J. Tuffy, T. Costello, L. Dunne, and K. Mahon.

At this point in the meeting the Mayor Councillor P. Kavanagh proposed and the Members **AGREED** to suspend standing order in order to complete the Motion.

The discussion continued with contributions from Councillors C. Bailey, M. Johansson, E. Murphy, L. Donaghy, L. Sinclair. Members raised the issue of kissing gates access to parks.

The Motion was **AGREED**.

### **M6/0422 OPERATION ENCOMPASS-STYLE PROGRAMME**

### **It was proposed by Councillor P. Kearns, seconded by Councillor L. Sinclair, and AGREED without debate.**

That SDCC County Council will call on the Ministers for Justice; Education; and Children, Disability, Equality & Integration to immediately implement an Operation Encompass-style programme between An Garda Siochana and schools. Operation Encompass is a police-led, school-based early intervention safeguarding scheme which supports children and young people who experience Domestic Abuse. Operation Encompass was created to ensure that by the start of the next school day, a child's school will be informed that there has been a police-attended incident of domestic abuse at the home of the child. The child is then supported immediately upon arrival at school. In 2020, Women's Aid (Ireland) reported that there were 30,841 disclosures of abuse including 5,948 were against children. We need to support these children now.

**REPORT:**

If this motion is agreed, a letter will be issued to the Minister for Justice, Minister Education and the Minister for Children, Equality, Disability, Integration & Youth. Responses, when received, will be circulated to the Members.

### **M9/0422 METROLINK**

### **It was proposed by Councillor Y, Collins, seconded by Councillor D. McManus and AGREED without debate.**

That this Council calls on the Minister for Transport, the Environment, Climate, and communications and the NTA to review its dismissal of continuing Metrolink to the southwest of the city and to carry out further and more extensive research before committing to placing a major metro terminus in a residential area like Charlemont instead of in a city centre location

**REPORT:**

If this motion is agreed, letters will be issued to the Minister for Transport, the Environment, Climate & Communications and the NTA. The response, when received, will be circulated to the Members.

The meeting ended at 19:10.

**Items Not Reached**

### **(M2)** [**SERVERS HOSTING UNREGULATED DIGITAL CURRENCY EXCHANGES**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=74329)

###  **Councillor Liam Sinclair**

That, due to the intense energy usage required, this Council calls for a nationwide ban on servers hosting unregulated digital currency exchanges. Following agreement of the motion that a letter issues to the Minister for the Environment, Climate and Communications, and the Minister of Finance.

### **(M3)** [**GENERAL MAINTENANCE COLLECTIONS AGENCY**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=74311)

###  **Councillor T. Costello**

That this Council calls on the Minister of Social Protection to introduce a General Maintenance Collections Agency, given the continuous difficulties that single parents face collecting maintenance and the need to go to court to have court orders enforced when they are not abided by. This Agency is necessary in order to protect parents from having to chase these payments and in order to put an end to this form of financial abuse.

### **(M4)** [**COST OF LIVING**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=74366)

###  **Councillor C. King**

That this Council calls on the Taoiseach to immediately implement a set of measures to tackle the Cost of Living Crisis that is Devastating Families across the State from both Working and Middle Class Demographics, which has seen 70% increases in Heating Oil, 30% increase in Gas, 25% increase in Electricity, 8% Increase in Rents and €1,200 average increase in petrol prices for the average driver along with increases in Groceries and other Essential Goods. This has resulted in the Highest inflation rates in 20 years of more than 5,5% and that's without the Governments scandalous proposed increases in Carbon Tax at a time of crisis. These measures at the least should include: The introduction of a living wage, the introduction of a cost of living payment based on annual income, the scrapping of Carbon Tax Increases, a ban on Rent increases for 3 years, Increase in Fuel allowance criteria, Removal of VAT on Energy Bills during winter Months, the Establishment of a discretionary utility debt Fund. These measures should form a base for tackling the crisis for struggling Families across the State.

### **(M5) LOCAL AUTHORITY RENTS**

###  **Councillor B. Lawlor**

That this Council writes to Minister for Housing and Local Government, Darragh O'Brien, to support his Department's initiative of setting up a working group to examine the possibility of utilising the Housing Act of 2013 to allow for local authority rents to be withdrawn directly from social welfare payments where tenants in receipt of welfare are more than 3 months in arrears.

### **(M7) IRISH NEUTRALITY**

###  **Councillor L. Donaghy**

That this Council confirms its pride in, and continued support for, Ireland's traditional policy of military neutrality, and writes to the Taoiseach to declare these views

### **(M8) DECRIMINALISATION OF DRUG USE**

###  **Councillor F. Timmons**

That this Council supports the decriminalisation of drug use, meaning that people will no longer be made criminals simply because of their use of a drug: that people's drug use should be dealt with as a public health issue rather than as a criminal issue and that the resources currently used to process the 72% of drug convictions that are for personal possession should be redirected to treatment and support services and to more effective policing of the drugs trade. We commit to sending this motion to the Minister for Justice and the Minister of State for Public Health, Wellbeing and the National Drugs Strategy for their consideration and response.

### **(M10) CARBON TAX**

###  **Councillor K. Mahon**

An increase on Carbon Taxes of €7.50 was announced in Budget 2022, from €33.50 to €41.00 per tonne of carbon dioxide emitted. The increase applies from 13 October 2021 for auto fuels and 1 May 2022 for all other fuels and is set to rise to €100 per tonne emitted by 2030.  The carbon Tax is not tackling the environmental damage caused by the producers and profiteers of fossil fuel emissions, including the approximate 14 Data Centres, and major pharmaceutical companies listed in the South Dublin County Council area. It is another tax on workers and energy that hits the poorest and those on limited incomes hardest, and is exacerbating the cost-of-living crisis. It represents the opposite of a “just transition”.

This council calls for the scrapping of the carbon tax increases due from May 2022 and the reversal of 2021 increases. We call for immediate direct taxation of a national or local variety on big polluters, the implementation of increased price controls on energy for households,  and a rapid shift to renewable energies under public ownership and communicates this motion to the Minister for Environment, Climate, Communication Transport, and The Minister for Local Government and Heritage.

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

Mayor

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