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

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

### **PRESENT**

|  |  |
| --- | --- |
| Bailey, C. | McCrave, L. |
| Carey, W. | McMahon, R. |
| Collins, Y. | McManus, D. |
|  Costello, T. | Moynihan, S. |
| Donaghy, L. | Murphy, E. |
| Duff, M. | Ó Brádaigh, D. |
| Edge, A. | Ó Broin, E. |
| Egan, K. | O’Connell, G. |
| Gilligan, T. | O’Connor, C. |
| Gogarty, P. | O’Hara, S. |
| Hagin Meade, L. | O’Toole, L. |
| Holohan, P. | Pereppadan, B. |
| Johansson, M. | Richardson, D. |
| Kavanagh, P. | Sinclair, L. |
| Kearns, P. | Timmons, F. |
| King, C. | Tuffy, J. |
| Lawlor, B. | Whelan, L. |
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|  |  |
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### **OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin.  |
| Directors/ Heads of FunctionHead of FinanceA/Senior Engineer | L. Maxwell, J. Frehill, C. Ward, T. Walsh R. Fitzgerald.M. McAdam. |
| Senior Executive Officers | C. Hurson, L. Leonard, J. Moroney Ward. |
| Administrative Officers | M. Reilly. |
| Senior Staff OfficerStaff OfficerAssistant Staff OfficerSord | L. AbbeyA. MallonA. Hagan, D. MurphyA. O’Brien. |

The Mayor, Councillor E. Murphy, presided.

Apologies were received from Councillors V. Casserly, L. Dunne, A. Hayes, K. Mahon, E. O'Brien, and D. O'Donovan .

The Mayor, Councillor E. Murphy, welcomed everyone and informed the Members of the etiquette for 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.

### **H1/0722 CONFIRMATION AND REAFFIRMATION OF MINUTES - FOR APPROVAL**

1. Minutes of the June Council Meeting held on 13th June 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor E. Murphy seconded by Councillor P. Kavanagh.

[June Council Meeting 13th June 2022](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75734)

1. Minutes of the Special Council Meeting held on 16th June 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor E. Murphy seconded by Councillor P. Kavanagh.

[Special Council Meeting â€' 16th June 2022](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75735)

Councillor M. Johansson raised a Point of Order in relation to an error on the Minutes of the County Development Plan regarding an incorrect link to the Roll Call Vote on Motion 16. The minutes were duly amended and re-submitted.

1. Minutes of the County Development Plan held on 22nd June 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor E. Murphy seconded by Councillor P. Kavanagh.

[County Development Plan - 22nd June 2022](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75747)

1. Minutes of the Annual Meeting held on 24th June 2022 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor E. Murphy seconded by Councillor P. Kavanagh.

[Annual Meeting - 24th June 2022](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75736)

The Mayor Councillor E. Murphy proposed and the Members **AGREED** to vary the sequence of items on the agenda in order to take Headed Item no. 10 **(H10)** next:

### **H10/0722 HOMELESS ACTION PLAN FOR DUBLIN 2022-2024 - FOR APPROVAL**

The following reports by the Chief Executive, which had been circulated, were presented by Ms. M. Hayes, Director of Dublin Regional Homeless Executive and were **CONSIDERED**:

[H10 (a) Draft Homelessness Action Plan Framework for Dublin 2022-24](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75726)
[H10 (b) Homelessness Action Plan Framework Presentation](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75725)

A discussion followed with contributions from Councillors F. Timmons, A. Edge, M. Johansson, P. Holohan, E. Ó Broin, C. Bailey, L. Sinclair, Y. Collins, D. Ó Brádaigh, D. McManus, M. Duff, G. O'Connell, L. Hagin Meade, P. Kearns, C. King, W. Carey, L. Whelan, and B. Lawlor. Councillors commended the report and raised queries regarding additional supports and wraparound services for those leaving homelessness, the average time spent and facilities available in emergency accommodation, social housing provision, reasons for homelessness, consultation with service users, housing first tenancies and status of the plan with the other three Dublin local authorities as the plan is regional.

Ms. M. Hayes, Director of Dublin Regional Homeless Executive, and Mr. C. Ward, Director of Housing, Social and Community Development, responded to the members queries acknowledging their concerns.

Councillors F. Timmons, M. Johansson and W. Carey requested Roll Call Vote, the result of which was as follows:

**FOR: 23 (TWENTY THREE)**

**Councillors C. Bailey, Y. Collins, L. Donaghy, M. Duff, A. Edge, K. Egan, T. Gilligan, P. Gogarty, L. Hagin Meade, P. Kavanagh, P. Kearns, B. Lawlor, L. McCrave, R. McMahon, D. McManus, E. Murphy, E. Ó Broin, C. O'Connor, S. O'Hara, L. O'Toole, B. Pereppadan, L. Sinclair, J. Tuffy.**

**AGAINST: 9 (NINE)**

**Councillors W. Carey, P. Holohan, M. Johansson, C. King, D. Ó Brádaigh, G. O'Connell, D. Richardson, F. Timmons, L. Whelan.**

**ABSTAIN: 0 (ZERO)**

As a result of the Roll Call The Homeless Action Plan for Dublin 2022-2024 was **AGREED.**

### **H2/0722 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.*

### **H3/0722 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

### **H4/0722 STRATEGIC POLICY COMMITTEES - FOR NOTING**

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

### **H5/0722 REPORTS REQUESTED BY AREA COMMITTEES - FOR NOTING**

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

**QUESTIONS**

It was proposed by Councillor E. Murphy, seconded by Councillor D. Ó Brádaigh and **RESOLVED**:

“That pursuant to Standing Order No. 22, Questions numbered Q1 – Q23 be **ADOPTED** and **APPROVED.”**

### **Q1/0722 QUESTION: Councillor Carly Bailey**

To ask the Chief Executive for a report on how many electrical boxes/controller case that were commissioned for use under the Dublin Canvas 'Paint a Box' project have been painted over in error this year. Report to confirm if the artists and Dublin Canvas were contacted in relation to this and apologised to?

**REPLY:**

Since 2018 South Dublin County Council has used traffic light boxes to exhibit high quality, creative artwork to the public. Traffic light control boxes make perfect canvases to showcase community art as they are always naturally located in high footfall – high traffic areas. The artwork can be enjoyed by pedestrians, cyclist, and motorists as they wait for the traffic light to turn green.

Unfortunately, in recent months,  a small number of traffic light boxes which had artwork were painted over in error. In these cases, there was graffiti on the adjacent box which was to be covered. The Environmental Awareness Office, who currently manages the Dublin Canvas programme has made contact with the contractors and agreed a protocol to prevent this from happening again.  Measures such as issuing screenshots of the exact location, a clear instruction that no murals are to be painted over and highlighting the correct box to be painted will be implemented. We expect this to resolve the problem going forward.

The Environmental Awareness Office has written to Dublin Canvas, who delivers the programme in the County, to apologise. We have also requested that Dublin Canvas pass on our apologies to the artists, whose artwork got painted over in error this year.

### **Q2/0722 QUESTION:** **Councillor Carly Bailey**

Following the news of the recent partnership agreement between The Wireless Broadband Alliance (WBA) and Dublin City Council to provide free Wi-Fi in citywide spaces, has South Dublin County Council any plans to roll out a similar scheme in the County?

**REPLY:**

South Dublin County Council's Broadband Officer is currently overseeing the roll out of the WiFi4EU project, which is a European initiative that encourages free access to Wi-Fi connectivity for citizens in public spaces including parks, squares, libraries, town centres and museums in municipalities throughout Europe. The initiative provides EU funding to install Wi-Fi equipment in public spaces within the municipality that are not already equipped with a free Wi-Fi hotspot. The WiFi4EU service will be free of charge, free of advertising and free from commercial re-use of data. Controls are built in to the system to limit the amount of time a user can log in.

Wi-Fi Equipment has been installed in Community Centres, Sporting Facilities, Parks areas in the County and is being hosted by both private and public enterprises as part of a three year programme.

### **Q3/0722 QUESTION: Councillor T. Costello**

To ask the Chief Executive - how many complaints has SDCC received in relation to car parking issues in estates in the County broken down by LEA from 2021 to the current date.

**REPLY:**

While there are a significant number of contacts received annually relating to car parking issues via a myriad of sources including Customer Care, Members' Reps, Council Meetings items etc., the question above refers specifically to complaints received in relation to car parking issues in estates.

These matters are managed via the TMC & TMM meetings and the following are the figures pertaining to the period 1/1/2021 to the end of May 2022

Tallaght - **16**.

Clondalkin - **15**.

Lucan - **9**.

RTFB - **32.**

### **Q4/0722 QUESTION: Councillor T. Costello**

To ask the Chief Executive how many people are currently on the housing list

**REPLY:**

At the end of June 2022, there were 6,383 households on this Council's social housing list comprising 8,367 adults and 6,055 children.

### **Q5/0722 QUESTION: Councillor T. Costello**

To ask the Chief Executive can you advise if there is a maintenance schedule for the wildflower patches across the county, I notice some have become suffocated with weeds and not flowering as they did in their first year

**REPLY:**

The amenity wildflower areas which have been planted by the council over the past two to three years generally flower better in the first year as the soil has been cultivated to sow the seeds/bulbs which disturbs the existing seeds within the soil seed bank. In the following years there is more frequent low grass and colour is a little less intensive. To have the same flowering impact as the first year the vegetation would need to be treated and the soil cultivated and re-seeded each year, however this is not considered to be a sustainable approach to the management of amenity wildflower areas.

The Public Realm Section is following best practice maintenance which is to cut and remove the vegetation at the end of the growing season and then reseed the wildflower area as necessary.  It is unavoidable that weeds will grow within the wildflower area however it should be remembered that this will add to the biodiversity value of the area. In the Dodder Valley Park wildflower areas for example there is grass present with some dockings, thistles, and nettles.  These unwanted weeds will be removed from these areas in the coming weeks once the lily bulbs have flowered. Intervening any earlier would result in the loss of the lily planting.  In addition to this we will be sowing yellow rattle which will both suppress and outgrow the grasses and provide additional colour to the area.

### **Q6/0722 QUESTION: Councillor P. Gogarty**

To ask if the current list of bins can be provided to members so as to assist us in dealing with queries in relation to specific areas that are not clearly identifiable by local landmarks or house numbers.

**REPLY:**

The list of litter bins provided in both park and on-street locations is currently being updated, to account for recent litter bin installations.  Once this exercise has been completed the list of locations will be made available to the elected members.

### **Q7/0722 QUESTION: Councillor Lyn Hagin Meade**

To ask the Chief Executive if an audit of the impact of dog fouling on wheelchair and those using mobility aids in the SDCC area is under consideration?

**REPLY:**

In 2020 surveys were carried out in 4 Parks around the county to accurately ascertain the level of dog fouling in those parks. The report indicated that dog fouling levels were relatively low in the context of the numbers visiting the parks surveyed. Measures to deter dog fouling such as increased signage and audio devices, were installed at that time at specific problematic areas. The surveys were repeated at the same four locations in 2021 and an improvement was noted. The surveys were carried out in the context of the impact of dog fouling on all park users including wheelchair users and those using mobility aids.

Under [**Section 22 of the Litter Pollution Act 1997,**](http://www.irishstatutebook.ie/eli/1997/act/12/section/22/enacted/en/html)where faeces has been deposited by a dog in any place to which the section applies, the person in charge of the dog shall immediately remove the faeces and shall ensure that it is properly disposed of in a suitable sanitary manner.

The difficulty with enforcement of Section 22 is the requirement for witness testimony, to report that the offence happened and that an identified person is the person in charge of the dog.  The Council continues to encourage residents groups and/or individuals to assist the Warden Service in this regard.

The council continues to raise awareness on the issue of Dog fouling and has mounted a number of campaigns on radio, newspapers and on social media in that regard. To encourage responsible dog ownership and ensure a cleaner environment for everybody, a new *Dog Fouling Awareness Campaign - Help Scally be a good boy!* is being launched on Monday July 4th, the campaign features the adorable “Scally” the dog in a series of videos which highlight the consequences of not picking up the poop. Whether under the cover of darkness, in a field or on the beach remember “Your dog’s poop could end up anywhere! Always Pick it up!”

Dog litter, if properly bagged can be disposed of in a standard litter bin. The Council provides standard type litter bins in its main parks and at the dog runs which have been provided in those parks. In total there are approximately 130 litter bins provided at parks locations in the County, this number has increased in recent years and will continue to increase as the need arises. There are a further 650 litter bins provided on streets and in villages and urban centres. Currently, dog litter stickers are being piloted on existing litter bins demonstrating that these receptacles are suitable for such litter.

Dog Litter Signage is available and requests for signage are considered on a case by case basis and signs are erected on demonstrated need. The location of the request is examined for suitability and if deemed suitable signs can be erected. If there is/are registered group(s) in existence in an area, signage may be provided directly to the group through the Social Credit Scheme with the caveat that such signage erected must have due regard for public health and safety, and must not impede visibility or restrict traffic, cycling and pedestrian flow.

The Green Dog Walkers Programme is a non-confrontational, friendly way to change people's attitudes about dog fouling.  It is a community based scheme which volunteers in the community can adopt and promote in their own area.  Members of the public can apply through Social Credits at [**www.socialcredits.ie**](http://www.socialcredits.ie/)

Volunteers who become Green Dog Walkers are provided with an armband and bone shaped bag dispenser and commit to the following -

* wear the armband or put the Green Dog Walker collar on their dog when out walking
* clean up after their dog
* carry extra dog waste bags
* be happy to be approached to lend a dog waste bag to those without
* be a friendly reminder to other dog walkers to clean up after their dogs

### **Q8/0722 QUESTION: Councillor M. Johansson**

To ask the Chief Executive what is the average waiting time for homeless priority by bedroom size, if the applicant/s were not on the housing list prior to becoming homeless?

**REPLY:**

The average waiting time for homeless priority applicants, by bedroom size, varies depending on a number of factors, such as area of preference, property type, supports required (e.g. Housing First), etc.  The time taken on list, prior to homeless priority being approved, is also considered.

The table below shows the average time on list, by bedroom size, for all allocations completed in 2022 from the homeless priority list.

|  |  |
| --- | --- |
| Bedroom | Average Time (Years |
| 1 | 5.7 |
| 2 | 4.5 |
| 3 | 4.2 |
| 4 | 10.4 |

Offer of housing is made to applicants in accordance with the Councils social housing allocation scheme.

### **Q9/0722 QUESTION: Councillor M. Johansson**

To ask the Chief Executive to provide a list of homeless hubs in the county and if there is a waiting list for hubs, how many families are waiting?

**REPLY:**

The family hubs currently operational in the County are as follows:

* Abberley High Street Family Hub
* Firhouse Family Hub
* Springfield Family Hub

There are currently 44 households in self-accommodate while waiting for placement in a family hub.  The Council, in conjunction with the Dublin Region Homeless Executive, continue to explore potential options for additional hubs in the County.

### **Q10/0722 QUESTION: Councillor K. Mahon**

To ask the Chief Executive if the Council are aware of the "Cycle Without Age" Project, whether they have considered its viability locally and whether there are any plans to advance the project? The promotional flyer with contact and campaign details is attached.

**REPLY:**

The Council is aware of the Cycle without Age Project and agrees that it is a very worthy project, including in particular the sponsorship of Trishaws for Nursing homes.

The Active Travel team has a call this week with its founder Clara Clark to discuss the project, and will then assess the feasibility of advancing it within SDCC, bringing it to this Council once discussed with all relevant stakeholders.

[Q10 (b) Cycle Without Age Promo](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75617)

### **Q11/0722 QUESTION: Councillor Shane Moynihan**

To ask the Chief Executive for a report on the number of dog wardens in the county and the areas covered by each one and if he will make a statement on the matter.

**REPLY:**

South Dublin County Council currently employs two full time Dog Wardens. Both of the Dog Wardens operate throughout the Council's administrative area. In general, one Warden patrols North of N7 and one South of N7 on a daily basis.

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

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

Dog Shelter and related services are currently provided under contract by Midland Animal Care Ltd. The Council's Dog Shelter is located at Hollygrove Kennels, Lyons Road, Newcastle, Co. Dublin, D22 T9P7. The shelter provides a safe and comfortable space for dogs who are lost and looking to be reunited with their owners or find new homes. To date in 2022, 143 stray and 40 surrendered dogs have entered the shelter; 61 dogs have been reclaimed by their owner and 109 have been rehomed.

### **Q12/0722 QUESTION: Councillor Derren Ó Brádaigh**

To ask the Chief Executive to produce a report in tabular form, for how much money has been paid to landlords for HAP tenancies, leased properties and RAS tenancies for 2019, 2020, 2021 and 2022 Y-T-D.

**REPLY:**

Payments are made directly by this Council to property owners in respect of homes provided for social housing under both long-term leasing and the Rental Accommodation Scheme (RAS) while payments are made by a national shared service operated by Limerick City and County Council, on behalf of all local authorities, for the Housing Assistance Payment (HAP) scheme.

The following table shows payments made in respect of these schemes for the period 2019 to May 2022:

|  |  |  |  |
| --- | --- | --- | --- |
| **Year** | **HAP** | **RAS** | **Leasing** |
| 2019 | €52,306,142 | €16,108,276 | €3,489,000 |
| 2020 | €62,648,305 | €14,770,972 | €4,323,586 |
| 2021 | €73,617,129 | €14,421,444 | €6,944,333 |
| 2022 (to end May) | €33,012,748 | €5,908,399 | €3,847,257 |

### **Q13/0722 QUESTION: Councillor Derren Ó Brádaigh**

To ask the Chief Executive how many tenants pay rent by standing order and to provide a breakdown in tabular form of how many pay weekly, fortnightly and monthly?

**REPLY:**

A Standing Order is an automatic regular payment for a fixed amount. An individual sets up a Standing Order with their bank provider and only the account holder can make changes to it such as change the amount or payment date or cancel a Standing Order. As this is an arrangement between the account holder and their banking provider, the local authority is unable to provide records of how many tenants pay their rent by standing order. The Council currently does not provide Direct Debit as a method of payment to tenants for their weekly rent.

Approximately 1700 tenants in receipt of a social welfare payments have their rent deducted weekly through the Household Budget Service provided by An Post.

### **Q14/0722 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive to update the Council on the Travellers Accommodation Programme and will he make a statement?

**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 (DHLGH) 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 including:

**Fonthill Road:**

Following the statutory public consultation process and consideration of the Chief Executive’s Report on same, the Part 8 planning application for the proposed development of a new Traveller group housing at Fonthill Road was approved by the Elected Members of the Council on 13th June 2022.

Subject to a road safety audit in response to submissions received under the Part, planning is underway for the commencement of construction of this development later this year which will be built as part of meeting the Part V commitments for the developer of the adjoining land.  The development will be located off the N4/Fonthill Road North slip-road in Palmerstown West, Co. Dublin, and will comprise seven group houses as follows:

* 5 no. detached, four-bedroom, two-storey houses
* 1 no. semi-detached, three-bedroom, two-storey-house
* 1 no. semi-detached, medically adapted, four-bedroom, two-storey house.

All the proposed homes will have a minimum A3 Building Energy Rating (BER) and are orientated to face each other within a small cul-de-sac with a landscaped strip to reduce the impact of the slip-road and increase amenity.  The design and placement of the homes reflect family arrangements following consultation with the extended family grouping who are intended to occupy the development and car-parking is provided within the curtilage of the homes. Associated works include a new vehicular access road and pedestrian access steps off the N4/Fonthill Road North slip-road, boundary walls, landscaping works to boundaries, all necessary associated drainage and utilities works and ancillary works to landscape housing areas, and on the site and adjacent areas.

**Adamstown SDZ**

The delivery of the first Traveller accommodation development under the Adamstown SDZ is scheduled for Q4 2022 with six group homes currently under construction.  This is being delivered through the Part V obligations of a private developer.  Further engagement has also now commenced with landowners in relation to proposals to deliver the remaining required Traveller accommodation within the SDZ.

**Redevelopment of Owendoher Haven**

Individual consultation meetings have been completed with all households on the site in relation to the proposed site redevelopment.  Proposals for two-storey homes as part of the redevelopment were widely welcomed by residents and our Architectural Services Departments are working to finalise designs based on this feedback along with household housing needs and preferences.  The updated proposed design will then be presented to residents before progressing to Part 8 public consultation.

**Redevelopment of Oldcastle Park**

Eleven of thirteen scheduled consultation meetings with individual households and extended family groupings have been completed in relation to the proposed redevelopment of Oldcastle Park with the final proposed consultation meetings scheduled in the coming days.  The inputs from these meetings will inform the final design. It should be noted that there are two households refusing to engage in the process at all.  While their housing needs will be incorporated into the final redevelopment proposals, their specific accommodation preferences may not be accurately reflected, and this could lead to potential delays with the overall project if they continue to refuse to engage.

**Allocations to Casual Vacancies in Traveller Accommodation & Standard Social Housing**

In addition, the TAP cited the potential for casual vacancies in both Traveller specific accommodation and standard social housing as a 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 with several additional Traveller households having been separately been allocated standard social housing from private rented or other accommodation (exact figures are not confirmed due to the lack of a specific prior ethnic identifier for standard social housing applications)in relation prior other accommodation along with 27 Traveller households having transferred to standard social housing from Traveller-specific accommodation.

**Meeting Medical & Other Housing Needs in Traveller Specific Accommodation**

Three specially adapted medical chalets have been provided to date under the current TAP to meet the accommodation needs of households with medical priority in existing Traveller accommodation developments and two further such bespoke chalets are currently under construction.  Ten caravan/mobile homes have also been provided to families under COVID-19 or other  emergency measures and fifteen households have also been approved for new mobile homes under the Council's pilot caravan/mobile home loan scheme in conjunction with the DHLGH.

### **Q15/0722 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive if following the granting of the Freedom of the County to South Dublin Community Volunteers he will confirm plans to further support Volunteerism across the County.

**REPLY:**

The richly deserved granting of the Freedom of the County to South Dublin Community Volunteers by the Council was a great way to recognise the unique and essential contributions of local volunteers to the recent challenges faced in relation to both the Covid-19 pandemic and the Ukraine crisis.

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

Many local community supports and services provided in the County are provided by volunteer led groups and organisations, supported by the Council.  In particular, the Council actively support and fund South Dublin County Volunteer Centre and the Public Participation Network in their respective roles promoting, encouraging and supporting volunteerism in the County.  The Council is represented on the board of South Dublin Volunteer Centre which is recognised as a highly innovative and successful volunteer support organisation within the national context and we will continue to work with them and other local stakeholders to enhance volunteer opportunities for all in our communities.

Community grants and other supports are provided (and will continue to be provided) to community and voluntary groups across the County on an ongoing basis to support community organisations working with older persons, environmental groups, youth groups, sports clubs, festival committees, tidy town groups along with many other volunteer activities.  There are also many programmes and events held locally to support and assist volunteerism through community wellbeing through our healthy county, health and wellbeing, social inclusion, age friendly, sports and recreation and general community development work, we will continue to work with the various statutory and voluntary organisations and agencies active in the County on the many projects, initiatives, campaigns and workshops in this regard.  Our sports teams focus much of their work on supporting volunteer sports clubs and groups with regular training, funding and advice as they build the capacity of the many volunteer boards and club members who work tirelessly to develop their clubs and facilities.

The Council is also particularly conscious of the efforts of the many individuals and community organisations that work together on an ongoing basis to deliver and implement improvements in a sustainable and inclusive way in servicing the needs of their local communities which underpins the work programmes of the Council’s Community Development team in their engagement with the wide range of voluntary community committees and groups.  By supporting boards of management across the county the community team aims to provide useful and strategic support to the many volunteers giving time to provide governance oversight in community facilities.

The new Local Economic and Community Plan for the County that is currently being developed will acknowledge and plan to build on the range of actions and objectives outlined above to ensure that support for volunteerism is central to community development in South Dublin.

### **Q16/0722 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive to present a report on the status of all current Council housing building projects confirming the schedules being followed and giving assurances in each case and may we have a detailed statement?

**REPLY:**

Details of the current status of the social and affordable housing developments planned on larger Council-owned sites are as follows:

**Kilcarbery**:  Works progressing with initial 16 social homes allocated and being occupied this month, along with 74 cost rental apartments which will be managed by Túath Housing.  At least 73 social homes will be delivered this year.  Purchasers have been selected for 16 pilot affordable purchase homes in the development and the sales process is progressing for these with a view to sales completing in Q3.

**Killinarden**: Planning process pivoting to LRD with pre-planning meeting held with SDCC in June.

**Belgard Square North**: Stage two tender process has commenced (will have commenced by time of agenda issuing) for construction of 133 cost rental apartments.

|  |  |  |
| --- | --- | --- |
| **Site** | **No.** | **Update June 2022** |
| Fernwood/Maplewood\*AF | 40 | Due for completion by Aug/Sept according to Clúid – allocation process has commenced through CBL, medical/homeless & rightsizing processes. |
| Riversdale, Clondalkin | 43 | Phase 1 of 25 homes on site & is currently due for practical completion by September 2022 with options for the development of phase 2 currently being explored. |
| Watercourse Grove, Homeville | 16 |  Delivery likely to be postponed to 2023 due to contractor delays and associated issues. |
| St. Catherine’s Way, Knockmore | 12 | On site & due for practical completion in Oct 2022. |
| Templegoue 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 | Dublin SIMON to re-tender project. |
| Balgaddy | 69 | Tender assessment and contractor appointment being progressed with anticipated site start in Q3 2022. |
| St. Mark Ave\* inc. 9 AF homes | 41 | On site & currently due for practical completion in Q4 2022. |
| Eircom Site/Nangor Road | 93 | Site works commenced in March 2022 with current projected completion date in Q4 2023 |
| Old Bawn (Brady’s Field)\*AF | 12 | Contractor appointment being finalised with anticipated site start in August 2022. |
| Lucan Road, Palmerstown\*AF | 4 | AHB tendering process has not yielded a viable proposal. |
| Grand Canal Lindisfarne | 19 | Contractor to be appointed in July 2022 |
| St. Aongus' Green, St. Ronans Crescent & Pearse Brothers Park (all \*AF) | 31 | Design team tender work progressing. |
| Rossfield | 9 | Site investigations being progressed in advance of Part 8 designs. |
| Deansrath/Melrose (\*AF), Alpine Heights(\*AF), Castlefield | tbc | Outline proposals to ACMs in autumn 2022. |
| Oldcastle Park | tbc | Preliminary social housing layouts prepared but Traveller accommodation proposals to be finalised first. |

**Clonburris**: Part 8 approved for Canal Extension (60 affordable & 56 social homes) with Part 8 for Kishogue (293 social, affordable & cost rental homes) to go before July Council meeting.

**Rathcoole**: Revised masterplan to be developed following development plan process.

In addition, the current status of all approved or proposed social housing developments on Council-owned land are as follows:

### **Q17/0722 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive if he would give assurances that the water supply available in the County will satisfy the needs of our communities through the Summer months; will he confirm the contacts he maintains in the matter and will he make a statement?

**REPLY:**

SDCC works with Irish Water under a Service Level Agreement to operate and maintain the water supply within the County, and also the foul sewer network.

Regular operations meetings take place with Irish Water and all the Greater Dublin Region Local Authorities to manage the water supply within the region.  These meetings typically take place fortnightly, but can take place more often if water supply concerns arise on the networks that need attention.  There are no water supply issues of concern at present or apparent over the next couple of months, particularly noting that water levels at Pollaphuca and Bohernabreena reservoirs are satisfactory for this time of year.

Irish Water publish details of any outages or any other issues regarding water supply on their website [www.water.ie](http://www.water.ie)  Members are reminded that Irish Water have a Local Representative Support Desk that can be contacted at localrepsupport@water.ie or at 0818 178 178 for any issues regarding water supply.

### **Q18/0722 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive if he has studied the most recent IBAL report and if it informs his plans to continue to deal effectively with the challenge of Graffiti and Litter in our County and will he make a statement?

**REPLY:**

South Dublin County Council welcomes the number of top ranked sites in Tallaght in the latest IBAL survey. The council is aware of the two areas that were flagged as litter problem areas. The location at Cheeverstown/ Kilmartin is in council ownership. Our Waste Enforcement team is working with the Public Realm section to see if any potential source of waste accumulation can be identified at this location. The Belgard Square East site is in private ownership and the responsibility for this site lies with the landowner who is being contacted to ensure compliance with relevant litter and waste legislation.

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 are reflected in the IBAL report, 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; 161 fines have been issued up to the end of May 2022.

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.

### **Q19/0722 QUESTION: Councillor C. O'Connor**

To ask the Chief Executive to confirm plans for the inclusion of all the Villages in our County in the development of the South Dublin Tourist Strategy; will he appreciate the importance of our Villages and will he make a statement?

**REPLY:**

South Dublin County’s Tourism Strategy will support the development of tourism facilities at appropriate locations within the County.

The strategy will set out a Vision for Tourism in the County, and in turn, what strategic direction to take – essentially the matching of our product and potential against the market opportunities and how we deliver – at a high level. Leading with strong natural assets and other attractions in nearby areas, the strategy will aim to maximise benefits for all areas.

The County’s first tourism strategy set out delivery across a number of geographical clusters which centred  on the County’s villages. That strategy set about linking the villages to the wider potential tourism product across the County through various schemes such as the Dodder Greenway (Rathfarnham, Templeogue and Tallaght), Lucan Destination Towns, the Clondalkin Round Tower Visitor Centre and Grand Canal Greenway, completion of Tallaght Stadium as a 20,000 capacity events space, for example. Running in parallel to this is the annual Shopfront Improvement Grant Scheme which strives to improve the appearance of independently owned shops fronting public streets, making our streets and villages more aesthetically pleasing both to residents and visitors. Furthermore, planned and completed public realm improvements (e.g. Templeogue, Saggart, Lucan, Tallaght Town Centre) shows the Council’s commitment to the villages in our County. It is expected that the new strategy will provide a road map and associated actions to exploit our strengths and opportunities and address our weaknesses.

### **Q20/0722 QUESTION: Councillor F. Timmons**

To ask the Chief Executive for a report into Family Hubs in SDCC, to include how many, numbers accommodated and management

**REPLY:**

There are 3 family hubs are in operation in South Dublin County at present as follows:

* High Street Family Hub (Abberley).

This family hub is a privately managed facility with 58 rooms (including 9 large family rooms)

* Firhouse Family Hub

This family hub is managed by Respond Housing with 20 rooms.

* Springfield Family Hub

This family hub is also managed by Respond Housing, accommodating 12 families.

### **Q21/0722 QUESTION: Councillor F. Timmons**

To ask the Chief Executive for a report into, given the climate changes expected the next few years, how can we protect historical structures in SDCC?

**REPLY:**

As part of project delivery and the protection of our historic built environment there are on-going conservation and repair works being carried out by the Architectural Conservation Section and Architectural Services of which are included as work being done to deliver Climate change actions supporting SDCCs CCAP and National Climate Change Policy and actions by way of on-going maintenance and repair works.

By way of direct and indirect actions the following has been delivered to date under the Architectural Conservation, LUPT Capital Fund a number of conservation and repair projects have been completed – i.e., Kilinniny Towner (ruin), Ballymount Gate House (ruin), King Johns Bridge, Esker, Rathfarnham Church and Graveyard, St. Finian’s Church, Esker, Kiltalown House (roof repairs) and there are other projects proposed for 2022. These project works were emergency remedial repairs and conservation work to the original built fabric to prevent any further deterioration to buildings in use and ruinous structures which otherwise would be lost through weathering and conditions brought about by climate change.

Other Architectural Conservation Projects being funded under Community Department or Economic Development have been completed or are in progress include; Court of Petty Sessions, Rathcoole and Former St. Marys Primary School, Saggart which includes energy efficiency and thermal upgrading works.

As part of the National Architectural Conservation grant schemes funded by the Department and administered by SDCC.  Both the Built Heritage Investment Scheme and Historic Structures Fund include funding opportunities for Local Authorities and Private Owners of Protected Structures and properties within Architectural Conservation Areas to apply for funding for energy efficiency works, upgrading or works to tackle climate change all of which are available under both schemes.

The County Development Plan (2022-2026) includes a number of new policy objectives under the Architectural Conservation Section which includes energy upgrading works and adaptive reuse of buildings which adhere to government policy and best practice. Policies of which will be implemented when assessing proposed developments for Historic/Protected Structures and within ACAs.

The DHLGH Architectural Policy and Protection Unit are currently working on new guidance (Improving the energy efficiency of traditionally built buildings) under Action 50d of the Climate Action Plan 2019.  The purpose is to provide clear and robust advice to the professional users while being accessible to a wide audience and will include modelled case studies.

As part of SDCC Climate Change Action Plan, the following Actions are included:

E26 Develop maintenance and condition survey programmes for Council owned historic and ancient monuments that are informed by climate change impacts and;

E27 Conduct research and seek to develop Council based case studies on appropriate and sensitive retrofitting/energy upgrading of traditional buildings to inform works both to Council owned properties and to guide private owners.

The Councils Architectural Conservation Officer and Architects Department will be jointly working on the above actions as part of the Building and Energy Working Group.  These actions are both very specific and specialised areas of work; therefore, the engagement of specialist consultants will be required to support the necessary research and surveys.

The direct and most proactive way of protecting our historic buildings within our County is to ensure continued maintenance and to support and fund the necessary repair and conservation works required in order to address any specific issues, thereby ensuring the existing built fabric withstands any possible damage from climate change.

### **Q22/0722 QUESTION: Councillor F. Timmons**

To ask the Chief Executive for a full report into homelessness in SDCC and how many males, females and children are deemed homeless ?

**REPLY:**

At the end of May, 2022 494 households, comprising a total of 612 adults and 427 children, were registered as homeless with this Council.  The household breakdown was as follows:

|  |  |
| --- | --- |
| Housheold Composition | No. |
| Single Males | 247 |
| Single Females | 62 |
| Couples | 22 |
| Families | 163 |
| Total | 494 |

Family Hubs

54 in self-accommodate in hotels and B&Bs

For the period January to May 2022, 26 homeless households were allocated permanent social housing tenancies with the Council or an AHB while a further xx households exited emergency accommodation with the support of Homeless HAP tenancies.

Increasing housing supply is critical to meeting current housing need, including for homeless households, and the Council's Housing Delivery Action Plan 2022-2026, which will be published shortly following its approval by the Department of Housing, Local Government and Heritage, outlines our approach to meeting the social housing delivery targets set for the Council under the national housing plan, Housing for All.

Our Homeless Unit continues to provide assistance to those who find themselves homeless or at risk of becoming homeless.  Working in conjunction with the Dublin Region Homeless Executive, this unit operates an advice clinic in County Hall and provides outreach and place-finding services across the County as well as detailing emergency accommodation options including central placement, self-accommodate, family hubs and other supported accommodation.  Staff in the homeless unit will organise emergency accommodation for those assessed as homeless through the Assessment and Placement Service.

### **Q23/0722 QUESTION: Councillor F. Timmons**

To ask the Chief Executive for a report on Housing Associations to include how many does SDCC deal with, how they are assessed and monitored?

**REPLY:**

The following eighteen Approved Housing Bodies (AHBs) are currently operating in this Council's administrative area:

|  |
| --- |
| **AHB NAME** |
| Tuath Housing Association |
| Circle Voluntary Housing Association |
| Cluid Housing Association |
| Co-operative Housing Association |
| Clanmil Housing Association |
| Oaklee Housing Association |
| Respond Housing Association |
| Dublin Simon Community |
| Focus Ireland Housing Association |
| Fold Housing Association |
| Arlington Novas Ireland Ltd |
| HAIL |
| Peaumont Housing Association |
| St John of Gods |
| Sonas |
| Sophia Housing Association |
| Iveagh Trust |
| Peter McVerry Trust |

AHBs are selected for potential development opportunities under an agreed protocol from 2016 which covers schemes on Council or state-owned lands, AHB-led schemes and developments with Part V units on AHB owned or acquired lands.  This protocol requires the Council to maintain a panel of AHBs that have expressed an interest in delivering housing at different scales, namely, less than 5 homes, 5 to 20 homes, and greater than 20 homes.  AHBs indicate their capacity and interest in being selected for two development types, Council land and Part V opportunities which are awarded to AHBs through expressions of interest and by rotation respectively.

An independent regulatory body for the AHB sector, the Approved Housing Bodies Regulatory Authority (AHBRA), was formally established in February 2021.  AHBRA is tasked with providing the regulation of Approved Housing Bodies (AHBs) for the purpose of supporting stronger governance and the financial viability of the AHB sector, with a particular focus on safeguarding the significant public investment being made in the delivery of social housing by AHBs.  AHBRA aims to provide assurances to investors, tenants, the government and to the AHB sector itself that social housing providers operate in a well-regulated and stable environment.  The functions and powers of AHBRA are in accordance with the legal framework set out in the [Housing (Regulation of Approved Housing Bodies) Act 2019](http://www.irishstatutebook.ie/eli/2019/act/47/) and include establishing and maintaining a register of AHB's, standards for the sector, compliance within sector, monitoring & assessment of AHB standards, investigation, governance and collection and publishing information on the sector.  More details can be found on their role and strategic objectives on their website [www.ahbregulator.ie](http://www.ahbregulator.ie)

In addition, a Dublin Regional AHB Forum established in 2020, meets quarterly to provide strategic management and engagement between the four Dublin local authorities and all AHBs operating in Dublin along with other stakeholders/representatives as necessary.  This forum is currently reviewing the AHB protocol as part of the various working groups established to examine key and strategic issues.

Staff from the Council's Housing Department also meet regularly with AHBs operating in our administrative area to discuss current and potential future developments, existing schemes and related issues as necessary.  The potential for improved AHB engagement with local elected representatives is recognised and, following a recent report to the Housing SPC at its meeting in May 2022, this will be considered further by the Housing SPC and the regional AHB forum.

### **Q24/0722 QUESTION: Councillor F. Timmons**

To ask the Chief Executive for a full report into how a scheme for people wanting to step down from their housing and sell their house to SDCC will work, and when its hoped to have such a scheme?

**REPLY:**

The Council adopted a Policy for Rightsizing and Allocation of Age Friendly Accommodation in December 2020.  This policy specifically recognises the potential for rightsizing to age friendly housing amongst older persons that own private homes in communities and provides for applications from older persons in their privately owned accommodation who wish to move to Council owned, or supported designated age friendly accommodation, to be considered for inclusion on the associated Community List, with up to 10% of new age friendly housing developments are reserved for Community List applicants.  The following criteria applies for applicants seeking inclusion on the community list:

* The applicant(s) must be resident in South Dublin County, or demonstrate a local connection, and be eligible for older person’s accommodation
* The applicant agrees to the Council purchasing their property directly or, at the sole discretion of the Council, provides a financial contribution in lieu, from the net proceeds of the private sale of the property.
* The relevant property for sale, if being acquired by the Council, must be: located in South Dublin County, suitable to meet existing housing need and will be subject to acquisition limits as determined by the Department of Housing, Local Government and Heritage.
* At certain times within the Council’s sole discretion, the Council may refuse to accept further Community List applications including where current demand exceeds by 100% or more the potential supply scheduled to become available within the next 12 months.
* Applicants will be included on the Community List upon the date of completion of a formal written agreement for the Council to purchase their property or the applicant to provide a financial contribution to the Council from the net proceeds of the private sale of their property.
* Applicant(s) shall only be eligible for the allocation of one age friendly home and may be required to complete a pre-tenancy course before any allocation.
* Refusal of two offers of accommodation will result in cancellation of an application.
* Applicants will be required to become tenants of South Dublin County Council (or an Approved Housing Body) upon allocation of an age friendly home and will be required to sign a tenancy agreement and pay differential rent accordingly.

|  |  |  |
| --- | --- | --- |
| **Age Category** | **Discount to Council on Purchase** | **Financial Contribution to the Council on Sale** |
| 55-64 years | ***40% discount on the market value*** | 1/2 of net proceeds of sale |
| 65-69 years | 1/3 of net proceeds of sale |
| 70-79 years | ***30% discount on the market value*** | 1/4 of net proceeds of sale |
| 80 years and over | 1/5 of net proceeds of sale |

The relevant discount on purchase to the Council or financial contribution to the Council for inclusion on the Community List is as follows:

Potential purchases of private homes by the Council are subject to the Department of Housing, Local Government and Heritage acquisition cost ceilings and approvals.

Any private home owner who wishes to discuss rightsizing opportunities or find out more about planned age friendly housing developments, can contact the Council's Healthy Age Friendly Healthy Homes Officer to explore potential suitability and options.

### **H6/0722 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS - FOR APPROVAL**

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

### **H7a/0722 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 and Tourism Development, and were **CONSIDERED:**

**LD 1174 Exchange of Lands at Cooldrinagh and Balgaddy between South Dublin County Council and Shelbourne Development Limited**

The Council at its meeting held on 13th November 2006 approved an exchange of lands with Shelbourne Development Limited whereby the Council agreed to dispose of approximately 41.5 acres of land at Balgaddy to Shelbourne Development Limited in exchange for the acquisition from them of approximately 42.56 acres of land at Cooldrinagh subject to agreed terms and conditions. An Agreement to Lease was signed on the 31st of October 2008 between the Council and Shelbourne Development Limited embodying the terms of the exchange agreement approved by the members. As part of this agreement, title to the Cooldrinagh lands transferred to South Dublin County Council and a portion of the Balgaddy lands, approximately 7.5 acres transferred to Shelbourne Development Limited.

Having secured planning permission for a mixed-use proposal in 2011, for various reasons Shelbourne Development Limited did not proceed with the development of the Balgaddy lands as provided for in the Agreement to Lease. Negotiations commenced between the parties with a view to terminating the Agreement to Lease, however, these negotiations were unsuccessful, and the Council initiated High Court legal proceedings against Shelbourne Development Limited in 2013.

Both parties made several unsuccessful attempts over the years since the legal proceedings commenced in 2013, to reach a resolution. In an effort to resolve the matters, both parties agreed that it was in both their interests to enter settlement talks to try and bring a mutually satisfactory conclusion to this matter. Settlement talks took place in May 2022 between the parties, and following intensive negotiations, settlement terms were agreed, subject to certain terms and conditions. Under the terms of the settlement agreement, the Council agree to transfer the Cooldrinagh lands to Shelbourne Development Limited and Shelbourne Development Limited agree to transfer the Balgaddy lands to the Council. The transfer of the Cooldrinagh lands is subject to the provisions of Section 183 of the Local Government Act 2001 and in accordance with Section 211 of the Planning & Development Act 2000.

I recommend that the Council transfer lands at Cooldrinagh to Shelbourne Development Limited in accordance with Section 183 of the Local Government Act 2001 and Section 211 of the Planning & Development Act 2000, subject to the following terms and conditions-

1. Shelbourne Development Limited shall transfer the unencumbered freehold title of the Balgaddy lands comprised in Folio DN186668F to South Dublin County Council. The subject lands are outlined in green for information purposes on the attached Map LA/34/08 REV.A and referred to as Plot A. Please note a formal disposal map shall be prepared in due course by the Council for inclusion with the legal documents.
2. The Council shall transfer its freehold title in the Cooldrinagh lands comprised in Folio DN140160F as outlined in red on indicative Map No. LD 1174.22.1 to Shelbourne Development Limited or its nominee, subject to:
	1. a Restrictive Covenant – “that the public shall have an unfettered right of access across the Cooldrinagh lands by way of the Cooldrinagh Public Route between Point "A" and Point “B” as marked on Indicative Drawing No. LD 1174.22.1.”
	2. that Shelbourne Development Limited is bound by existing registered easement rights and privilege rights registered as a Burdens at Entry Numbers 2 and 4 of Part 3 of Folio 140160F; and
	3. that Shelbourne Development Limited is on notice that there are watermains serving Fingal County Council lying below the surface of the Cooldrinagh lands.
3. There are overhead Electricity Cables located on the Cooldrinagh lands. Shelbourne Development Limited or its nominee shall, if required by ESB Networks or another statutory authority, place the overhead electricity cables underground and all costs associated with same shall be borne by them.
4. On completion of the transfer of lands at term 1 and 2, South Dublin County Council and Shelbourne Development Limited agree that the Agreement to Lease dated 31st October 2008 shall be terminated and no further rights, entitlements, lands and/or monies due or owing to either party in respect of the termination of the Agreement to Lease shall exist.
5. On completion of the transfer of lands at term 1 and 2, the Council agrees to apply for the High Court Proceedings, Record No. 2013/2240P, to be struck out with no further order and the vacating of any/all previous orders as to costs and the parties will bear their own legal costs.
6. The Council shall pay the sum of €1.35 million euros as a contribution towards Shelbourne Development Limited’s costs, namely:
7. Infrastructure works on the Cooldrinagh lands to include but not limited to the relocation of ESB cables and construction/repair to walls.
8. Design team fees.
9. Legal costs.
10. Stamp duty payable.
11. The formal written consent of NAMA is required to the release of its charge registered against the Balgaddy Lands outlined as “Plot A” on Indicative Drawing No. LA 34-08 REV.A., registered on folios DN186668F and DN211S. Also, the written confirmation from NAMA that it has no interest or charge/lien over the lands subject or referenced in the Agreement to Lease signed between the parties on the 31st of October 2008 is required.
12. That the above proposal is subject to all the necessary approvals and consents being obtained by all parties.
13. That each party shall be responsible for their own professional fees (i.e., legal, engineering, architects, and other required consultants) in this case.
14. That each party shall be responsible for their own V.A.T., Stamp Duty and other Taxes arising.
15. That no agreement enforceable at law is created or is intended to be created until an exchange of contracts has taken place.

The lands being disposed of form part of lands acquired from Company Exports Limited in 2009 for park and ride, roads, and amenity purposes.

Daniel McLoughlin

Chief Executive

A discussion followed with contributions from Councillors C. King, L. O'Toole, M. Johansson, P. Gogarty, C. Bailey, J. Tuffy and R. McMahon. The members commended the Director and his team on the report and raised queries in relation to NAMA and the figures in the report.

Mr. J. Frehill, Director of Economic, Enterprise & Tourism Development responded to the members queries.

The report was **NOTED** and it was proposed by Councillor E. Murphy and seconded by Councillor P. Kavanagh and **RESOLVED:**

“That proposed Exchange of Lands at Cooldrinagh and Balgaddy between South Dublin County Council and Shelbourne Development Limited be **ADOPTED** and **APPROVED.**”

### **H7b/0722 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 and Tourism Development, and were **CONSIDERED:**

**LD 1510 Proposed disposal of School Site and Pitch Site at Griffeen Avenue, Clonburris SDZ, Lucan, Co. Dublin to the Minister for Education & Skills**

The Council received an application from The Minister for Education & Skills to purchase a site at Griffeen Avenue, Clonburris SDZ, Lucan, Co. Dublin to build a post primary school.

The matter was referred to the Council Valuer for examination and he has recommended the following terms which are considered to be fair and reasonable, and which have been accepted by the Minister for Education & Skills.

Accordingly, I now recommend that the Council disposes of the plot outlined in red on the attached Indicative Drawing No. P19-073K-RAU-19-XX-DR-A-1002 (Rev P01.02) , having an approximate area of 2.34 hectares/5.78 acres or thereabouts to the Minister for Education & Skills in accordance with Section 211 of the Planning & Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001 subject to the following terms and conditions as recommended by the Council Valuer:-

**School Site**

1. That the subject school site (Planning Reg Reference SDZ21A/0013) is shown outlined in red on the attached Indicative Drawing No. P19-073K-RAU-19-XX-DR-A-1002 (Rev P01.02), having an area of 2.34 hectares/5.78 acres or thereabouts. A formal map delineating the site and the site area is to be agreed between the parties. The Purchaser is to satisfy themselves to the boundary.
2. That the Council hold the Fee Simple Interest in the subject site.
3. That the capital sum payable to South Dublin County Council shall be in the sum of **€1,000,000 (one million euro) per acre plus VAT (if applicable).** The final consideration will be based on the formal agreed site area and the Purchaser shall pay 100% of the purchase price upon signing of contracts.
4. That the Purchaser shall be liable for any VAT and Stamp Duty arising from the acquisition.
5. That the Council shall transfer unencumbered freehold title with vacant possession of the site. That evidence of title must be shown to the satisfaction of the Chief State Solicitor acting on behalf of the Minister for Education & Skills.
6. That title will be taken in the name of the Ministerfor Education & Skills.
7. That all outstanding charges, rates, and taxes (if any) on the site shall be cleared prior to completion of the transaction.
8. That the overhead ESB cables, if required, will be undergrounded by the Purchaser and all costs associated with same shall be borne by the Purchaser.
9. That the site shall be accessed via the existing Primary School Road. *Please note that it is envisaged that the Council will construct a link road to the west of the subject site when development in the Clonburris SDZ area progresses.*
10. That the Purchaser shall construct a boundary feature on the site which is to the Council’s satisfaction and in accordance with planning permission SDZ21A/0013.
11. That the Purchaser shall satisfy themselves to the availability of services and the costs of connection to same shall be borne by the Purchaser.
12. That the subject site is to be transferred as is. Any site clearance required will be undertaken by the Purchaser as part of their development and they shall incur the costs of same.

**Pitch Site**

1. That the Purchaser shall acquire the site to the north of the school site for the provision of a playing pitch (the “pitch site”), as soon as practically possible upon completion of attenuation works by the Council for a consideration of **€320,000 (three hundred and twenty thousand euro) per acre plus VAT** **(if applicable)** and the final consideration payable will be based on the formal agreed site area.The Purchaser shall pay a deposit of €250,000 (two hundred and fifty thousand euro) on signing of the contract. The final consideration shall be index linked to any change in the Consumer Price Index in the intervening period from the date of signing of contracts to the closing of this transaction.
2. The pitch site is indicatively shown coloured yellow on the attached Indicative Drawing No. P19-073K-RAU-19-XX-DR-A-1002 (Rev P01.02) and extends to an area of approximately 1.295 hectares/3.2 acres or thereabouts. A formal map delineating the site and the site area is to be agreed between the parties. The Purchaser is to satisfy themselves to the boundary.
3. All costs associated with the provision of the playing pitch shall be borne by the Purchaser.
4. This site shall be provided by the Council as a level plot of land, which has been drained and seeded.
5. Upon completion of the attenuation works, a wayleave agreement shall be put in place providing for access and maintenance.
6. The overhead ESB cables on this site, if required, will also be undergrounded by the Purchaser and all costs associated with same shall be borne by the Purchaser.
7. The Purchaser will provide a gaelic playing pitch if final dimensions allow and this will be completed within nine months of site acquisition.
8. That the Purchaser shall be liable for any VAT and Stamp Duty arising from the acquisition.
9. That the Council shall transfer unencumbered freehold title with vacant possession of the site. That evidence of title must be shown to the satisfaction of the Chief State Solicitor acting on behalf of the Minister for Education & Skills.
10. That title will be taken in the name of the Ministerfor Education
11. That all outstanding charges, rates, and taxes (if any) on the site shall be cleared prior to completion of the transaction.
12. That the Purchaser shall construct a boundary feature on the site which is to the Council’s satisfaction.
13. That the Purchaser shall satisfy themselves to the availability of services and the costs of connection to same shall be borne by the Purchaser.
14. That the Department will encourage the school authority to facilitate requests from sporting clubs and community organisations which emanate from the Local Authority to use school facilities including the playing pitch, where possible, for sporting, community, training and education related activities, on the basis that it would not impede the school's capacity to provide for education.

**General Terms**

1. That each party shall be responsible for their own fees in these transactions.
2. That the Law Agent for South Dublin County Council shall draft the necessary legal agreements and shall include any terms and conditions appropriate in agreements of this nature.
3. That this proposal is subject to the necessary consents and approvals being obtained.
4. That if the development of a permanent school and/or a playing pitch have not been completed within a 5-year period from the signing of contracts, then the Council shall have a right to repurchase the sites at the consideration agreed above, index linked to any increase or decrease in the Consumer Price Index from the date of signing of contracts.
5. That no agreement enforceable at law is created or intended to be created until exchange of contracts has taken place.

The school site being disposed of forms 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.

The pitch site being disposed of forms part of the lands acquired from Edencross Construction Limited in 1997 for roads purposes.

**Daniel McLoughlin**

**Chief Executive**

A discussion followed with contributions from Councillors P. Gogarty, Councillor L. O’Toole, and Councillor J. Tuffy who welcomed the report and raised queries in relation to proposed pitch size, link road and active travel.

Mr. J. Frehill, Director of Economic, Enterprise & Tourism Development responded to the members queries.

The report was **NOTED** and it was proposed by Councillor E. Murphy and seconded by Councillor L. O'Toole and **RESOLVED:**

“That proposed disposal of School Site and Pitch Site at Griffeen Avenue, Clonburris SDZ, Lucan, Co. Dublin to the Minister for Education & Skills be **ADOPTED** and **APPROVED.**”

### **H7c/0722 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

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

**LD 1565 Proposed transfer of ownership of Council owned properties at 28 and 30 St. Finian’s Avenue, Lucan, Co. Dublin to Housing Association for Integrated Living (HAIL)**

The Council proposes to transfer the ownership of two properties at 28 and 30 Saint Finian’s Avenue, Lucan, Co. Dublin to the Approved Housing Body, Housing Association for Integrated Living (HAIL).

I recommend that the Council transfers the ownership of two properties at 28 and 30 St. Finian’s Avenue, Lucan, Co. Dublin to HAIL, Second Floor, Central Hotel Chambers, 7-9 Dame Court, Dublin DO2X452 subject to the provisions of Section 183 of the Local Government Act 2001 and in accordance with Section 211 of the Planning & Development Act 2000 and the following Terms and Conditions which have been accepted by HAIL.

1. That the Council shall dispose of the fee simple title in the subject property to the proposed Applicant for the delivery of social housing.
2. The disposal price will be a nominal amount of €10.00.
3. The subject area that contains the two properties is outlined in red on Indicative Drawing No. HAIL01.
4. The Housing Association for Integrated Living applicant must be in receipt of full planning permission for the development of the properties where necessary.
5. That an inhibition be placed on the title through a restrictive covenant, that the subject property can only be used for social housing purposes.
6. That the development and upgrade of the properties must be fully completed within the agreed timeframe and meet the needs of the occupants as agreed between the Housing Department of the Council and HAIL.
7. That the Council shall enter into a Capital Assistance Scheme Agreement with HAIL in respect of the development of the two properties and their management going forward.
8. Confirmation must be provided from HAIL that they enter into the necessary agreements with the Health Service Executive in relation to the occupancy arrangements for the two properties
9. That the two properties or any part thereof shall be used for the purpose of providing social housing, for specific category of applicants, in accordance with the Council’s Allocation Scheme subject to the Council having an absolute right to nominate the individual(s) who will occupy the properties unless the Council otherwise agrees in writing.
10. That should either of the properties cease to be used for social housing purposes in accordance with the Council’s Allocation Scheme at any stage, then the properties shall revert to the Council at no cost.
11. That should the Applicant not proceed with the development or complete the development within the agreed timeline the benefit/ownership of any planning permission, design of the scheme and certification shall transfer, free of charge, to the Council.
12. HAIL shall not sell, assign, sublet or part with possession of the properties or part thereof without obtaining the written consent of the Council, with the exception of tenancy and licence agreements with tenants or licensees for Social Housing.
13. HAIL shall be responsible for the insurance of the property and shall indemnify the Council against all claims arising from its use.
14. HAIL shall not carry out any major alterations or development of the property without prior written consent of the Council and without receiving full planning permission where necessary.
15. That all site investigations and surveys (including ground investigations), groundworks, overhead and underground cable diversions, demolitions/site clearance/septic site removal (such works are subject to regulations and to obtaining the relevant statutory licences), services connections, development and associated costs incurred in the delivery of the development shall be borne by HAIL.
16. That HAIL shall be responsible for all repairs and maintenance in respect of the two properties.
17. All outgoings, including rates, taxes, insurance, waste charges or any water charges, etc. which may be payable on the properties shall be the responsibility of HAIL.
18. HAIL shall be liable for the payment of VAT or Stamp Duty should any such payments arise.
19. Each party shall be responsible for its own legal costs incurred in the transaction.
20. The legal agreement shall include any amendments and/or other conditions as deemed appropriate by Council’s Law Agent.
21. That the proposal is subject to the necessary approvals and consents being obtained.
22. HAIL shall comply with all health, safety and fire regulations required in respect of their occupation and use of the properties and indemnify and keep indemnified the Council against any claims or damages arising out of their failure to so comply.
23. The Council require that the two properties be used for social housing purposes pursuant to its Allocation Scheme or any succeeding scheme. A restrictive covenant will be placed on the title which will be binding on the Applicant and its successors in this regard. It is accepted by both parties that the Council shall have sole right to nominate individuals to occupy the two properties.

The lands being disposed form part of the lands acquired by the Council in 1981 from Leinster Importing Company Limited for the purpose of housing, roads and open spaces.

**Daniel McLoughlin**

**Chief Executive**

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

“That proposed transfer of ownership of Council owned properties at 28 and 30 St. Finian’s Avenue, Lucan, Co. Dublin to Housing Association for Integrated Living (HAIL) be **ADOPTED** and **APPROVED.**”

### **H7d/0722 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 and Tourism Development, and were **CONSIDERED:**

**LD 1547 Disposal of a site at Kilcarbery, Clondalkin, Dublin 22 to Lidl Ireland GmbH**

The Council is the freehold owner of a strategic site located at Kilcarbery, Clondalkin, Dublin 22. That the subject site is shown outlined in red on drawings LR/12/21 comprising an area of approximately 0.8 hectares/1.98 acres or thereabouts. The site was placed for open market sale with appointed selling agent, CBRE , 3rd Floor Connaught House, Burlington Road Dublin 4 .

Following an extensive marketing process, the Council Valuer in conjunction with the selling agent has reached agreement on sale terms and conditions which they consider to be fair and reasonable, and which have been accepted by the proposed purchaser.

Accordingly, I recommend that the Council disposes of the site at Kilcarbery, Clondalkin, Dublin 22 to Lidl Ireland GmbH, Head Office, Main Road, Tallaght, Dublin 24 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. A formal disposal map shall be prepared in due course by the Council for inclusion with the legal documents but in the interim a draft plan for identification purposes Drawing LR/12/21 ­­­is annexed showing the site area of approximately 0.8 hectares/1.98 acres outlined in red. The formal disposal map will be prepared by the SDCC Technical Team and to be agreed by the purchaser.
2. That the purchase price, subject to term 6 below, shall be the sum of **€3,750,000 (three million seven hundred and fifty thousand euro)** plus VAT (if applicable) , payable in the following manner:
3. 10% upon signing of the disposal contract. The Proposed Purchaser will sign and return the contract in the agreed form to the Vendor’s Solicitor within 21 working days of issue.
4. 90% upon completion of the disposal – which is conditional on receipt of satisfactory planning permission, as per term 6 below.
5. That the proposed purchaser is Lidl Ireland GmbH, and the contract cannot be assigned or transferred.
6. That the vendor is South Dublin County Council, and they will transfer the Freehold Title or equivalent with vacant possession in the subject site, subject to term No.5.
7. That the site is encumbered by the following:

a. There is a 100mm diameter PVC Watermain along northern boundary of the site and no building will be permitted within 3 metres of this infrastructure.

b. There is a 450mm diameter Surface Water Sewer along the Eastern Boundary of the Site and no building will be permitted within 3 metres of this infrastructure.

c. There is a 500mm diameter pipe running into culvert which is viewable on site with the setback to be determined.

1. That the disposal is subject to the receipt of final grant of permission for a retail store, associated retail units & car parking. The design of the scheme will be generally in accordance with the proposed purchaser’s bid dated 17th June 2022 but subject to any amendments that may be necessary following discussions with the Planning Authority.
2. That the proposed purchaser will apply for a pre planning meeting within two weeks of signing and exchanging the disposal contract. The proposed purchaser will lodge planning permission within 12 weeks of the pre planning meeting. Failure to lodge a planning application within the stated period shall render the agreement null and void.
3. That the Proposed Purchaser shall be permitted to lodge one (1) planning application to the Planning Authority and shall be entitled (without obligation) to lodge one (1) planning appeal to An Bord Pleanala, if required

The entitlement to lodge a second comprehensive planning application shall only arise if the Planning Authority refuses permission for the first application or if the proposed purchaser (acting reasonably) deems the grant of planning permission by the Planning Authority to be unacceptable and onerous. The second comprehensive planning application, if it occurs, must be lodged within 12 (twelve) weeks of the date of the Planning Authority’s decision. The proposed purchaser (acting reasonably) shall be obliged to confirm in writing to the Council within 10 (ten) working days of the date of final grant, that a planning permission received from the Planning Authority or An Bord Pleanala is acceptable or not to them.

1. That in the event that the Planning Authority or An Bord Pleanala refuses permission for the proposed development, or the proposed purchaser (acting reasonably) deem a planning permission to be unacceptable or otherwise fail to comply with any of the conditions above, the contracts will be rescinded, and all monies received will be returned, without the payment of interest.
2. That the proposed purchaser will be responsible for all costs in relation to the planning process.
3. That the transaction is subject to the Proposed Purchaser procuring a Declaratory Order for a Liquor Licence in respect of that part of the proposed development consisting of a licensed foodstore on terms and with conditions acceptable to the Purchaser. The Proposed Purchaser will require 12 weeks from the date of the satisfactory grant of planning permission for the proposed development to fulfil this condition and shall use reasonable endeavours to procure the Declaratory Order. **Disposal shall complete within 10 (ten) working days from the date of receipt.**
4. That the proposed purchaser shall satisfy the Council that they have sufficent funds to develop the site in accordance with the proper planning and development of the area.
5. That the purchaser shall pay any VAT, Stamp Duty, or taxes arising at any stage in this transaction (except where any lawful exemption or relief therefrom applies), including on the creation of a contract for sale.
6. That it is a matter for the proposed purchaser to satisfy themselves as to the existence and/or availability of services within or adjacent to the sites. The disposal is subject to the purchaser being satisfied with the results of all surveys. The purchaser agrees to undertake all surveys within four weeks of the contract signing date.
7. That the Council’s Solicitors shall draft the agreements and contracts for review and may include further reasonable terms and conditions as deemed appropriate to give effect to the terms and conditions set out herein, including provision for use of an independent expert to settle any disputes arising, as appropriate, in order to achieve a reasonable balance in the protection of the parties interests in the matter.
8. That if no development has been substantially commenced on the subject site within 3 (three) years of the completion of the sale, the Council reserve the the right or option at any time during the fourth year following the date of completion of the sale, to acquire the site back at the same consideration for which it was sold, In the event that the Council wishes to exercise this right or option it shall notify the purchaser in writing. The purchaser will be permitted a fair and reasonable extension of 12 months where the commnecement or carrying out of the Lidl development has been delayed by a Force Majeure.
9. That the dates for the performance of any of the requirements of the proposed agreement may be amended at the absolute discretion of the Chief Executive.
10. That each party shall be responsible for their own costs and fees in this matter.
11. That this proposed disposal is subject to the necessary consents and approvals being obtained from South Dublin County Council.
12. That no agreement enforceable at law is created or is intended to be created until exchange of contracts has taken place.
13. That the proposed acquisition is subject to approval of the Board of Lidl Ireland GmbH.

The lands being disposed form part of the lands acquired by the Council in 1983 from Kilcarbery Limited for the purpose of golf course, roads, and open spaces.

**Daniel McLoughlin**

**Chief Executive**

A discussion followed with contributions from Councillors P. Kavanagh and R. McMahon. Queries were raised regarding other shop units alongside the Lidl store and the sale of Council land.

Mr. J. Frehill, Director of Economic, Enterprise & Tourism Development responded to the members queries.

The report was **NOTED** and it was proposed by Councillor E. Murphy and seconded by Councillor P. Kavanagh and **RESOLVED:**

“That proposed Disposal of a site at Kilcarberry, Clondalkin, Dublin 22 to Lidl Ireland GmbH be **ADOPTED** and **APPROVED.**”

### **H7e/0722 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 and Tourism Development, and were **CONSIDERED:**

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

|  |  |  |
| --- | --- | --- |
| ADDRESS | LESSEE(S) | PURCHASE PRICE |
| 33 Páirc Mhuire, Saggart, Co. Dublin | Sandra Keane | €43.85 |

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

**Daniel McLoughlin**

**Chief Executive**

The report was **NOTED** and it was proposed by Councillor E. Murphy and seconded by Councillor M. Duff and **RESOLVED:**

“That proposed Disposal of fee simple in 33 Páirc Mhuire, Saggart, Co. Dublin

 be **ADOPTED** and **APPROVED.**”

### **H8/0722 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=75733)

[HI 8 b) Statistics Report](http://www.sdublincoco.ie/Meetings/ViewDocument/75740)

HI 8 c) Finance Report



Use of overdraft facility Department approved overdraft facility = €25,000,000

No of days in Overdraft from 1st January to 24th June 2022= 0

The reports were **NOTED**

### **H9/0722 PART 8 APPROVAL CLONBURRIS PHASE 1 – FOR APPROVAL**

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

[H9 CE Report on Clonburris SDZ Phase 1 Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75743)
[H9 Presentation for CE Report on Clonburris SDZ Phase 1 Part 8](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75744)

A discussion followed with contributions from Councillors P. Kavanagh, M. Johansson, C. Bailey, W. Carey, D. Ó Brádaigh, E. Ó Broin, S. Moynihan and J. Tuffy who welcomed the report. Queries were raised regarding public transport, Kishogue railway station, rail and traffic noise levels, number of traveller specific units, access roads, district heating, solar panels, aesthetics of the buildings and the re-location of the depot.

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

.

It was proposed by Councillor E. Murphy , seconded by Councillor W. Carey, and **AGREED:**

“That this Council **APPROVES** the proposed Clonburris Phase 1 development.”

### **H11/0722 FLAG POLICY REVIEW – FOR APPROVAL**

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

**REPLY:**

Following receipt of a proposal from Councillor W. Carey to the Mayor and Chief Executive, it was agreed at the July meeting of the Corporate Policy Group to amend the Flag Policy to require the flying of the National Flag when other flags are flying.

This process was in accordance with the Flags Protocol and is now before the Council for approval.

[H11 b) Flag Policy Change](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75732)

A discussion followed with contributions from Councillors P. Kavanagh, E. Ó Broin, E. Murphy, R. McMahon, L. Donaghy and W. Carey a query was raised in relation to the daily flying of the National flag.

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

It was proposed by Councillor E. Murphy , seconded by Councillor D. Ó Brádaigh and **AGREED:**

“That this Council **APPROVES** the Flag Policy Review.”

### **H12/0722 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:**

[HI 12 Capital Projects Progress Report](http://www.sdublincoco.ie/Meetings/ViewDocument/75745)

A discussion followed with contributions from Councillors W. Carey, M. Johansson, C. Bailey, Y. Collins, T. Costello, and G. O'Connell. Queries were raised regarding metal containers stored adjacent to Corkagh Park, Affordable Housing scheme, delays in funding for housing provision, the silver bridge in Lucan, social housing in Dublin 12, Rosemount district enhancement scheme, Kiltipper pitches and the establishment of a Liffey Valley committee.

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

### The Report was **NOTED**.

### **H13/0722 WELLINGTON LANE ACTIVE TRAVEL SCHEME COMMENCEMENT OF PART 8 PUBLIC CONSULTATION – FOR NOTING**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. M. McAdam, A/Senior Engineer of Land Use Planning and

Transportation and were **CONSIDERED:**

[H13 Part 8 Notice Wellington Cycle Scheme](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75715)

### Councillors Y. Collins, L. Sinclair and P. Kearns welcomed the report, queries were raised in relation to the location of the pedestrian crossing and notification to local Councillors prior to publication.

### Mr. M. McAdam, A/Senior Engineer responded to the members.

### The Report was **NOTED**.

### **H14/0722 GRAND CANAL LOOP PART 8 COMMENCEMENT - FOR NOTING**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. M. McAdam, A/Senior Engineer of Land Use Planning and Transportation, and were **CONSIDERED:**

[H14 Part 8 Notice Canal Loop Urban Greenway](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75696)

At this point tin the meeting the Mayor, Councillor E. Murphy proposed and the Members AGREED to suspend Standing Orders if required for questions and answers on Headed Item 16 (**H16**).

A discussion followed with contributions from Councillors P. Kavanagh, S. Moynihan, P. Gogarty, E. Ó Broin, R. McMahon, J. Tuffy, L. O'Toole, and E. Murphy. The members welcomed the report. Queries were raised regarding collaboration with Fingal County Council, and the proposed route.

### Mr. D. McLoughlin, Chief Executive, and Mr. M. McAdam, A/Senior Engineer of Land Use Planning and Transportation responded to the members.

### The Report was **NOTED**.

### **C1/0722 REPLIES & CORRESPONDENCE**

**Replies**

1. [Reply from Minister for Children, Equality, Disability, Integration and Youth](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75655)
2. [Reply from Minister for Social Protection](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75656)

**Correspondence**

[(c) Correspondence from Clare County Council](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75657)
[(d) Correspondence from Pieta House](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75658)
[(e) Correspondence from Kerry County Council](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=75663)

The replies and correspondence were **NOTED**.

Meeting ended at 19.10

### **Motions Not Reached**

### **M1/0722** [**AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75687)

**Councillor Derren Ó Brádaigh**

That this Council agrees to work with others to develop and maintain an active database for the location of all Automated External Defibrillators (AED's) in the County, whilst promoting information on maintenance, training, and registration on the exact location of these life saving devices.

### **M2/0722** [**TRANSGENDER COMMUNITY**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75678)

**Councillor L. Whelan**

That this council reaffirms its commitment to protect and uphold the rights of the transgender community locally and enshrines its commitment to stand in solidarity and campaign alongside the trans community for access to education, healthcare and resources, especially as we approach Trans Pride (July 16th).

### **M3/0722** [**COST OF LIVING**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75669)

**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.

### **M4/0722** [**COMMUNITY SUSTAINABLE DEVELOPMENT GOALS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75728)

**Councillor Lyn Hagin Meade**

That this Council supports the development of Community Sustainable Development Goals Dashboards throughout SDCC to provide a data driven response to collecting and celebrating our communities' actions and progress in working towards the 2030 Sustainable Development Goals.'

### **M5/0722** [**IRISH NEUTRALITY**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75670)

**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.

### **M6/0722** [**DR. NOEL BROWNE**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75704)

**Councillor K. Mahon**

Following on from the Motion passed at April 2021 Council Meeting

“In recognition of Dr Noel Browne, and the men and women who fought for the eradication of tuberculosis in Ireland that a commemorative stone be provided on the Grass Verge in proximity to Peamount Hospital”

That this Council writes to Dublin City Council informing them of the recent commemoration by South Dublin County Council of Dr. Noel Browne and express our support for a memorial or commemorative piece in Dublin City. We believe such a project would be merited and have public support.

### **M7/0722** [**VACCINE TRIALS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75671)

**Councillor F. Timmons**

That this Council commits to writing to the Minister for Children, Equality, Disability, Integration and Youth to ask him when the state will act on the Vaccine Trials, does the state intend apologizing for the trials that were carried out in Many institutions while innocent children were in the care of the state and religious orders and were carried out without parental consent, and to ask what he, as Minister intends to do for survivors of the Vaccine Trials and to give details of the State’s position on these illegal trials?

### **M8/0722** [**ROAD WORKS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75652)

**Councillor Peter Kavanagh**

This County Council agrees to prioritise vulnerable road users when engaging in road works throughout the county, ensuring that, where possible, cycle lanes are accommodated and footpaths are unobstructed.

### **M9/0722** [**LITTER BIN AND CLEANSING SERVICES**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75691)

**Councillor P. Gogarty**

That the Chief Executive, noting concerns raised by residents and businesses in relation to the quality of bin collections, cleansing and litter picking (in village areas), undertakes to investigate ways of improving service provision for the citizens of south Dublin; and if a statement can be made on the matter.

### **M10/0722** [**LOCAL AUTHORITY RENTS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75672)

**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.

### **M11/0722** [**AN BORD PLEANÁLA**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75673)

**Councillor Liam Sinclair**

That this Council declares that, given recent revelations, it has no confidence in An Bord Pleanála. Current members of the board should step down or be removed, and replacements sourced via an independent recruiter. Should the motion be agreed a letter issues to An Taoiseach, the Minister for Housing, Local Government and Heritage, and Minister of State, with special responsibility for Local Government and Planning.

### **M12/0722** [**PUBLIC TOILETS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=75685)

**Councillor Eoin Ó Broin**

The regressive response to Question 12 from the council of March 2022 that asked for an update on the feasibility study on the installation of public toilets is noted. To begin to resolve this situation in a progressive manner this council agrees to have one self cleaning one person outdoor public toilet installed in each of the four local areas of SDCC. [http://www.sdublincoco.ie/Meetings/ViewDocument/74389`](http://www.sdublincoco.ie/Meetings/ViewDocument/74389%60)

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

Mayor

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