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

Minutes of South Dublin County Council January 2023 County Council Meeting held on Monday 9 January 2023

### **PRESENT**

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

### **OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin.  |
| Directors/ Heads of FunctionHead of FinanceHead of ITCounty Architect | L. Maxwell, J. Frehill, M. Mulhern, T. Walsh, C. WardR. FitzGeraldT. KavanaghE. Conroy |
| Senior Executive OfficersSenior Executive PlannerExecutive Planner | C. Hurson, L. Leonard, J. Moroney Ward, S. Conroy S. WilloughbyL. Clarke |
| Administrative OfficersSenior Staff Officer | M. Reilly, D. HealyL. Abbey |
| Staff OfficerAssistant Staff OfficerSord | A. MallonA. Hagan, D. MurphyA. O’Brien. |

The Mayor, Councillor E. Murphy, presided.

Apologies were received from Councillors. B. Lawlor, K. Mahon, L. Whelan, and D. Richardson.

**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.

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.

### **H1/0123 CONFIRMATION AND REAFFIRMATION OF MINUTES - FOR APPROVAL**

Minutes of the October Council Meeting held on 12th December 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 R. McMahon.

[December 2022 Council Minutes](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77355)

### **H2/0123 FILLING OF CASUAL VACANCY ON SOUTH DUBLIN COUNTY COUNCIL IN ACCORDANCE WITH S.19 OF LOCAL GOVERNMENT ACT 2001 FOLLOWING THE RESIGNATION OF COUNCILLOR P. KAVANAGH – FOR APPROVAL**

**REPLY:**

As a result of the resignation of Councillor Peter Kavanagh on Monday 7th November 2022, a casual vacancy has occurred on South Dublin County Council (Clondalkin Electoral Area).

[**Section 19 of the Local Government Act 2001**](http://www.irishstatutebook.ie/2001/en/act/pub/0037/sec0019.html) provides that a casual vacancy shall be filled by the co-option by the Local Authority of a person to fill the vacancy and such co-option shall be made at the next meeting of the local authority after the expiration of 14 days from the occurrence of the vacancy or as soon after the expiration of the 14 days as circumstances permit.

Councillor Laura Donaghy has been duly nominated by the Green Party, being the registered political party who nominated Councillor Kavanagh for election, and in accordance with Section 19 (5) Councillor Donaghy's written consent to her proposed co-option has been received.

Members are required to ratify the co-option of Councillor L. Donaghy at today’s meeting.

It is agreed that Councillor L. Donaghy will remain a Member of the following bodies:

* Housing SPC
* Eastern & Midlands Regional Assembly
* Commemorations Committee
* Working Group to Progress Links with a Council in Northern Ireland

[H2 (b) Green Party Nomination - L. Donaghy](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77342)
[H2 (c) Green Party Nomination - L. Donaghy Resignation Acceptance](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77362)

The report was **NOTED** and it was proposed by Councillor L. Hagin Meade and seconded by Councillor L. Sinclair and **AGREED**.

“That Councillor L. Donaghy be co-opted to fill the vacancy occurring as a result of the resignation of Councillor P. Kavanagh on the 7th  November 2022.”

### **H3/0123 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, Newcastle, Rathcoole, Saggart and Brittas Area Committee Meeting**

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 (Grant),** Corporate Support, Performance & Change Management .

An Application for an Arts Grant under Section 6 of the Arts Act 2003, has been received from the organisation listed below. Payment of this grant, in accordance with the conditions of the Scheme and in the amount set out hereunder, is recommended for approval:-

|  |  |  |  |
| --- | --- | --- | --- |
|  Ref: |  Name of Group |  Type of Application - Grant | Amount |
| AG 2022 | Local Vocals Choral Group Clondalkin  | Local Vocals Choral Group Clondalkin are seeking support towards the cost of rehearsal space and materials  for the group. Local Vocals is a choral group comprised of 33 members who are resident of Clondalkin, Walkinstown and Lucan. The members are all senior citizens with special needs such as Alzheimers, Parkinson’s disease, Cancer survivors and Hard of Hearing. The group provides a social outlet for its members. It performed in care and community settings pre-Covid. The group is a valued voluntary arts resource. The Arts Office recommends that a contribution of €650 be allocated to Local Vocals Choral Group Clondalkin support towards rehearsal space and materials for the group. |   €650             |

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

“That the Lucan ACM Arts Grant be **ADOPTED** and **APPROVED.**”

### **H4/0123 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

### **H5/0123 STRATEGIC POLICY COMMITTEES - FOR NOTING**

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

### **H6/0123 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 Y. Collins and **RESOLVED**:

“That pursuant to Standing Order No. 22, Questions numbered Q1 – Q19 be **ADOPTED** and **APPROVED.”**

### **Q1/0123 QUESTION: Councillor C. Bailey**

To ask the Chief Executives for a report on social housing voids and to compare 2022 to 2018 inclusive. Report to include the average turnaround time, to outline where the blockages are and what SDCC are doing to resolve this.

**REPLY:**

Our Housing Maintenance and Refurbishment section undertake re-let works on vacant housing stock throughout the County to ensure stock is brought back into productive use for letting as soon as possible.  In 2022, re-let works have been completed on vacancies arising in 177 Council-owned social homes (compared to 139 properties in the whole of 2021).  The cumulative average time for these properties to be re-let to date in 2022 is 28.39 weeks, which represents an improvement of over 17% on the final overall re-let times for 2021.  While various measures are being implemented and explored to continue to improve this figure, it has been significantly impacted in recent years by various construction sector challenges as well as Covid-19 related issues, and, going forward, is particularly contingent on contractor resourcing/availability and acceptance of offers of accommodation following Choice Based Letting expressions of interest.  Annual average re-let times from 2018 to 2022 were as follows:

|  |  |
| --- | --- |
| **Year** | **Relet Times****(weeks)** |
| 2018 | 17.44 |
| 2019 | 22.00 |
| 2020 | 24.88 |
| 2021 | 34.43 |
| 2022 | 28.58 |

A detailed Relets Process Review report, separately attached, was presented to the Housing Strategic Policy Committee in November 2022 outlining all aspects of the process and targets for future improvement.

[Q1 SPC Re-let Review Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77348)

### **Q2/0123 QUESTION: Councillor C. Bailey**

To ask the Chief Executive to outline the SDCC housing delivery report for 2022. The report should denote all delivery streams individually and including Traveller accommodation

**REPLY:**

The table below provides details of social housing delivered in 2022 under the various streams:

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Council New Build | AHB New Build | Part V New Build | **Total New Build** | Council Acquisition | AHB Acquisition | **Total Acquisition** | **Total Leasing** | **Total RAS** | **Total HAP** | **Overall Total** |
| 171  | 95 | 125\* | **391** |  5 | 8 | **13** | **68** | **13** | **204\*\*** | **689** |

\* This figure includes 7 Traveller specific homes which were delivered under Part V new build.

\*\* This figure does not include Homeless HAP tenancies in South Dublin which are reported separately through the Dublin Region Homeless Executive and for which final 2022 figures are not yet confirmed.

### **Q3/0123 QUESTION:** **Councillor C. Bailey**

To ask the Chief Executive are there plans to ensure that footpaths near to schools are gritted during cold weather periods?

**REPLY:**

Currently SDCC provide winter treatment only across 300km of road network. The routes are chosen to ensure the primary distributor roads are treated as this ensures the delivery of essential goods and services. There are c.140 schools across the County. There is not the capacity to grit footpaths across the Council, however, we have provided 5 on street salt bins at key locations to allow the local community to grit footpaths where needed. Following the recent freezing weather we are now reviewing the number and location of these salt bins with a view to providing more salt bins across the County including at local schools.

### **Q4/0123 QUESTION:** **Councillor C. Bailey**

To ask the Chief Executive to outline clearly from start to finish, how residents and councillors can request traffic calming measures in estates, in areas where children are playing and/or crossing the road regularly?

**REPLY:**

The Council's Policy on Traffic Calming is to move away from vertical traffic calming measures such as ramps. Horizontal traffic calming such as junction tightening, traffic calming islands and footpath buildouts is favoured in current policy documents in line with DMURS. Further information on the types of traffic calming measures the Council deploys is available in the Council's Street Improvement Guide. Traffic calming applications can be made by submitting a "Traffic Calming Application Form" which is available on the Council's website.

Each location submitted will be reviewed and, if appropriate, a suitable traffic calming mechanism will be installed once funding and resources allow.

### **Q5/0123 QUESTION: Councillor L. Hagin Meade**

To ask if SDCC own equipment suitable for gritting segregated cycle lanes and pavements and do they have plans to acquire such equipment?

**REPLY:**

Currently SDCC provide winter treatment on over 300km of road network. The routes are chosen to ensure the primary distributor roads are treated as this ensures the delivery of essential goods and services.

SDCC’s current cycle infrastructure is 200km and varies from on road cycle tracks to greenways.

SDCC do not currently treat cycle tracks nor do we have any equipment to do so. If cycle tracks were to be treated it would require a very significant alteration to our current operating procedures and also need a large investment in plant and resources.

The expansion of our winter maintenance to incorporate cycle tracks is not currently proposed within existing resources. However, as the Council continues to deliver more improved segregated/protected cycle lanes we will review how we can best provide both general and winter maintenance.

### **Q6/0123 QUESTION: Councillor L. Hagin Meade**

To ask the chief executive to report, in tabular form on the number of accidents that were reported to SDCC due to ice related falls/accidents on pavements and cycle lanes over the past 4 years.

**REPLY:**

While the Council is usually advised by the public of where and when slips and trips occur across Council network, our reporting system does not have a mechanism to filter and report the detail in the format requested in this question.

### **Q7/0123 QUESTION: Councillor L. Hagin Meade**

In relation to the new Pathfinder Active Travel Projects and the main cycle arteries in SDCC, can the Chief Executive outline the plan to keep these active travel routes gritted and passable like main car routes, during icy conditions or orange/red weather warnings?

**REPLY:**

Currently SDCC provide winter treatment on over 300km of road network. The routes are chosen to ensure the primary distributor roads are treated as this ensures the delivery of essential goods and services.

SDCC’s current cycle infrastructure is 200km and varies from on road cycle tracks to greenways and these are not currently treat cycle tracks nor do we have any equipment to do so.

If cycle tracks were to be treated it would require a very significant alteration to our current operating procedures and also need a large investment in plant and resources.

The expansion of our winter maintenance to incorporate cycle tracks is not currently proposed within existing resources. However, as the Council continues to deliver improved segregated cycle lanes we will review options for how best to carry out both general and winter maintenance of these.

### **Q8/0123 QUESTION: Councillor P. Holohan**

How many houses have the council purchased through the procurement process from land lords in the past 5 years.

**REPLY:**

A total of 73 properties were purchased with RAS tenants in situ from 2015 to 2022 with approximately 90 additional potential purchases currently being examined and progressed.

The acquisition of properties is funded by the Department of Housing, Local Government and Heritage and subject to prevailing policy.  The Council's delegated authority from DHLGH allowed the purchase of properties to meet priority needs (e.g. medical needs etc.), to exit households from homelessness, and to acquire specific properties types/sizes reflecting local needs.  Our Housing Delivery Action Plan 2022-2026, reflecting the prevailing position at the start of the year, envisaged opportunities for 10-20 additional social homes annually through acquisition but there has been limited availability in the housing market generally to date this year, particularly in the context of our policy of not competing with first-time buyers on the open market.  Our scope for acquisitions has recently been extended to include increased flexibility on the purchase of properties with HAP/RAS tenants in situ who are at risk of homelessness due to Notices to Quit.  Properties for potential acquisition are subject to DHLGH acquisition cost limits and are prioritised based on how imminent the risk of homelessness is together with the specific household needs while alternative accommodation options are also pursued by the Council for the households concerned as appropriate.  Properties are valued and inspected prior to negotiation/agreement on sale price and once the necessary conveyancing processes are completed a Council tenancy will be put in place for the property.

### **Q9/0123 QUESTION: Councillor P. Holohan**

How many houses are currently been reviewed for purchase through the procurement process by SDCC ?

**REPLY:**

The acquisition of properties is funded by the Department of Housing, Local Government and Heritage and subject to prevailing policy. The Council's delegated authority allowed the purchase of properties to meet priority needs (e.g., medical needs etc.), to exit households from homelessness, and to acquire specific property types/sizes reflecting local needs. Our scope for acquisitions has recently been extended to include increased flexibility on the purchase of properties with HAP/RAS tenants in situ who are at risk of homelessness due to Notices to Quit.  Properties for potential acquisition are subject to DHLGH acquisition cost limits and are prioritised based on how imminent the risk of homelessness is together with the specific household needs while alternative accommodation options are also pursued by the Council for the households concerned where appropriate. Properties are valued and inspected prior to negotiation/agreement on sale price and once the necessary conveyancing processes are completed a Council tenancy will be put in place for the property.

Five property acquisitions with HAP/RAS tenants in situ were completed in 2022 along with eight acquisitions by Approved Housing Bodies, with a further ninety potential acquisitions currently being examined and progressed by the Council following expressions of interest from property owners/landlords wishing to sell their property to the Council.

### **Q10/0123 QUESTION: Councillor C. O'Connor**

To ask the CEO if he plans to review the Council's Traveller Accommodation Programme and confirm services being provided to Traveller families across our County and will he make a statement?

[Q10 Report on TAP 2019-2024 Mid-Term Review](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77340)

**REPLY:**

In July 2022, the Department of Housing Local Government and Heritage (DHLGH) directed all local authorities to undertake the statutorily required mid-term review of their current Traveller Accommodation Programme (TAP). While there is no statutory requirement to publish newspaper notices prior to undertaking a mid-term review, the Council did so on 11th August 2022 inviting submissions from elected members, Traveller representatives and the public generally.

A mid-term review report on the TAP was presented to the Council’s Housing Strategic Policy Committee in September 2022 outlining the following:

* updates on delivery of new and redeveloped Traveller accommodation
* numbers of Traveller households allocated standard social housing or casual vacancies on existing Traveller accommodation
* provision of caravans/mobile homes/medical chalets to Traveller households, and,
* acknowledgement and responses to issues raised in submissions where appropriate

The Housing Strategic Policy Committee endorsed the mid-term review report finding that no formal amendment to the TAP was required and recommended that position to the LTACC. The TAP mid-term review report was then presented to the LTACC at its meeting in September 2022. Discussion at the meeting particularly highlighted issues relating to transient site provision, energy efficiency in Traveller accommodation and caravan/mobile home provision. Following detailed consideration of the report, and noting the Housing Strategic Policy Committee’s recommendation, the LTACCC decided that no formal amendment to the Traveller Accommodation Programme was required. Accordingly, the TAP mid-term review report ( attached) provided formal notice by the Council to the Department of Housing, Local Government and Heritage of this position on the 4th November 2022.

### **Q11/0123 QUESTION: Councillor C. O'Connor**

To ask the CEO to report on the recent meeting he attended, along with other Chief Executives, with the Minister for Housing, to discuss the housing crisis; will he detail plans he has to implement proposals which came from that meeting and will he make a statement?

**REPLY:**

Plenary meetings with the Minister for Housing and Chief Executives of local authorities took place both in October and December 2022 to discuss various aspects of housing delivery and included discussion on measures including:

* maximising 2022 housing delivery and accelerating subsequent social and affordable housing delivery
* responses to homelessness including acquisition of properties with HAP/RAS tenants in-situ and the winter eviction ban
* targeted leasing initiative to provide additional social homes
* addressing vacancy
* updates to affordable housing fund supports
* a new land acquisition fund managed by the housing agency to support future social housing delivery.

Where appropriate these measures are being explored in the context of the Council's approved Housing Delivery Action Plan 2022-2026 while some of the matters discussed require further clarification, regulations or guidance from the Department of Housing, Local Government and Heritage.  Our HDAP outlined the Council's plans to meet our targets for social and affordable housing delivery from 2022 to 2026 with approximately 3,700 new social homes projected for delivery through build, AHB supply, Part V delivery and leasing and a further 1,500 affordable homes for purchase and rental to be delivered.

### **Q12/0123 QUESTION:** **Councillor C. O'Connor**

To ask the CEO if he is working on plans to provide additional allotment spaces in the County; will he appreciate the clear demand in that regard and make a statement?

**REPLY:**

A review of the Council's Allotments Policy is underway. Included in the review is an assessment of existing provision of allotments within SDCC's administrative area and an determination of requirements into the future. Provision has been made in the Capital Programme for 2023 - 2025 to develop additional allotments, expansion of existing allotment site locations and scoping of new sites are being examined as part of the review. A full report will be made to The Environment, Water & Climate Change SPC in 2023.

### **Q13/0123 QUESTION: Councillor C. O'Connor**

To ask the CEO if he has sought assurances from the Chief Fire Officer in respect of Fire Brigade services in the County; will he detail the level of resources available in that regard and make a statement?

**REPLY:**

The Chief Fire Officer has been contacted in respect of Fire Brigade services and level of resources available in the County. His response is as follows:

**Resources Specifically Assigned to South Dublin County Council Functional Area:**

DFB’s Bravo District (District responsible for the fire cover South Dublin County Council) is the area covered by Dolphins Barn and Tallaght Fire stations. Depending on the nature and location of an emergency crews from any one of these stations will respond.

Tallaght Fire Station has two Class-B Water Tenders. These are appliances are crewed by an officer and four/five firefighters, one firefighter acting as the driver / pump operator. They are equipped with a pump and a variety of firefighting and road traffic collision rescue equipment.

**Resources in DFB Bravo District:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Station** | **Location** | **Appliances / Vehicles** | **Personnel** |
| No 2 District Station | Dolphinsbarn | Water Tender Class B    x2Ambulance                      x 1Emergency Rescue Tender x 1District Officers Command Vehicle x 1 | District Officer    x 1Station Officer    x 1Sub Officer          x 2Firefighters         x 13  |
| No 7 Station | Tallaght | Water Tender Class B  x 2Ambulance                      x 1  | Station Officer      x 1Sub Officer            x 1Firefighters           x 11 |

Additionally, any resources required to augment these resources will be sent from adjoining districts / stations as would specialised fire appliances required. Specialist fire appliances include, turn-table-ladders, emergency tenders, foam tenders etc.

### **Q14/0123 QUESTION: Councillor C. O'Connor**

To ask the CEO for a report into the Tenant Purchase Scheme; report to include any proposed changes and plans to further promote the scheme in that regard and will he make a statement?

**REPLY:**

The Increment Tenant Purchase scheme is a statutory scheme and the most recent amendment to the scheme was made in February 2022 following the Housing (Sale of Local Authority Houses) (Amendment) Regulations 2021.  This amended the minimum income requirements to €12,500 per annum to ensure persons whose pension is their primary source of income can apply under the scheme and increased the time tenants required are to be in receipt of social housing support to be eligible under the scheme from one to 10 years.

Since it was launched in 2016, 20 properties have been sold by the Council under the scheme including 6 in 2022.

An online application form is currently being developed for tenant purchase applications through our housing online portal and will be launched later this year with accompanying promotion through the Council’s communications platforms.

### **Q15/0123 QUESTION: Councillor F. Timmons**

To ask the Chief Executive for a report into What is happening with residue of 2022 Tidy Town funding.? This is 3rd year the TT budget was not fully allocated to various TT groups.

**REPLY:**

The full budget provision for 2022 to support Tidy Towns was made available to relevant groups across the County and, while some groups were able to progress their plans and draw down funding by year end, staff in the Community Department continue to support additional groups to complete outstanding requirements for draw down of funding with some applications contingent on input and approval from third parties.  In such instances 2022 funding will be retained to support the applications submitted where appropriate but overall, a reduced number of applications was received.

From January 2023 the budget to support Tidy Towns activities is being managed by the Public Realm Section and the 2023 grants process to support groups will be communicated in the coming weeks.

### **Q16/0123 QUESTION:** **Councillor F. Timmons**

To ask the Chief Executive for a report into how SDCC will meet the need for single room emergency accommodation in SDCC in the Dublin mid-west area?

**REPLY:**

Our Homeless Unit continues to assist households becoming homeless or at risk of homelessness. Working in conjunction with the Dublin Region Homeless Executive, we operate an advice clinic in County Hall and provide outreach 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 and the DRHE is providing extra beds for the Dublin Region for the “cold weather“ season with sufficient emergency accommodation available to meet the arising need for single persons.  However, in conjunction with the DRHE, the Council continues to explore options for additional emergency accommodation within the South Dublin administrative area, particularly in the area north of the Naas Road, to supplement the existing regional emergency accommodation provision.

Our homeless outreach service operates all year round for rough sleepers across the County, working with other agencies, including the HSE, in identifying rough sleepers and connecting them with appropriate accommodation and support services, playing a vital role in assisting homeless rough sleepers during the winter months, and the Council is also committed to the provision of Housing First tenancies for long-term homeless single people where appropriate.

### **Q17/0123 QUESTION:** **Councillor F. Timmons**

To ask the Chief Executive for a report into how SDCC protect protected animals like swans and bats etc and how this is enforced ?

**REPLY:**

Wild animals like swans and bats are legislatively protected under the Wildlife (Amendment) Act, 2000 ([Wildlife (Amendment) Act, 2000 National Parks & Wildlife Service (npws.ie)](https://eur04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.npws.ie%2Flegislation%2Firish-law%2Fwildlife-amendment-act-2000&amp;data=05%7C01%7Clmagee%40SDUBLINCOCO.ie%7C28d0be2f10b24bbeae1d08dae2abc7ba%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C638071524667344435%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&amp;sdata=XF7QTjn9twgZ3ENCXJs70uXh5fKabF7b%2B0M9occ2Ph4%3D&amp;reserved=0)).  This Act also provides for the imposition of fines for contraventions of the Act, and to allow for the imposition of prison sentences, where appropriate.

Bats are afforded particular protection under the EU Habitats Directive [EU Directives | National Parks & Wildlife Service (npws.ie)](https://eur04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.npws.ie%2Flegislation%2Feu-directives&amp;data=05%7C01%7Clmagee%40SDUBLINCOCO.ie%7C28d0be2f10b24bbeae1d08dae2abc7ba%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C638071524667344435%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&amp;sdata=rDEBccgWERp6lsXGl8LZJ9PQr6VeBWXAcvrNcIkP59A%3D&amp;reserved=0), which also makes it a prosecutable offense to interfere with the breeding or the resting places of these mammals. The Council has no authority under any of these pieces of legislation however, and we are required to comply with the law in the same manner as any other landowner.

The Council is cognisant of the requirements to consider potential environmental consequences to protected species and habitats during both its own operations and as a consequence of the planning system.  Surveys for bats are frequently sought for Council projects or for development applications where the presence of bats might be suspected.  Where bats are found to be present, a derogation licence is required to be sought from National Parks and Wildlife Service which also requires detailed mitigation measures to be undertaken to minimise disruption to these species.

Bats are frequent visitors to many of the Council’s parks in evening times as they commute to and from roosting sites foraging for insects.  Excessive lighting can have detrimental effects on the activities of certain bat species.  To protect bat movement and feeding activities, it is not standard policy to provide night time lighting through all darkened areas of public parks.  Where public safety issues prevail however, e.g. key connectivity/permeability points, or areas subject to anti-social behaviour, lighting options may be provided.  In these circumstances, measures to reduce impact on bats are considered and used where appropriate e.g. cowled lighting design, directional lighting, or the use of motion-sensor lighting as along sections of the Dodder Greenway.

The many ponds and lakes in SDCC’s public parks support a significant population of swans in the County of Dublin.  Annual support has been contributed under the County Heritage Plan to a voluntary group over the last 6 years to ring-tag new cygnets in public ponds and lakes.  This project is building a picture of the importance of the Council’s parks in the support and growth of these urban swan populations.

### **Q18/0123 QUESTION:** **Councillor F. Timmons**

To ask the Chief Executive for a detailed report into how planning enforcement cases are carried out in SDCC that includes timeframe involved and the procedure involved?

**REPLY:**

On receipt of a written complaint, where it would appear to the Council that unauthorised development may have been, is being or may be carried out, the Council must issue a warning letter to the owner or person carrying out the development, unless the development in question is considered to be of a trivial or minor nature or the Council considers that the complaint is without substance. The warning letter must issue within 6 weeks of the written complaint (if there is one) being made and must:

* state that an unauthorised development may have been, or is being, carried out;
* state that the person has 4 weeks to make a submission to the planning authority on the allegations;
* state that if the authority forms the view that the development is unauthorised, an enforcement notice (see below) may issue;
* state that the authority’s officials may enter the land for the purposes of inspection
* explain the potential penalties involved; and
* explain that a court action may be taken to recover costs incurred by the authority

Once the letter has issued, the  Council has to investigate the matter with a view to deciding whether further action is required. This decision must be taken as expeditiously as possible, although there is a statutory objective to decide this within 12 weeks of the warning letter issuing. In making the decision, the Council must take into account the original written complaint received  and any representations / submissions from the person who was served with the warning notice.

Where the Council establishes, having carried out an investigation that unauthorised development is being carried out which is not trivial or minor, and the person carrying out the development does not move to remedy the situation (e.g. by removing the offending development or by applying for permission) the Council must take further action.

The Council's decision, and the reasons for it, must be entered on the planning register, which is available for viewing in all planning authority offices.

Where the Council decides not to pursue enforcement action it has two further weeks to notify the complainant and anyone else who had been earlier notified of the original warning letter issuing.

**Timescale for Warning Letter Process**

|  |  |
| --- | --- |
| **Action**  | **Timescale**  |
| Written complaint received by planning authority | Start |
| Warning letter issued | Within 6 weeks |
| Response from alleged unauthorised developer | Within a further 4 weeks |
| Local authority to carry out investigation and decide whether further action is required | Within 12 weeks of issuing the warning letter |
| Local Authority reply to complainant | Within a further 2 weeks (i.e. within 2 weeks of making its decision) |

Once a planning authority has decided to pursue enforcement action, an enforcement notice is served on:

* the person carrying out the development; and (if necessary) the landowner;
* the person occupying the land (if they are not the owner); and any other person concerned.
* Notification of the issuing of the enforcement notice is also sent to the original complainant and anyone else concerned, although failure to do this will not affect the validity of the enforcement notice. In the meantime, if the authority becomes aware that other people may also be responsible for the unauthorised development it can serve notice on them also, extending the deadline for compliance as appropriate.
* An enforcement notice is effective from the date it is served and it states the following:

where the development is being carried out without planning permission, that it must cease;

where the development has planning permission but is not being carried out in accordance with it, that it must fully comply with the permission concerned;

that certain steps are to be taken within a specified period, including the removal, demolition, or alteration of any structure; the discontinuance of any use of land; or the restoration of the land to its previous state before the unauthorised development began;

that where these steps are not taken within the period stated , the person will be guilty of an offence and that the planning authority may enter the land and do the work itself with the cost being recoverable from the person;

that other costs involved with taking the enforcement action can be recovered from the person by the authority, e.g. investigation, employee and consultant costs.

The carrying out of any works for restoration, etc. on foot of an enforcement notice or court order (see below) does not need planning permission, given that failure to do this would place the person in breach of planning law.

The following general points about enforcement notices also apply:

* all details of enforcement notices are entered on the planning register and listed in the local authorities annual report;
* an enforcement notice has effect for 10 years from the date of its serving;
* in addition to the offences described above, it is also an offence to assist or permit the failure of someone to comply with an enforcement notice.

It is desirable that planning enforcement matters be resolved without recourse to legal intervention.

However, there are cases where, instead of issuing an enforcement notice (or subsequent to issuing an enforcement notice, in the event the notice is not complied with) the Council may, where an unauthorised development is being, or is about to be, undertaken, can also apply to the Circuit or High Court for an injunction preventing it.

Notwithstanding the above, due to resources required, it is not always possible to deal with all complaints of alleged planning enforcement within the prescribed timeframe, and overy often cases are prioritised as necessary.

### **Q19/0123 QUESTION:** **Councillor F. Timmons**

To ask the Chief Executive for a report into what additional measures are being put in place to protect protected structures and historical ruins in SDCC against the increased risks of Climate Change?

**REPLY:**

There are on-going conservation and repair works being carried out by the Architectural Conservation Section and Architectural Services as part of project delivery and the protection of our historic built environment. These include works 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 conservation and repair projects have been delivered to date under the Architectural Conservation, LUPT Capital Fund:

* Kilinniny Towner (ruin),
* Ballymount Gate House (ruin),
* King Johns Bridge, Esker,
* Rathfarnham Church and Graveyard,
* St. Finian’s Church, Esker,
* Kiltalown House (roof repairs)

There are other projects proposed for 2023.

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 are being delivered under the Community Department and works have commenced at the Court of Petty Sessions, Rathcoole and Former St. Marys Primary School, Saggart which includes energy efficiency, thermal upgrading works and adaptive reuse of both buildings for Community Use.

As part of the National Architectural Conservation Grant Schemes funded by the DHLGH 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 conservation repairs, energy efficiency works, upgrading or works to tackle climate change all of which qualify for funding 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.

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.

### **H7/0123 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS**

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

### **H8a/0123 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 1570 Grant of Lease to Weston Hockey Club at Lock Road, Ballyowen, Lucan, Co. Dublin**

By Indenture dated 28 November 2007, the Council granted a 25 year Lease to Weston Hockey Club for the provision of a hockey pitch on lands at Lock Road, Ballyowen, Lucan, Co. Dublin.

Weston Hockey Club now wish to redevelop the hockey pitch and have applied for funding under the Sports Capital and Equipment Programme (SCEP) from the Department of Tourism, Culture, Arts, Gaeltacht, Sport, and Media to facilitate this work. In order to meet the necessary criteria for the funding, the Club requires a minimum leasehold interest of 25 years and have therefore contacted the Council on this matter. The Council is willing to grant a new lease on the subject area of approximately 1.72 acres (0.696 hectares) or thereabouts, hatched green on the attached Indicative Drawing EL1 to Weston Hockey Club “the Applicant” subject to the following terms and conditions: -

1. That the Council shall grant the Applicant a lease of the area of approximately 1.72 acres (0.696 hectares), hatched green on the attached Indicative Drawing No. EL1. This lease shall exclude the area comprising part of a public footpath. The lease shall be for a period of 25 years.

2. A formal disposal map shall be prepared in due course by the Council for inclusion with the lease but in the interim, the Indicative Drawing No. EL1 shows the subject property hatched in green and the right of way in yellow.

3. That the granting of a new lease will require the Applicant to terminate their existing lease with the Council in advance of the new lease being granted.

4. That the Applicant shall be permitted access to the area hatched green on the attached Indicative Drawing No. EL1 via a right of way coloured in yellow.

5. That the annual lease fee shall be the sum of €20,000 (twenty thousand euro) and shall be subject to review at the end of every fifth year to the market lease fee. This annual lease fee shall be abated to the sum of €150 (one hundred and fifty euro) subject to the property being used for the purposes as per term no. 11. The abated lease fee may be reviewed at the end of every fifth year on the basis of the increase in the consumer price index.

6. That any development on the leased area shall be carried out in accordance with the relevant planning permission granted by South Dublin County Council and the Applicant will comply at all times with the requirements of the Local Government (Planning and Development) Acts, 1963-2000, the Planning and Development Act 2000, the Building Control Act 1990, Building Regulations 1991-1994 and the Building Control Regulations 1997 and any amendments or re-enactments currently in force, or to be re-enacted in the future in respect of the said Acts and Regulations.

7. That at their own expense, the Applicant is to comply with all the provisions and requirements of any Act or Acts of the Oireachtas now or afterwards to be passed and every order, regulation notice and bye-law made under or in pursuance of such Acts, or by any local or other authority in respect of the Leased Area, or the user of it or the person or any fixture or machinery, plant or chattels for the time being in it including without prejudice to the generality of this clause, the provisions of the Safety in Industry Act 1955 and 1980, Offices Premises Act 1958, the Safety Health and Welfare at Work Act 1980 and the Fire Services Act 1981 and any regulations, permissions, directions, order, bye-laws, building regulations, and orders made under such Acts and to indemnify the Lessor at all times against all proceedings, actions, costs, charges, claims, expenses, damages, liabilities, losses and demands arising from any breach of this obligation.

8. That all site investigations (including archaeological 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 entire completed development shall be borne by the Applicant.

9. That the Applicant shall be prohibited from erecting any mast on the leased area.

10. That the Applicant shall build nothing (except with the prior written approval of the Council) on the leased area except for works shown on the approved drawings for which Planning Permission has been granted.

11. That the leased area shall be used solely by the Applicant for the purpose of a non-profit making, community and recreational hockey club. In the event of it ceasing to be used for such purposes it shall revert free of charge to the Council or to the appropriate open market yearly lease fee as determined by the Council Valuer.

12. That the sale, manufacture or consumption of intoxicating liquor shall not be permitted in or about the leased area.

13. That the Applicant shall at all times ensure the leased area is in such condition that it shall be an amenity to the neighbourhood and a place of pleasant resort and not to allow it to be used so to be a nuisance to persons resorting to it or to owners or occupiers of surrounding houses or members of the public. In particular, they shall not allow undue noise or commotion to emanate from the building at any time during its opening hours.

14. That the Applicant shall at the direction of the Council make adequate provision for the use of the leased area by other organisations and schools in the area at reasonable times and free of charge subject to it being used in a proper manner and subject to availability.

15. That the Applicant shall at all times maintain proper order and conduct on the leased area.

16. That if the Applicant allows hockey on the leased area comprising of a hockey pitch they shall take particular care that all such games are of a safe nature and so conducted as to ensure that no avoidable danger is caused to participants, spectators and other persons or to any property and that the Hockey Pitch and equipment used for such games are safe and in good order for the purpose for which same are used.

17. That the Applicant and the Council or any other party the Council permits shall have the right to operate the floodlighting.

18. That the Applicant shall be responsible for the maintenance and repair of the leased area. The Applicant shall maintain the leased area to a standard that is satisfactory to the Council and shall keep the property in a good state of repair.

19. That an authorised Council Official shall be permitted to enter onto the property at any time and view the state and condition of the property and if necessary prepare a schedule of necessary works (if any) that shall be carried out by the lessee within a reasonable period of time as stated by the Council.

20. That the Applicant shall ensure that the highest level of Health & Safety Standards apply to the use of the site.

21. That the Applicant shall be responsible for any loss or damage to goods, materials, vehicles, and machinery on the subject site.

22. That the Applicant shall not secure financing, sell, assign, grant any sub interests, sub-divide, alienate or part with the possession of the subject property without the prior written consent of the Council.

23. That the Applicant indemnifies and keeps indemnifying the Council (both during and after the Lease Period) from and against:

a. All actions, proceedings, costs, claims, and demands occasioned by or arising out of any breach by the Applicant , their agents, employees, members, proprietors, partners, officers, or invitees of any statutory or other regulatory provision, notice, byelaw, direction, or order.

b. All claims, losses, damages, costs and expenses (to include legal costs and expenses) which the Lessor may suffer as a direct or indirect result of, any action or omission or conduct by the Lessee, his agents, employees, invitees, proprietors, partners or officers or in consequence of any death of, or any bodily injury, harm, pain or suffering happening to any person or property on or at the Leased Area arising directly or indirectly from the usage of Leased Area by the Lessee, his agents, employees, proprietors, partners, officers or invitees.

24. That the Applicant must insure to the satisfaction of the Council that, they have insurance cover (including Public Liability Insurance of minimum value of €6.5 million per claim and Employers Liability Insurance of minimum value of €13 million per claim) and to produce to the Council whenever required the policy or policies of such insurance and the last receipt for payment of the premium due.

25. That any entity, organisations and schools that may be given use of the leased area must ensure that they are adequately insured with their own policy of insurance for any such events organised therein.

26. That the Applicant shall be responsible for all outgoings including rates, charges, fees, electricity bills etc. that may become due on the premises during the period of the lease.

27. That in the event of the Applicant, when they become the Lessee, fails to comply with any of the terms, conditions, warranties, covenants or the obligations and stipulations herein contained or becoming dissolved or going into liquidation, the Council may revoke this Agreement by giving the Lessee notice in writing to that effect or unless otherwise stated in such Notice, this agreement shall cease immediately upon such Notice having been given.

28. That each party shall be responsible for their own costs (i.e. legal, engineering, planning, architects', and other required consultants') in this case.

29. That the Applicant shall pay any V.A.T., stamp duty or taxes arising at any stage in this transaction (except where any lawful exemption or relief therefore applies).

30. That the Council's Solicitor shall draft the legal documents and may include further reasonable terms and conditions as deemed appropriate to give effect to the heads of terms set out herein, including provision for use of an expert or arbitrator process to settle any disputes arising, as appropriate, in order to achieve a reasonable balance in the protection of the parties' respective interests in the matter.

31. That no agreement enforceable at law is created or is intended to be created until an exchange of contracts has taken place.

32. That this transaction is subject to the necessary approvals and consents being obtained.

33. That the Council shall retain a right to wayleaves for no consideration, through any lands included in the lease or any related areas, or lands to which it holds title, for any of its statutory purposes subject to the appropriate re-instatement of any lands so affected.

34. That in the context of any future redesign or redevelopment of the adjoining lands, that the Council shall have the absolute right for no consideration to resume possession of the site (any buildings erected on it) and to relocate the Lessee temporarily or permanently to an equivalent facility in the locality.

The lands being disposed were acquired by Compulsory Purchase Order by the Council for housing, roads and open space purposes as follows:-

• Portion of the Right of Way lands were acquired from Joseph & Eamon Blake in 1980.

• Remainder portion of Right of Way lands and lands subject to leased area were acquired from Leinster Importing Company Limited in 1981.

Daniel McLoughlin

Chief Executive

Councillors L. O'Toole and P. Gogarty spoke in support of the Grant of the Lease.

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

“That proposed Grant of Lease to Weston Hockey Club at Lock Road, Ballyowen, Lucan, Co. Dublin be **ADOPTED** and **APPROVED.**”

### **H9/0123 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 9 a) Chief Executive's Monthly Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77349)

[HI 9 b) December 2022 Statistics Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77367)



A discussion followed with contributions from Councillors P. Gogarty, D. McManus, M. Johansson, R. McMahon, W. Carey, C. Bailey, Y. Collins, D. Ó Brádaigh, E. Ó Broin, S. Moynihan, L. O'Toole, C. King, and J. Tuffy. Queries were raised regarding Lucan Leisure Campus, cost rental housing, gas power plants, housing grants, commercial rates, and the Whitechurch Flood Alleviation scheme,

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

The report was **Noted**

### **H10/0123 RESIDENTIAL ZONE LAND TAX - FOR NOTING**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. S. Willoughby, Senior Executive Planner, Land Use Planning and Transportation.

[H10 RZLT Public Consultation Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77346)

A discussion followed with contributions from Councillors Y. Collins, P. Holohan, R. McMahon, C. Bailey, S. Moynihan, J. Tuffy and W. Carey. Queries were raised regarding the collection and distribution of the tax, applications for change of land use, and resources for additional staff.

Mr, Stephen Willoughby, Senior Executive Planner and Mr. M. Mulhern, Director of Land Use Planning and Transportation responded to the Members queries.

The report was **Noted.**

### **H11/0123 CREATIVE IRELAND ARTS STRATEGY - FOR NOTING**

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

[H11 a) Culture and Creativity Strategy South Dublin County 2023-2027](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77295)

[H11 b) Culture Creativity Strategy 2023-2027](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77306)

A discussion followed with contributions from Councillors M. Johansson, C. Bailey, E. Ó Broin, and P. Kearns who welcomed the report and commended Ms. O. Scannell, Arts Officer and the team.

Mr. J. Frehill, Director of Economic, Enterprise & Tourism Development thanked the Members for their comments informing he will pass on to Ms. O. Scannell, Arts Officer.

The report was **Noted.**

### **H12/0123 CORPORATE PLAN ANNUAL REVIEW- FOR NOTING**

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



[HI 12 b) Report of Corporate Plan Achievements 2022](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77320)

### **H13/0123 COMMUNITY AND SPORTS GRANTS  - FOR NOTING**

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.**

**(a.) Community Grants Approvals**

On 19th April 2022, the Community Department opened the online application process whereby community and voluntary groups responding to locally identified needs within their communities could apply for assistance from the Council under the following categories:

* Community Development Grants
* Community Events Funding
* Summer Projects Funding
* Sport Development Grants

Two hundred and sixty-two (262) applications were received in 2022, all of which underwent a thorough assessment by the Community Development team under the following criteria:

* Impact on local community and local community involvement.
* Proven track record of project delivery and non-duplication of activities in the local area.
* Sustainable & value for money projects with clear/accurate costings.
* Existing funds available to the group/alternative funding sources.

At various Council meetings during 2022, members have noted the approval of one hundred and seventy-two (172) community and sports grants in the total sum of €272,083 for one hundred and forty-seven (147) local groups.  Following the latest assessment process and having regard to the available budget, an additional twelve (12) grants to twelve (12) local groups for a cumulative total of €12,900 are now approved, summarised as follows:

|  |  |  |
| --- | --- | --- |
| **Category** | **No. of Grants** | **Amount** |
| Community Development Grants\* | 3 | €2,210 |
| Community Events Funding | 9 | €10,690 |
| **Total** | 12 | €12,900 |

(\*includes Running Costs, Start Up, Environmental Improvement, Major and Minor Equipment Grants)

The list of approved grants at this time together with their respective grant amounts is as follows:

|  |  |  |
| --- | --- | --- |
| **Group** | **Category** | **Amount** |
| Bawnogue Youth and Community Centre | Events Funding-Christmas Event | €500 |
| Golden Circle-Killinarden Active Retirement Group | Community Development-Equipment Grant | €800 |
| Greenhills Community Centre | Events Funding-Christmas Event | €900 |
| Killinarden Community Council | Events Funding-Christmas Event | €350 |
| Kingswood Community & Leisure Centre | Events Funding-Christmas Event | €210 |
| Knocklyon Women's Group | Community Development Grant- Running Costs Grant | €500 |
| Knockmitten Youth and Community Centre | Events Funding-Christmas Event | €350 |
| Lucan Irish Countrywomen's Association | Community Development Grant - Minor Equipment grant | €910 |
| St Brigid's Festival / Lá Fheile Bríde | Events Funding - Village/Community Festival | €3,000 |
| St Kevins Family Resource Centre | Events Funding-Christmas Event | €380 |
| Tallaght Community Arts | Events Funding - Village/Community Festival | €3,000 |
| The WEB Project | Events Funding - Village/Community Festival | €2,000 |
| **Total** |   | **€12,900** |

The 2022 online community and sports grants application process closed in December.

(b.) **Community Centre Management Support Fund**

As previously advised, the new Community Centre Management Support Fund is currently live following a review of the financial supports offered to boards of local community centres together with the opportunity to support enhanced governance and strategic planning by community centres with the enhanced funding provided in the Council’s 2022 Budget.

The Management Support Fund consolidates and enhances existing funding streams for community centres (including the annual management assistance grant and community event grants) into a new annual fund that will support and reward strategic planning and good governance as well as reducing the administrative burden on centres.  Under the fund, one application process per year will be made by community centres to apply across three funding areas:

* Annual Centre Running Costs,
* Employment and Staff Training Costs
* Community Events

The local Community Development teams have been available to assist with advice on completing the applications and boards of management were invited to an online information webinar during December**.**Details of the associated online application process have also been circulated to the boards of the multi-purpose community centre within the County with completed applications to be returned by **4pm on Friday, 13th January 2023.**

The report was **Noted.**

### **C1/0123 CORRESPONDENCE**

1. [LG 08-2022 Local Representation Allowance End of Year](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77315)
2. [LG 08-2022 LRA sample template written certification of expenditure](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77316)
3. [S.I. No. 313 of 2021](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77317)

The correspondence was **Noted.**

### **M1/0123 RE-LETS**

**It was proposed by Councillor C. O'Connor and seconded by Councillor E. Murphy**

That this Council calls for effective action to deal with boarded up Council houses and return them to the housing stock for reletting.

**REPORT:**

Our Housing Maintenance and Refurbishment section undertake re-let works on vacant housing stock throughout the County to ensure stock is brought back into productive use for letting as soon as possible.  In 2022, re-let works have been completed on vacancies arising in 177  Council-owned social homes up to the end of December (compared to 139 properties in the whole of 2021).  The cumulative average time for these properties to be re-let to date in 2022 is 28.39 weeks, which represents an improvement of over 17% on the final overall re-let times for 2021.  While various measures are being implemented and explored to continue to improve this figure, it is particularly contingent on contractor resourcing/availability and acceptance of offers of accommodation following Choice Based Letting expressions of interest.

There were 110 vacant homes  within our housing stock, representing approx. 1% of our overall housing stock, which are at various stages of the re-letting process as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Area** | **Pre-Works** | **Works In Progress** | **Ready for Allocation** | **Total** |
| Clondalkin | 11 | 3 | 2 | **16** |
| Firhouse-Bohernabreena | 1 | 0 | 2 | **3** |
| Lucan | 8 | 1 | 0 | **9** |
| Palmerstown-Fonthill | 18 | 6 | 6 | **30** |
| Rathfarnham-Templeogue | 0 | 0 | 1 | **1** |
| Tallaght Central | 4 | 2 | 1 | **7** |
| Tallaght South | 39 | 2 | 3 | **44** |
| **Total** | 81 | 14 | 15 | **110** |

A detailed Relets Process Review report, separately attached, was presented to the Housing Strategic Policy Committee in November 2022 outlining all aspects of the process and targets for future improvement.

[M1 SPC Re-let Review Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77351)

A discussion followed with contributions from Councillors C. O’Connor, P. Holohan, C. King, Y. Collins, M. Duff, L. Dunne, S. Moynihan, C. Bailey, T. Costello, L. Donaghy, W. Carey and P. Kearns. Queries were raised regarding the relet timeframe and maintenance works.

Mr. D. McLoughlin, Chief Executive, and Mr. C. Ward, Director of Housing, Social and Community Development responded to the Members queries highlighting the Council having the lowest vacancy rate in the country as per NOAC.

The Motion was **AGREED**

At this point in the meeting, The Mayor, Councillor E. Murphy, Mr. D. McLoughlin, Chief Executive and Members paid tribute to Mr. E. Conroy, County Architect on his retirement acknowledging his work throughout the years and wished him well.

### **M2/0123 AHB ENGAGEMENT**

**It was proposed by Councillor T. Costello and seconded by Councillor E. Murphy**

To ask South Dublin County Council to develop a protocol whereby Councillors can make representations on behalf of constituents to Approved Housing Bodies to ensure that AHB's will have a pathway to communicate with Councillors when they contact them on behalf of their constituents. Given the growing number of tenancies in the County which are being managed by AHBs this protocol will ensure that tenants get the necessary support and level of representation which they are entitled to.

**REPORT:**

A Dublin regional Approved Housing Bodies (AHB) Forum was established in February 2020 to improve co-ordination between the Dublin local authorities and AHBs.  This forum meets quarterly and is attended by representatives from Housing Departments in all four Dublin local authorities and all AHBs operating in the Dublin area along with other stakeholder/representative agencies.  It also provides for working groups to be established to consider specific issues and make recommendations in relation to relevant policy and operational matters which allows any issues from Elected Members to be raised with AHB representatives as required.

In addition, a draft protocol for communications between the Council and Approved Housing Bodies was considered at the Housing SPC meeting in November 2022.  This protocol aims to provide clarity on all aspects of engagement and communication between Council stakeholders and all AHBs operating in the County including the role of Councillors.  It recognises the importance of the Councillors’ advocacy and representative functions and seeks to agree mechanisms to liaise with Councillors such as meetings, presentations, and information sharing.  Input from the members of the Housing SPC will be incorporated into the draft protocol will be circulated to AHB representative organisations for review and comment. It is intended that a final draft will be brought to the next Housing SPC meeting in February 2023 for sign-off and it will then be circulated to all twenty-six AHBs operating in our administrative area for agreement.

A list of all AHB developments along with appropriate contact details in each AHB was also previously circulated to all local Councillors to facilitate representations to be made directly to AHBs as necessary, with contact further facilitated by staff in the Housing Department where required and representatives from the Housing Alliance, a collaboration of six of Ireland’s largest AHBs: Clúid Housing, Circle Voluntary Housing, Co-operative Housing Ireland, Oaklee Housing, Respond and Tuath Housing, attended the November 2022 meeting of the Housing SPC.

Councillors T. Costello and C. King spoke in favour of the Motion.

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

The Motion was **AGREED.**

### **M3/0123** [**DECLARATIONS OF CONFLICT OF INTEREST**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77266)

**It was proposed by Councillor Patrick Pearse Holohan and seconded by Councillor E. Murphy**

This Council calls on the government to launch an enquire into declarations of TD's and elected representatives and the owing of property's to rent and their declaration's of conflict of interest in discussions and votes on matters regarding housing and the rental sector and to issue a report.

**REPORT:**

If this motion is agreed, a letter will be issued to the Taoiseach. The response, when received, will be circulated to the Members

A discussion followed with contributions from Councillors P. Holohan, T. Costello, M. Johansson, C. King, E. O’Brien, W. Carey, L. Sinclair, and L. Donaghy.

The Motion was **AGREED.**

### **M4/0123** [**FREE CONTRACEPTION**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77267)

**It was proposed by Councillor L. Dunne and seconded by Councillor E. Murphy**

This Council calls on the Minister of Health Stephen Donnelly to extend Free Contraception for the over 30s on a medical card, this would include scraping fees for those seeking to have fittings/removals of various types of long-acting reversible contraception, as a 1st step to the introduction of free contraception to all.

**REPORT:**

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

 Councillors L. Dunne, L. Donaghy, C. Bailey, P. Kearns, P. Gogarty, M. Johansson, Y. Collins and A. Edge spoke in support of the Motion.

Councillor R. McMahon proposed an amendment to the Motion as this was not seconded the amendment could not be considered.

The discussion continued with contributions from W. Carey, T. Costello, L. Hagin Meade, M. Duff, C. King, J. Tuffy and E. Murphy who also spoke in support of the Motion.

The Motion was **AGREED**

### **M5/0123** [**PRIVATE AIRPLANES**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77268)

**It was proposed by Councillor Liam Sinclair and seconded by Councillor E. Murphy**

That this council declares that private airplanes used for leisure or commerce are wasteful and inconsistent with our climate goals, and demands that none are given permission to fly in Irish air space. On passing the motion a letter issues to Minister of Defense and Minister of Transport.

**REPORT:**

If this motion is agreed, letters will be issued to the Minister of Defence and Minister of Transport. The responses, when received, will be circulated to the Members.

Councillor L. Sinclair spoke in favour of his Motion.

Councillor P. Gogarty then proposed and Councillor F. Timmons seconded an amendment to the Motion as follows:

*“That this Council declares that private airplanes used for leisure or commerce are wasteful and inconsistent with our climate goals and recommends that proposals by the Transport & Environment campaigning group be adopted, such as only hydrogen and electric short distance private flights under 1,000km to be permitted by 2030 etc, with a ticket and fuel tax imposed in the interim. On passing the motion, letters will issue to the Minister for Defence and the Minister for Transport, Environment, Climate and Communications", with the appropriate link provided:* [*https://www.transportenvironment.org/discover/private-jets-can-the-super-rich-supercharge-zero-emission-aviation/*](https://www.transportenvironment.org/discover/private-jets-can-the-super-rich-supercharge-zero-emission-aviation/) . “

Councillor L. Sinclair stated that the amendment was not in keeping with the Motion and Councillor P. Gogarty requested and the Members **AGREED** to **WITHDRAW** the amendment to the Motion.

A discussion then followed with contributions from Councillors A. Hayes, C. King, D. Ó Brádaigh, M. Duff and L. Donaghy.

The Mayor, Councillor E. Murphy, proposed and the Members **AGREED** to suspend Standing Order No. 5 to extend the meeting to 19.20 to complete discussion on the Motion.

A further discussion then followed with contributions from Councillors R. McMahon, E. O'Brien, J. Tuffy, S. Moynihan, P. Kearns, C. Bailey, L. Dunne, L. Hagin Meade, and W. Carey.

Councillor J. Tuffy then proposed and Councillor. M. Duff seconded an amendment to the Motion as follows:

*“That this council declares that personal airplanes, used for private leisure are wasteful and inconsistent with our climate goals, and demands that none are given permission”*

The Mayor, Councillor E. Murphy then called for a roll call vote on the amendment, the result of which was as follows:

**FOR: 6 (SIX)**

**Councillors L. Donaghy, M. Johansson, E. Ó Broin, G. O'Connell, L. Sinclair, and J. Tuffy.**

**AGAINST: 17 (SEVENTEEN)**

**Councillors W. Carey, M. Duff, L. Dunne, A. Edge, P. Gogarty, A. Hayes, P. Kearns, C. King, R. McMahon, S. Moynihan, E. Murphy, D. Ó Brádaigh, C. O'Connor, D. O'Donovan, S. O'Hara, B. Pereppadan, and F. Timmons.**

**ABSTAIN: 3 (THREE)**

**Councillors C. Bailey, L. Hagin Meade and E. O'Brien.**

As a result of the roll call vote the amendment to the Motion **FELL.**

The Mayor, Councillor E. Murphy, proposed and the Members **AGREED** to suspend Standing Order No. 5 to complete discussion on the Motion.

The Mayor, Councillor E. Murphy, then called for a roll call vote on the Motion, the result of which was as follows:

**FOR: 8 (EIGHT)**

**Councillors C. Bailey, L. Donaghy, P. Gogarty, L. Hagin Meade, M. Johansson, G. O'Connell, L. Sinclair, and J. Tuffy.**

**AGAINST: 15 (FIFTEEN)**

**Councillors W. Carey, M. Duff, L. Dunne, A. Edge, P. Kearns, C. King, R. McMahon, S. Moynihan, E. Murphy, D. Ó Brádaigh, C. O'Connor, D. O'Donovan, S. O'Hara, B. Pereppadan and F. Timmons.**

**ABSTAIN: 1 (ONE)**

**Councillor A. Hayes**

As a result of the roll call vote the Motion **FELL**.

Meeting ended at 19:26

**Motions not reached**

### **(M6)** [**S254**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77269)

**Councillor M. Duff**

In an effort to give residents of areas in the County an opportunity to make observations regarding applications for S254 Licences for telecommunication cabinets and masts, this Council calls on the Manager to amend the South Dublin County Council S254 Applications Policy.

### **(M7)** [**WATER REFERENDUM**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77270)

**Councillor M. Johansson**

This the Council write to the Taoiseach to call for a referendum on the ownership of our water services and call for the following wording be used in said referendum: 'The Government shall be collectively responsible for the protection, management and maintenance of the public water system. The Government shall ensure in the public interest that this resource remains in public ownership and management.'

### **(M8)** [**ILLEGAL DUMPING**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77271)

**Councillor C. King**

That this Council calls on the CEO to arrange for a strategy to be formulated within the overall County Strategy to Tackle Illegal Dumping in all its forms that utilises to its fullest affect the recently enacted "Circular Economy Act" that includes Codes of Practice that can be used by Local Authorities such as ours to utilise CCTV and other technologies.

### **(M9)** [**NCS-SUBSIDISED HOURS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77273)

**Councillor P. Gogarty**

That this Council writes to the Minister for Children, Equality, Disability, Integration and Youth requesting that all childcare providers register for and be in a position to provide NCS-subsidised hours for at least 50% of children in their care.

### **(M10)** [**BAN ON HARE COURSING**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77274)

**Councillor L. Hagin Meade**

South Dublin County Council supports the Animal Health & Welfare (Ban on Hare Coursing) Bill 2020 and will write to the Minister for Agriculture, calling for a ban on hare coursing.

### **(M11)** [**MINI WOODLANDS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77338)

**Councillor A. Edge**

In line with the Biodiversity and Climate Emergencies declared for South Dublin County in 2019, that this Council commits to a rapid roll-out of Mini-Woodlands / Stepping Stone Forests at suitable locations countywide with the support of local community groups and with a target of 25,000 trees by the end of this term.

### **(M12)** [**DOG BREEDING ESTABLISHMENTS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77321)

**Councillor F. Timmons**

That this council ask that In conjunction with the DSPCA can SDCC urgently create an easily-accessible public register of reputable dog breeders in the SDCC area in conjunction with the DSPCA?  The intended outcomes are the following -

(a) that the DSPCA will regularly and often inspect the breeders' premises where the dogs are kept to ensure that the dogs are maintained properly in proper surroundings;

(b) that members of the public can easily find on the SDCC website those reputable breeders who breed their dogs in proper conditions.

### **(M13)** [**TREE REMOVALS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77326)

**Councillor C. Bailey**

That this Council agree a protocol that communicates to residents in writing when a public tree close to their home needs to be removed.

### **(M14) CCTV**

**Councillor Y. Collins**

That this Council formulates a strategy re the use of CCTV and other technologies pursuant to the provisions of the Circular Economy and Miscellaneous Provisions Act 2022, to combat illegal dumping throughout the county.

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

Mayor

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