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

Minutes of South Dublin County Council February 2023 County Council Meeting held on Monday 13 February 2023

### **PRESENT**

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

### **OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin. |
| Directors/ Heads of Function  Head of Finance  Head of IT  Senior Executive Officers | L. Maxwell, J. Frehill, M. Mulhern, T. Walsh, C. Ward  R. FitzGerald  T. Kavanagh  C. Hurson, L. Leonard |
| Administrative OfficersSenior Staff Officer | M. Reilly, D. HealyL. Abbey |
| Staff Officer | A.Mallon |
| Assistant Staff Officer  Sord | D. Murphy, M. Dwyer  A. O’Brien. |

The Mayor, Councillor E. Murphy, and Deputy Mayor, Councillor J. Tuffy presided.

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

The Deputy Mayor, Councillor J. Tuffy, commenced the meeting until The Mayor, Councillor E. Murphy, took the Chair.

**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 Deputy Mayor, Councillor J. Tuffy, 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 Chair.

### **H1/0223 CONFIRMATION AND REAFFIRMATION OF MINUTES - FOR APPROVAL**

Minutes of the January Council Meeting held on 9th January 2023 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor J. Tuffy seconded by Councillor R. McMahon.

[(a) January Council Minutes â€' 9th January 2023](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77726)

### **H2/0223 FILLING OF CASUAL VACANCY ON SOUTH DUBLIN COUNTY COUNCIL IN ACCORDANCE WITH S.19 OF LOCAL GOVERNMENT ACT 2001 FOLLOWING THE RESIGNATION OF COUNCILLOR L. DONAGHY**

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

As a result of the resignation of Councillor Laura Donaghy on Sunday 8th January 2023, a casual vacancy has occurred on South Dublin County Council (Rathfarnham - Templeogue 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.

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

Members are required to ratify the co-option of Mr. Lynch at today’s meeting.

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

“That Mark Lynch be co-opted to fill the vacancy occurring as a result of the resignation of Councillor L. Donaghy on the 3rd January 2023.”

### Councillor M. Lynch addressed the Members accepting his position as a Councillor.

### Councillors Y. Collins, D. McManus, T. Gilligan, C. Bailey, P. Kearns, C. King, R. McMahon, and A. Edge welcomed Councillor M. Lynch and wished him well.

### Mr. D. McLoughlin, Chief Executive, also welcomed Councillor M. Lynch.

### **H3/0223 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, Corporate Support, Performance & Change Management

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

### **H4a/0223 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

**February 2023**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. |  |  |  |  |
| Tue. |  |  |  |  |
| Wed. | 1st Feb | **Arts, Culture, Gaeilge, Heritage & Libraries SPC** | 5:30pm – 7:00pm |  |
| Thur. | 2nd Feb |  |  |  |
| Fri. | 3rd Feb | **Local Traveller Accommodation Consultative Committee (LTACC)** | 3:00pm |  |
|  | | | | |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 6th Feb | **Bank Holiday** |  |  |
| Tue. | 7th Feb | **CPG Meeting**  **Environment, Water, Climate Change & Biodiversity SPC** | 3:00pm  5:30pm – 7:00pm |  |
| Wed. | 8th Feb | **Economic, Enterprise & Tourism Development SPC** | 5:30pm – 7:00pm |  |
| Thur. | 9th Feb |  |  |  |
| Fri | 10th Feb |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 13th Feb | **Council Meeting** | 3:30pm - 7:00pm | 27/1/23 |
| Tue. | 14th Feb | **Rathfarnham – Templeogue – Firhouse - Bohernabreena Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 30/1/23 |
| Wed. | 15th Feb | **Clondalkin – Newcastle - Rathcoole - Saggart - Brittas Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning*  *Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 31/1/23 |
| Thur. | 16th Feb | **Housing SPC** | 5:30pm-7:00pm |  |
| Fri | 17th Feb |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 20th Feb |  |  |  |
| Tue. | 21st Feb | **Social & Community SPC** | 3:00pm – 4.30pm |  |
| Wed. | 22nd Feb | **Deputations** | 3.00pm - 6.00pm |  |
| Thur. | 23rd Feb | **Land Use, Planning & Transportation SPC** | 5:30pm – 7:00pm |  |
| Fri | 24th Feb |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 27th Feb | **Tallaght Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 13/2/23 |
| Tues. | 28th Feb | **Lucan-Palmerstown-North Clondalkin**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 14/2/23 |

**March 2022**

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 13th Mar | **Council Meeting** | 3:30pm - 7:00pm | 27/2/23 |
| Tue. | 14th Mar | **Audit Committee**  **Rathfarnham – Templeogue – Firhouse - Bohernabreena Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 8:00am – 9:30am  3.00pm - 6.00pm | 28/2/23 |
| Wed. | 15th Mar | **Clondalkin – Newcastle - Rathcoole - Saggart - Brittas Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning*  *Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm - 6.00pm | 1/3/23 |
| Thur. | 16th Mar |  |  |  |
| Fri | 17th Mar | **Bank Holiday** |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 20th Mar |  |  |  |
| Tue. | 21st Mar |  |  |  |
| Wed. | 22nd Mar | **Deputations** | 3.00pm - 6.00pm |  |
| Thur. | 23rd Mar | **Traffic Management Meeting**  **(Clondalkin)**  **Traffic Management Meeting (Rathfarnham – Templeogue – Firhouse – Bohernabreena)**  **OP&F**  **Women’s Caucus** | 2:00pm – 2:45pm  2:45pm – 3:30pm  3:30pm – 6:00pm  6:00pm | 8/3/23 |
| Fri | 24th Mar |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 27th Mar | **Traffic Management Meeting**  **(Tallaght)**  **Tallaght Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 2:15pm – 3:00pm  3.00pm - 6.00pm | 10/3/23 |
| Tue. | 28th Mar | **Traffic Management Meeting**  **(Lucan-Palmerstown-North Clondalkin)**  **Lucan-Palmerstown-North Clondalkin**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 2:15pm – 3:00pm  3.00pm - 6.00pm | 13/3/23 |
| Wed. | 29th Mar |  |  |  |
| Thur. | 30th Mar |  |  |  |
| Fri | 31st Mar |  |  |  |

The draft calendar of meeting dates was **APPROVED** on the proposition of Councillor J. Tuffy and seconded by Councillor D. Ó Brádaigh.

### **H4b/0223 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

**The following report went to the January 2023 OP&F meeting.**

[**Section 142 (5) of Local Government Act 2001**](http://www.irishstatutebook.ie/zza37y2001s142.html) provides for the authorization of Members’ attendance at conferences both home and abroad.

**Training Notified Since November 2022**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Organisation** | **Location** | **Date** |
| Regions in Focus 2023 | Association of Irish Regions | Four Seasons Hotel, Monaghan. | 7th Feb - 9th Feb 2023 |
| AILG Annual Conference | AILG | Hotel Kilkenny, Kilkenny. | 19th April - 20th April |
| LAMA Spring Seminar | LAMA | West Lodge Hotel , Bantry Co. Cork. | 2nd March - 4th March 2023 |

**T**

**Training Attended Since November 2022**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Organisation** | **Location** | **Date** | **Councillors in Attendance** |
| AILG Module 6 | AILG | The Tower Hotel, Co. Waterford | 17th November | Cllr D. McManus |

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

**Conferences Notified Since November 2022**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Organisation** | **Location** | **Date** |
| None |  |  |  |

**Conferences Attended Since November 2022**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Organisation** | **Location** | **Date** | **Councillors in Attendance** |
| None |  |  |  |  |

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

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

As authorisation under this section is a reserved function Members are required to pass the following resolution:

“In accordance with Section 142 (5) of the Local Government Act, 2001 attendance by Members at the Conferences / Seminars outlined in the report is hereby authorized."

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

The report on Conferences/Seminars was **APPROVED** on the proposition of Councillor J. Tuffy and seconded by Councillor D. Ó Brádaigh.

### **H4c/0223 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

**The following report went to the January 2023 OP&F meeting.**

Following the resignation of Councillor D. O'Donovan the Chair of the Housing SPC has become vacant.  The Fianna Fail Party propose to nominate Councillor C. O'Connor for this vacancy.

Councillor C. O'Connor has submitted his resignation from the Social, Community and Equality SPC, this vacancy will be addressed when a Co-optee for Councillor O'Donovan's vacancy is received.

This is now before the Council for consideration.

The nomination of Councillor C. O'Connor as the new Housing SPC Chair was **APPROVED** on the proposition of Councillor Y. Collins and seconded by Councillor M. Duff.

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

The nomination of Councillor C. O'Connor as the new Housing SPC Chair was **APPROVED** on the proposition of Councillor. J. Tuffy and seconded by Cllr. D. Ó Brádaigh.

### **H4d/0223 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

**The Following went to the January 2023 OP&F meeting**

At the South Dublin County PPN Plenary Meeting, held in December 2022, the following nominee was elected as representatives to Strategic Policy Committees:

* Michael Noonan - Newly elected to Economic Dev, Enterprise & Tourism SPC - (Replacing John Kiberd)

This is now before the Council for ratification.

The Ratification of Michael Noonan to the Economic Development, Enterprise & Tourism SPC was **APPROVED** on the proposition of Councillor E. Murphy and seconded by Councillor P. Kearns.

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

The Ratification of Michael Noonan to the Economic Development, Enterprise & Tourism SPC was **APPROVED** on the proposition of Councillor J. Tuffy and seconded by Councillor D. Ó Brádaigh.

**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.”**

### **H5/0223 STRATEGIC POLICY COMMITTEES - FOR NOTING**

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

### **H6/0223 REPORTS REQUESTED BY AREA COMMITTEES - FOR NOTING**

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

### **H7/0223 REPORT FROM JOINT POLICING COMMITTEE - FOR NOTING**

### The following report of the Joint Policing Committee, which had been circulated, was **CONSIDERED**:

**Report of Meeting of South Dublin Joint Policing Committee Meeting held at 10am on Friday, 27 January 2022**

**(Hybrid Meeting hosted in the Council Chamber and facilitating remote access via Microsoft Teams)**

**In attendance:**

**Committee Members:** Cllr. Lynn McCrave (Chair), Cllr. Carly Bailey, Cllr. Mick Duff, Cllr. Shane Moynihan, Cllr. Derren Ó Brádaigh, Cllr. Eoin Ó Broin, Cllr. Cathal King, Cllr. Shirley O'Hara, Sean Crowe, TD, Emer Higgins, TD, Paul Murphy TD; Superintendent Thomas Gormley, Superintendent Anthony Twomey, Inspector Liam Casey, Inspector Paul Mayock and Sarah Middleton (all An Garda Síochána); Noreen Byrne, John Conroy, Sue Dorgan (all South Dublin Public Participation Network representatives); Grace Hill (Drugs and Alcohol Task Force representative) and Colm Ward (South Dublin County Council).

**Also present:** Sergeant Ciaran McLoughlin, Crime Prevention Officer, An Garda Síochána

**Council Staff:** Maria Nugent (Administrative Officer), Fionnuala Keane (Senior Staff Officer), Margaret Farrell (Clerical Officer) and Rachel Keogh Clerical Officer)

**Press:** Maurice Garvey and William O’Connor (both The Echo)

**Apologies:** Cllr. Emma Murphy (Mayor), Cllr. Yvonne Collins, Cllr. Baby Pereppadan, John Lahart TD, Chief Superintendent Finbarr Murphy, Chief Superintendent Peter Duff, Superintendent Paul Dolan, Trevor Bisset, Rita Harte.

The Chairperson, Cllr. Lynn McCrave, opened the meeting at 10 a.m.

1. **Presentation: New Framework for Community Policing – Introduction to Problem Solving & SARA for JPC’s**

Sgt. McLoughlin introduced a video presentation, giving an overview of the SARA (Scanning, Analysis, Response, Assessment) crime prevention model which focuses on environmental design in public areas.

Questions from Cllrs. Ó Broin and Bailey in relation to community policing, the possibility of having lighting in parks for the evening times and the practical reduction of hedge growth on pathways and open spaces to help with natural surveillance were answered by Sgt. McLoughlin and the presentation was noted.

1. **Minutes of Previous Meeting**

The minutes of the previous meeting held on 18th November 2022 were proposed by Deputy Higgins, seconded by Cllr. D. Ó Brádaigh and agreed as a true record of the previous meeting.

1. **Matters Arising**

Deputy Higgins asked about the possibility of a public meeting in Adamstown raised at the last meeting.  C. Ward responded that a JPC public meeting would be organised in 2023 and that this matter would be discussed by the committee at the next meeting.

1. **Correspondence**

Relevant correspondence was circulated and noted including the request for submissions to the DMR West Policing Plan for 2023.

1. **Governance**

The Chair noted there are currently two vacancies on the Committee following the resignations of former Councillors Peter Kavanagh and Deirdre O’Donovan from South Dublin Co Council and that the vacancies will be filled by the Council as soon as practicable.

1. **Garda Síochána Reports**

The report outlining the responses by An Garda Síochána to issues raised in advance by JPC members was noted.

**DMR South:**

Supt. Gormley provided the DMR South report, noting in particular, that several local meetings have taken place with relevant stakeholders in relation to the issues with Dublin bus.

There were queries and comments from Cllrs. McCrave, King, Ó Brádaigh, Dunne and Deputy Crowe in relation to neighbourhood watch schemes, crime prevention talks in schools, circulating details of local community gardaí, reported incidents of anti-social behaviour at luas stops and increased scrambler activity. Supt. Gormley responded to the queries and advised that he would update where necessary at the next meeting.

Cllrs. Duff and King acknowledged the endeavours of An Garda Síochána in seeking to resolve the situation with Dublin Bus and thanked them and all parties for their continued engagement in that regard.

**DMR West (Lucan):**

Insp. Casey presented the report for DMR West (Lucan) and then responded to a query from Cllr. Moynihan in relation to Operation Irene.

**DMR West (Clondalkin/Rathcoole):**

Supt. Twomey provided a report for the DMR West (Clondalkin/Rathcoole) area.

Deputies Higgins and Murphy, and S. Dorgan raised various issues relating to Citywest and the policing responses there which Supt. Twomey provided updates on.  There were further comments and questions from Cllrs. O’Broin, Cllr. Bailey and Cllr. Dunne in relation to specific data in the presentation which were responded to by Supts. Twomey and Gormley.

The various Garda reports were then noted by the Committee.

1. **Local Policing Fora Reports**

The LPF reports which were circulated in advance were noted by the committee at the Chair's request due to the limited time remaining in the meeting.

1. **Drugs Sub-Committee**

The report in relation to the Drugs Sub-Committee which was circulated in advance was noted.

1. **Any Other Business**

It was propsoed and agreed that representatives from the Department of Children, Equality, Disability, Integration and Youth be asked to provide a presentation on their work in relation to providing accommodation and supports for both beneficiaries of temporary protection relating to Ukraine and international protection applicants at the next meeting of the committee.

1. **2023 Schedule of Meetings:**

The proposed schedule of meetings for 2023 was noted.

The meeting concluded at 11.57 a.m.

The Report was **NOTED**.

**QUESTIONS**

It was proposed by Councillor J. Tuffy, seconded by Councillor P. Kearns and **RESOLVED**:

“That pursuant to Standing Order No. 22, Questions numbered Q1 – Q21 be **ADOPTED** and **APPROVED.”**

### **Q1/0223 QUESTION: Councillor Yvonne Collins**

To ask the Chief Executive for a report on the process for allocating allotments, the report to include timeframe from when new applications are received, duration of time to accept offer of an allotment and if the process is to be reviewed.

**REPLY:**

Applicants who wish to register for an allotment must complete an application form available from South Dublin County Council. Forms can be requested by calling 01-4149000 or the form can be downloaded from the Council’s website at <https://www.sdcc.ie/en/services/sport-and-recreation/allotments>

Applicants must reside within the administrative area of South Dublin County Council, applications from outside the area are not accepted.  
Once a person has applied for an allotment, they will be placed on the waiting list or provided with an allotment if one is available immediately. There is no definitive timeframe, the allotments are assigned to the next person on the list once they become available. All new plots will be allocated in accordance with our waiting lists.

The allotment policy review will be brought to the Environment, Water & Climate Change SPC on Tuesday 7th February. An assessment of existing provision of allotments within SDCC's administrative area, and a determination of requirements into the future is ongoing. As part of this review, we have identified over 40 allotments which are now available and are currently being reassigned to members of the public who are on the waiting lists. 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.

### **Q2/0223 QUESTION: Councillor T. Costello**

To ask the manager can I get a breakdown of number of people on the list broken down by time on the list for each bedroom requirement e.g. 1 Bed Requirement 1-5 years 1Bed Requirement 5- 10 years 1 Bed requirement 10 - 12 years 1 Bed Requirement 12 years +

**REPLY:**

The table below shows the breakdown of the Council's social housing list at 31st January 2023, broken down by household bedroom need and current time on the list.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Time on List** | **1-5 Years** | **5-10 Years** | **10-12 Years** | **12+ Years** | **Totals** |
| 1-bed | 1,747 | 843 | 147 | 154 | **2,891** |
| 2-bed | 1,013 | 723 | 98 | 56 | **1,890** |
| 3-bed | 400 | 376 | 43 | 39 | **858** |
| 4-bed+ | 58 | 34 | 10 | 13 | **115** |
| Totals | **3,218** | **1,987** | **322** | **276** | **5,803** |

Members should be aware that Choice Based Letting (CBL) has been the Council’s primary method of housing allocation since October 2011.  CBL allows applicants to remain on the housing list until they secure an allocation in a property in an area that they are interested in.

### **Q3/0223 QUESTION: Councillor M. Johansson**

To ask the Chief Executive for a report into the Council responsibilities with regards to the Housing (Rent Books) Regulations 1993. Report to include actions taken by the Council for enforcement under this section and how private tenants can request action.

**REPLY:**

Under the Housing (Rent Books) Regulations, 1993 as amended, (SI 146/1993), the Council is responsible for the enforcement of the law relating to rent books and standards for the area in which a rented house is located. The regulations apply to rented dwellings, with certain limited exceptions such as student-specific accommodation).  A landlord (including a local authority or approved housing body) is obliged to provide each new tenant with a rent book (or other documentation serving the same purpose) at the commencement of the tenancy.  All payments which include rent and details of any other payments for services such as heating, or utilities should be included.  It is recommended that a pragmatic approach between the landlord and tenant is taken in their dealings with each other as parties may be content to rely on records of electronic funds transfer as receipt of payments made, however both landlord and tenant should keep their own records of payments made should a dispute arise.

These regulations are applicable to local authority tenancies and within this Council, through our tenancy agreements/tenant handbooks/online housing portal, we provide the required information including: tenancy address, landlord's name/address, tenant name(s), date of tenancy commencement, amount of rent and how it is to be paid, an overview of landlord and tenant rights and responsibilities, rent statements and details of rent charges and payments.  Our tenants can self-serve and access/download their rent statements and view their account 24/7 through our Housing On-Line Portal with assistance provided for older tenants, JAM Card holders or persons who require assistance by our Rents team as required.

Where a dispute relating to a rent book arises, it is expected that tenant and landlord should try to resolve the issue between them but if this fails, the dispute can then be referred to the Residential Tenancies Board (RTB) and where a resolution cannot be found following this dispute application, the Council can enforce the regulations through legal action if appropriate.  Further information on Landlord and Tenant Rights can be found on the RTB website at the following link: <https://www.rtb.ie/rights-and-responsibilities>.

### **Q4/0223 QUESTION:** **Councillor M. Johansson**

To ask the Chief Executive to report on the operation of South Dublin Parking Services. Report to include how much was paid to SDPS by SDCC in 2022 and are there any pay structures in place for workers to "incentivise" the issuing of fines (such as commission, reduced working hours or others)?

**REPLY:**

The Control of Parking Bye Laws 2021 which were made by the Council in May 2021 provide for parking control areas across the county, and PART VIII of the ByeLaws also provides for the general regulation of Parking of Vehicle Restrictions and Prohibitions as set out in S.I 182/1997 Road Traffic (Traffic and Parking) Regulations, 1997

Tazbell T/A Parkrite is the current contractor on a recently extended agreement to **31st January 2024.**

(There is a right within the procurement process for SDCC to extend the contract for a further 12 months period to 2025 as per the terms of the contract)

Partrite provide the following services as set out in Schedule B of the contract :

\*Enforcement Service,

\*Cash Collection,

\*Provision of Parking Machines,

\*Maintenance of Parking Machine Service.

The cost of the annual contract is €455,116.40 ex. V.A.T.

These is no provision in the contract for workers to "incentivise" the issuing of fines.

### **Q5/0223 QUESTION:** **Councillor K. Mahon**

To ask the Manager what funding streams are available to assist and resource the changing situation around International Protection Applications in the County and whether additional resources have been made available to resource the increased demand for International Protection?

**REPLY:**

There is ongoing engagement between the local government sector and the Department of Children, Equality, Disability, Integration and Youth in relation to the supports required at local level to ensure the effective integration of new arrivals in the country.  The Council is also working locally with a range of various agencies, including under the auspices of the community response forum partners, to ensure that resources are applied to address the needs of new arrivals to the County, including international protection applicants, within the capacity of the agencies represented.

The Council also works in partnership with key agencies to deliver direct supports to those living in emergency accommodation across the county and does this by working closely with dedicated teams within the South Dublin County Partnership and South Dublin Volunteer Centre. Various recent additional funding streams, including through the Council, have been put in place to offer further augmented supports to both international protection applicants and Ukrainian beneficiaries of temporary protection including for their social integration in the County over the coming months.  In addition, the Council has allocated funding in the 2023 Budget for integration support which will be used to facilitate integration activities through the community development team's work plan. Key evidence-based areas of need are identified by both the Community Response Forum and its partner agencies using interviews and surveys with residents in emergency accommodation and from this feedback solutions and responses are developed in response.  Urgent issues arising in areas such as social welfare, health, educational and material can be supported quickly and effectively in most cases.

The most recently announced Community Recognition Fund, through the Department of Rural and Community Development (DRCD), aims to support the development of community infrastructure and facilities in recognition of the contribution being made by communities across the country in welcoming and hosting significant numbers of arrivals from Ukraine and other countries.  It can fund community, sporting, recreational infrastructure and equipment (but excluding any operational/running costs) in local communities with new arrivals, i.e. both Ukrainian beneficiaries of temporary protection and international protection applicants.  This funding has been distributed across all local authorities based on the number of new arrivals located there, including relative to the overall population in that area.  This Council has been allocated €2,754,305 under the fund, which is the fourth-highest allocation nationally.

Proposals for funding must be developed based on direct engagement with impacted communities and in consultation with the Area Committees, Local Community Development Committee and the local Community Response Forum and be consistent with the Local Economic and Community Plan.  It should be noted that the conditions of the fund are challenging with proposals to be submitted to the DRCD no later than 15th March 2023 and approved projects must spend 60% of their allocated budget in 2023 but various sections of the Council, together with local agencies and communities, will seek to develop appropriate proposals for submission to DRCD.

Separately, it should be noted that the Department of Children, Equality, Disability, Integration and Youth has responsibility for providing accommodation for both beneficiaries of temporary protection arriving from Ukraine and persons arriving from elsewhere seeking international protection.

### **Q6/0223 QUESTION:** **Councillor K. Mahon**

To ask the manager how many units of newly built social housing have been provided in SDCC each year since 2009? Can s/he break down in categories- Local Authority, AHB, Part V?

**REPLY:**

A total of 2,689 newly built social homes were delivered in South Dublin County in the period 2009 to 2022. The various categories of delivery are shown in the table below, noting that for the period 2009 to 2014 totals of Approved Housing Body (AHB) and Part V delivery were not separately recorded and therefore AHB new build programme and Part V are amalgamated in the table.

|  |  |  |  |
| --- | --- | --- | --- |
| **Year** | **LA** | **AHB/Part V** | **Total** |
| **2009** | 282 | 97 | 379 |
| **2010** | 54 | 39 | 93 |
| **2011** | 4 | 0 | 4 |
| **2012** | 9 | 0 | 9 |
| **2013** | 0 | 14 | 14 |
| **2014** | 0 | 8 | 8 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Year** | **LA** | **AHB** | **Part V** | **Total** |
| **2015** | 0 | 80 | 1 | 81 |
| **2016** | 15 | 13 | 10 | 38 |
| **2017** | 0 | 45 | 113 | 158 |
| **2018** | 238 | 85 | 146 | 469 |
| **2019** | 146 | 147 | 135 | 428 |
| **2020** | 109 | 156 | 105 | 370 |
| **2021** | 2 | 137 | 108 | 247 |
| **2022** | 171 | 94 | 126 | 391 |

### **Q7/0223 QUESTION:** **Councillor Lyn Hagin Meade**

To ask the CEO for an update on the investigation and prevention strategy regarding reported badger baiting within Parks in the County?

**REPLY:**

The Council has received two recent reports of badger baiting in Tymon Park however from the information available and knowledge of what took place on both those occasions, it is not certain that badger baiting was taking place.  On an occasion in December last, a group of males were encountered by a Park Ranger who made contact with a colleague and when both Rangers approached this group they dispersed.  The Gardai were notified of the matter however there was insufficient information available to them to identify the people involved and so no investigation could be pursued.  On the second occasion in early January an adult male and a youth were encountered with what was described as an air rifle which they were using to fire at a target which was placed some distance away.  The Gardai were called and spoke to the adult regarding the potential dangers involved in firing such a weapon in a public place, following which these people left the park.  No evidence was found on either occasion to confirm that badgers were being hunted from their setts.  The park rangers as well as public realm supervisory and general staff will continue to be vigilant in relation to this matter.  Any further reports will continue to be reported to the Gardai as the practice of badger baiting is illegal.

### **Q8/0223 QUESTION:** **Councillor Lyn Hagin Meade**

To ask the Manager if an augmented reality (using smartphone interface) historic tour project, like the historic Dublin Discovery Trails in Dublin's Docklands has been considered for development of SDCC tourism and SMART City programme?

**REPLY:**

The Smart Dublin initiative was founded by Dublin’s four local authorities with a goal to future proof the Dublin region by trailing and scaling innovative solutions to a wide range of local challenges. Within that framework, the Smart Tourism Initiative was established to focus on introducing new technology and supporting innovation in the tourism industry in Dublin.

South Dublin County Council has been involved in the Smart Tourism initiative, contributing in particular on two work streams: *Data and Insights*, and *Digital Trails*. The work on the latter included developing a digital trail toolkit with Fáilte Ireland, which is designed help identify best practice for destination and businesses who wish to develop digital trails. Experience from the early work done on the South Dublin County Heritage Trail app (<https://www.dublinsoutdoors.ie/apps/> ) contributed to the knowledgebase for this toolkit.

The recently launched ‘Discover Dublin Docklands’ using a new augmented reality app to help visitors experience the history of that location, is the first trail developed as a result of the work Smart Tourism initiative did on digital trails. The Dublin Discovery trails is built on a platform which can accommodate other trails as they are developed. South Dublin County Council has shown interest in this new technology subject to funding and will monitor the development and success of the new platform closely.

### **Q9/0223 QUESTION:** **Councillor Eoin Ó Broin**

That the Chief Executive provides a report on what led to the 'Fix your Street' service being withdrawn.

**REPLY:**

Initially established by South Dublin County Council in 2011, the Fix Your Street service was rolled out to all local authorities in 2012 and this national service was moderated by SDCC throughout its operation.

When the service was terminated in July, the technical infrastructure on which the service was built was past its end of life. Technological developments over the past 11 years have meant that most local authorities now have customer relationship management systems in place that provide the public with similar mapping functionality directly through and integrated with their customer service portals on their websites.

While some individuals may like the concept of a national service, many others prefer to connect directly with their local authority, and this reflects the ethos of local government. An example of this is the recently developed website for all local government services [LocalGov](https://localgov.ie/), which creates a national catalogue of all local government services. However, in all cases the user will be asked to name their local authority to access that service.

In summary what was once an innovative service developed for national use by SDCC is now catered for by most local authorities through their own online customer services that replicate the fault reporting mapping facility. This means the FYS service had become largely redundant, and the decision taken to terminate the FYS service was in recognition of that progress made while also closing an unacceptable level of risk posed to SDCC by the continued use of the platform on which the FYS service was built.

All SDCC customers are now using the [Customer Care online form](http://www.sdublincoco.ie/CustomerCare/ContactUs), which includes a similar mapping facility, for reporting faults.

### **Q10/0223 QUESTION:** **Councillor C. O'Connor**

To ask the CEO to update members on his ongoing endeavours in respect of facilitating people from Ukraine in our County and will he make a statement?

**REPLY:**

The Community Response Forum, chaired by the Council's Chief Executive and comprising representatives from the Council, HSE, TUSLA, Civil Defence, An Garda, DDLETB, South Dublin Volunteer Centre, Youth Services, South Dublin County Partnership and other agencies, continues to meet on a regular basis to highlight emergency response needs and seeks to find solutions within the capacity of the agencies represented.  The forum is also attended regularly by representatives from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) who are the lead Government Department dealing with all refugee and asylum applications and accommodation matters.

The Council also works in partnership with key agencies to deliver direct supports to those living in emergency accommodation across the county and does this by working closely with dedicated teams within the South Dublin County Partnership and South Dublin Volunteer Centre. Key evidence-based areas of need are identified by this group using interviews and surveys with residents in emergency accommodation and from this feedback solutions and responses are developed in response.  Urgent issues arising in areas such as social welfare, health, educational and material can be supported quickly and effectively in most cases.

The Department of Children, Equality, Disability, Integration and Youth has responsibility for providing accommodation for beneficiaries of temporary protection arriving from Ukraine and, indeed, those arriving from elsewhere seeking international protection. Local authorities have been supporting the Department in this for their areas where possible including examining potential suitable accommodation, including identifying potentially vacant buildings.  In addition, in November 2022, local authorities launched the ‘Offer a Home’ programme through which the public can offer vacant homes for use by Ukrainians. The accommodation is not provided by the local authority, but local authorities assess the accommodation offered and facilitate arrangements between the owner of the property and the Ukrainian beneficiaries but to date there has been extremely limited offers in South Dublin County under the "Offer a Home" initiative.

Various recent additional funding streams, including through Healthy Ireland, SICAP and the Council, have been put in place to offer further augmented supports to Ukrainian beneficiaries of temporary protection, and also international protection applicants where funding conditions allow, including for their social integration in the County over the coming months.  The most recently announced Community Recognition Fund, through the Department of Rural and Community Development (DRCD), aims to support the development of community infrastructure and facilities in recognition of the contribution being made by communities across the country in welcoming and hosting significant numbers of arrivals from Ukraine and other countries.  It can fund community, sporting, recreational infrastructure and equipment (but excluding any operational/running costs) in local communities with new arrivals, i.e. both Ukrainian beneficiaries of temporary protection and international protection applicants.  This funding has been distributed across all local authorities based on the number of new arrivals located there, including relative to the overall population in that area.  This Council has been allocated €2,754,305 under the fund, which is the fourth-highest allocation nationally.

Proposals for funding must be developed based on direct engagement with impacted communities and in consultation with the Area Committees, Local Community Development Committee and the local Community Response Forum and be consistent with the Local Economic and Community Plan.  It should be noted that the conditions of the fund are challenging with proposals to be submitted to the DRCD no later than 15th March 2023 and approved projects must spend 60% of their allocated budget in 2023 but various sections of the Council, together with local agencies and communities, will seek to develop appropriate proposals for submission to DRCD.

### **Q11/0223 QUESTION:** **Councillor C. O'Connor**

To ask the CEO to report on the operation of his emergency services through the Christmas period; will he confirm what type of calls were received and will he make a statement?

**REPLY:**

In advance of the offices closing on the 23rd December 2022 and re-opening on Tuesday 3rd January 2023, notices were placed on the South Dublin County Council website, on all South Dublin County Council social media accounts and telephony systems advising members of the public that the offices are closed during this period. Additional information was also provided regarding the Council’s Emergency/ Out of hour’s service number: 01- 4574907.

Each service department had staff rostered over the holiday period to be ‘on call’ to deal with emergencies.  Each service department defines in advance what calls are deemed to be an emergency and only these calls are forwarded by the call centre staff to the relevant council staff.

South Dublin County Council's Severe Weather Assessment Team (SWAT) maintains regular contact during weather events via dedicated email and WhatsApp groups and always meets when an Orange Met Eireann Weather Warning is received. The SWAT is made up of senior staff from across the organisation. The purpose of the meeting is to assess the readiness of the council to deal with an upcoming storm or severe weather event and put in place preventative actions as required. There were no severe weather events during this period.

**Summary of call outs in SDCC’s Area Covering the period 24th December 2022 to 3rd January 2023:**

|  |  |  |
| --- | --- | --- |
| **Department** | **Number of Calls** | **Issues** |
| Drainage | 18 | Overflowing/ Blocked Drains |
| Housing | 116 | Heating/ Leaks/ General Maintenance |
| Parks | 6 | Customers locked in park after hours |
| Roads | 12 | Traffic Signals/ Oil Spill/ Road Obstructions/ Flooding/ Public Lighting |
| Water Services | 18 | Water Outages |
| **Total** | **170** |  |

|  |  |
| --- | --- |
| **Dublin Fire Brigade** | |
| **Incident Classification** | **No of Incidents** |
| Ambulance | 501 |
| Fire | 47 |
| Special Services | 12 |
| **Total** | **560** |

### **Q12/0223 QUESTION:** **Councillor C. O'Connor**

To ask the CEO to confirm how many illegal dumping fines were issued and then paid across our County in 2022 and will he make a general statement?

**REPLY:**

In 2022, 418 fines were issued in respect of littering and illegal dumping. To date, 247 of these fines have been paid.

All incidents of illegal dumping and littering reported or detected are investigated by the Council's Litter Warden Service and all material that is found dumped 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.

A number of initiatives continue to be implemented through the Environment Water & Climate Change directorate. The Council's Litter Management Plan has committed to the deployment of innovative and emerging technologies, including CCTV and Programmable Audio Messaging Devices to tackle the problem of illegal dumping and fly tipping.

The Circular Economy and Miscellaneous Provisions Act 2022 was enacted on the 21st of July 2022.  The legislation provides for the use of CCTV and Mobile Recording Devices in the Local Government Sector for preventing, detecting, investigating, or prosecuting offences under the Waste Management Act 1996. With the assistance of the Local Government Management Agency (LGMA), Local Authorities are developing working a Code of Practice for CCTV and Mobile Recording Devices as required under S14(C) of the Waste Management Act.  The Code of Practice will provide guidance on the appropriate and effective use of CCTV and mobile recording devices in waste enforcement.

Village cleansing programme is ongoing in all town and village centres on a daily basis Monday to Friday and on Sundays. Existing cleaning schedules are reviewed and modified regularly, planned and scheduled clean-ups of areas prone to repeated littering / dumping incidents is ongoing, and there is continuing liaison with community groups for Clean-Up collections. Regard is taken of reports / survey findings e.g. IBAL, and resources as available and appropriate, are applied.

Proactive anti-litter and anti-illegal dumping programmes and campaigns are delivered as per the Eastern Midlands Waste Regional Waste Management Plan and the SDCC Litter Management Plan.  Some examples of the proactive initiatives that have been previously promoted/carried out include bulky waste collection pilots, bulbs not bonfires Halloween campaigns, Halloween campaigns involving tyre retailers, hazardous wastes collections and bring bank monitoring programmes.

Other initiatives include the Annual National Spring Clean, the PURE project, the Anti-Litter & Anti-Graffiti awareness grants, WEEE collection days, Eco -Week and annual anti-dumping schemes such as the mattress amnesties and area clean-ups.

Continued support is provided for through the Green Schools Programme, South Dublin County has 97 schools registered for this programme which has a theme specially dedicated to litter and waste. Support is provided on an ongoing basis to the green school’s programme through talks, workshops, competitions etc.

Where there is an ongoing problem of illegal dumping in any area, local residents are urged to support the Council in taking the appropriate enforcement action by making reports to the Litter Warden Service for investigation and by providing evidence, including testimony, where possible. Additionally, residents are encouraged through the medium of the Council's Social Credits Scheme to seek rewards for community-based initiatives, such as community clean ups.

Reports of littering and illegal dumping can be made on the**Council’s Litter Warden hotline on 01 4149220**and on the**Environmental Protection Agency’s anti-dumping hotline on 1800 365 123.**

### **Q13/0223 QUESTION:** **Councillor C. O'Connor**

To ask the CEO to present an update on his ongoing work to deal with the Council's Climate Change targets; will he give details of this programme in that regard, and will he make a statement?

**REPLY:**

SDCC are progressing with implementation of the Climate Change Action Plan (CCAP) 2019-2024, and delivery of the 154 actions identified under the six Action Areas of: Energy and Buildings; Transport; Flood Resilience; Nature Based Solutions; Resource Management; and Citizen Engagement. Of the 154 Actions, 30 are considered completed and all others have commenced and are progressing.

A full update on each of these actions is included in the CCAP Annual Report 2022. These actions are established to work towards the overarching four key targets of the SDCC CCAP, which are set out as follows:

1. 50% improvement in the Councils energy efficiency by 2030.
2. 51% reduction in the Councils GHG emissions by 2030 – Net Zero CO2 by 2050.
3. To make Dublin a climate resilient region by reducing the impacts of future climate change related events.
4. To actively engage and inform our citizens on climate change.

The CCAP Annual Report 2022 was presented to the Environmental, Public Realm and Climate Change SPC in November 2022 and the County Council meeting in December 2022 - the report will shortly be published on SDCC’s Climate Action Website - <https://sdcc.ie/en/climate-action/>

The CCAP Implementation Plan 2023 was presented to the Environmental, Public Realm and Climate Change SPC on February 7th 2023. The Plan includes information on the work to be undertaken by SDCC in response to the requirements for Local Authorities under the Climate Action and Low Carbon Development (Amendment) Act 2021, National Climate Action Plan (2023) and the Draft LA Climate Action Plan Guidelines that were issued in September 2022. A full presentation is planned to provide an update to the Council at the March 2023 Meeting.

### **Q14/0223 QUESTION:** **Councillor C. O'Connor**

To ask the CEO what actions are being taken to reach out to young people in communities across our County to cater for their views and needs; will he appreciate the importance of the whole matter, and will he make a statement?

**REPLY:**

The local authority has engaged with young people via the South Dublin Comhairle na nÓg.The Comhairle have worked on a variety of topics in the last few years, including Climate Change, Body Image, and Mental Health. The topic for 2023 is Drugs and Addiction and the Comhairle are currently putting together a workplan. The South Dublin County Comhairle  will also sends a representative to the National Executive which works on a topic of national relevance. The last National Executive lobbied successfully for a youth travel card.

The South Dublin Comhairle utilises social media to communicate with the young people in the county and has plans to disseminate an online newsletter to the schools and provide an alternative learning programmes and youth services in South Dublin County. The Council will also be consulting with young people through the allocation of funding via Have Your Say, with the assistance of South Dublin Comhairle na nÓg.

In addition, we work closely in partnership with the local youth service providers in the county with the delivery and engagement of youth service provision through our network of community facilities

### **Q15/0223 QUESTION:** **Councillor C. O'Connor**

To ask the CEO to outline his efforts to improve the image of all our Villages in the County; will he give details and make a statement?

**REPLY:**

**LUPT:**

There are nine traditional villages in the county and in 2014, South Dublin County Council embarked on a programme of Village Improvement Schemes.

Primarily works involved were intended to improve the general aesthetics of the villages, through public realm improvements for all users, and to encourage / facilitate the use of the villages and increase walking and cycling.

Projects have been completed in all nine, the most recent being improvement works in Templeogue Village which were completed in 2022.

In 2023 the following enhancements works to our Villages and District Centres will be progressed and funding is available to progress these works

* Works will start on site in Lucan to deliver the approved Part 8 including works at Lucan Village Green, Weir Side and the Demesne Entrance.
* Works will start on site at Castletymon District Centre to deliver the approved Part 8
* Design work will commence for the Bawnogue, Rosemount and Dodsboro District Centres
* Design work will commence for the Clondalkin Village Enhancement Scheme

**EETD:**

South Dublin County Council also support the enhancement of the county's villages through the application of its shopfront grant scheme. The annual Shopfront Grant Scheme provides grants for shopfront improvements ranging from painting updates, signage replacement, lighting, canopies/awnings, universal accessibility to replacing an entire shopfront. Grants are available for a maximum of 50% of overall costs. Since the introduction of the scheme in 2014, approximately 80 business premises have availed of this service, which has made a significant contribution to enhancing the physical appearance of local villages in the county, as well as supporting enterprise and the local economy.

### **Q16/0223 QUESTION: Councillor Liam Sinclair**

That the manager outlines the process for lodging a maintenance report when a tenant has no access to the internet or a preference for not doing business online?

**REPLY:**

As part of the Council's ongoing digital transformation to provide enhanced and optimal customer service, the Housing Online (HOL) portal provides an online, fully mobile responsive self-service area that allows housing customers to self-serve 24/7 on any device for various housing services.  In this context, the online housing maintenance service facilitates the submission of maintenance requests straight into the system which will allow a more timely and responsive service.  The volume of calls in relation to housing maintenance services is not sustainable in the context of trying to progress and complete maintenance requests and, given the digital literacy of the vast majority of the population, all standard maintenance requests should now be submitted online. A series of explanatory videos showing customers how to register and log a maintenance request online is available at: <https://www.sdcc.ie/en/services/housing/maintenance-and-repairs/> while internet access is also widely available through the network of libraries and elsewhere in the County.  Any tenants experiencing challenges with using HOL can e-mail [**hol@sdublincoco.ie**](mailto:hol@sdublincoco.ie)for assistance.

A dedicated phone service will still be available for telephone calls in relation to emergency maintenance requests and for tenants that are older, are JAM Card holders or who have additional needs during office hours.

### **Q17/0223 QUESTIONS:** **Councillor F. Timmons**

To ask the Chief Executive for a report on the new government legislation regarding tobacco companies paying for part of the clean-up costs resulting from cigarette-related waste, the report to include the process, SDCC funding and will the money paid be ringfenced for litter clean up?

**REPLY:**

The European Union (Extended Producer Responsibility) (Tobacco Filters Containing Plastic) Regulations SI 609 of 2022 were signed by Minister Ryan on 28 November 2022 and came into effect on 5 January 2023.  These regulations establish the legislative basis for the establishment of an extended producer responsibility (EPR) scheme in relation to the sale of tobacco and tobacco products which contain single use plastics.  The EPR scheme must be established by the tobacco industry and an approved body appointed to run the scheme with the approval of the Minister.  While it is understood that the tobacco industry has submitted the details of a proposed EPR scheme to the Minister, as yet there has been no approved body appointed to operate such a scheme.

When in operation it will require all relevant producers to join the scheme and to pay fees which will be determined in accordance with the amount of relevant product that they place on the market.  These fees will ultimately be paid to central government and will cover the cost to operate the scheme as well as the cost of data gathering and part of the cost of clean-up associated with cigarette litter. It is understood that guidelines are awaited from the European Commission regarding how such costs will be evaluated and membership fees determined.  The enforcement strategy for the scheme is currently being considered by the Dept of Environment Climate and Communications, the WERLAs and the EPA.  It is not clear as yet what role local authorities will have in the scheme, however as both litter enforcement and clean up are currently the responsibility of the Council it is likely that this will continue to be the case.  It has not been determined as yet how any additional or increased activity in these areas will be funded from the EPR scheme. 

### **Q18/0223 QUESTION:** **Councillor F. Timmons**

To ask the chief executive for a report into what progress has been made in deposit return schemes for cans and plastic bottles and when we are likely to see such schemes?

**REPLY:**

The Irish Deposit Return Scheme is due to launch in February 2024. The Minister of State with responsibility for Communications and Circular Economy, Ossian Smyth, appointed the Deposit Return Scheme Ireland CLG, trading as Re-turn to operate the scheme.

In February 2024, when you buy a drink in a plastic bottle, aluminium or steel can that features the Re-turn logo, you pay a small deposit in addition to the price of the drink. When you return your empty, undamaged container to any retail outlet, you get your deposit back in full. There will be return points all across Ireland.

More information on the scheme can be found at [www.re-turn.ie](http://www.re-turn.ie)

### **Q19/0223 QUESTION:** **Councillor F. Timmons**

To ask the chief executive For a report on dog fouling in our county that includes the number of fines issued for 2022?

**REPLY:**

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. In the absence of such testimony, fines cannot be issued. The Council continues to encourage residence groups and/or individuals to assist the Warden Service in this regard.

SDCC have continued to raise awareness of the issue of Dog fouling and has mounted a number of campaigns on radio, newspapers and on social media in that regard.

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.

Dog Litter Signage is available and requests for signage are considered on a case-by-case basis, 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

In 2022, South Dublin County Council received 18 reports related to dog fouling. One fine was issued.

### **Q20/0223 QUESTION: Councillor F. Timmons**

To ask the chief executive for a report on Time people are on SDCC housing list. Report to include if he has considered introducing a numbering time on list system like DCC do, and if not why?

**REPLY:**

The table below shows the breakdown of the Council's social housing list at 31st January 2023, broken down by household bedroom need and current time on the list.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Time on List** | **1-5 Years** | **5-10 Years** | **10-12 Years** | **12+ Years** | **Totals** |
| 1-bed | 1,747 | 843 | 147 | 154 | **2,891** |
| 2-bed | 1,013 | 723 | 98 | 56 | **1,890** |
| 3-bed | 400 | 376 | 43 | 39 | **858** |
| 4-bed+ | 58 | 34 | 10 | 13 | **115** |
| Totals | **3,218** | **1,987** | **322** | **276** | **5,803** |

Members should be aware that Choice Based Letting (CBL) has been the Council’s primary method of housing allocation since October 2011.  CBL allows applicants to remain on the housing list until they secure an allocation in a property in an area that they are interested in.

In accordance with the Council's Allocations scheme, all allocations are made on time-on-list basis.  A numbered list was in operation prior to the move to time-on-list basis for allocations and the introduction of CBL but it provides no significant benefits to applicants and indeed does not readily align with the use of CBL or with applicants being awarded priority on medical, homeless, age or other grounds.  Engagement with local authorities using numbered lists also confirm that the ongoing updating of lists and the volume of associated queries is not a productive use of staff time.  However, we are examining the greater availability of data around successful CBL expressions of interest to provide housing list applicants with a more informed sense of their likelihood of making a successful expression of interest for a property in a particular area.

### **Q21/0223 QUESTION: Councillor F. Timmons**

To ask the chief executive for a report on glyphosate after a recent study showing that More than one in four Irish children test positive for weedkiller chemical glyphosate, can he confirm the council stance on this?

**REPLY:**

It has not been possible to obtain a copy of the report from the research referred to here which was carried out by NUIG into the presence of glyphosate in the environment, any comments made here are based on media reporting of the research.  It is understood that the research project included the testing of urine samples provided by approximately 200 people across both farming and non-farming backgrounds.  The results showed that around 25% of those tested had glyphosate in their urine, however this was found to be at levels well below the safe level as determined by the EU.

The Sustainable Use of Pesticides Directive (SUD) establishes a framework within which EU member states can achieve the sustainable use of pesticides by setting minimum rules to reduce the risks to human health and the environment that are associated with pesticide use. The Directive is designed to further enhance the high level of protection achieved through the entire regulatory system for pesticides.  Implementation of the SUD relies heavily on the training of the various people involved at all levels including professional users and sprayer operators and such a training programme is in place for the relevant Council staff.  This Council adopted a partial ban on the use of glyphosate in 2017 and this ban continues to be implemented by the Council's Public Realm Section.  The partial ban prohibits the use of glyphosate in Council parks, playgrounds, and public gardens.

The current approval for the use of glyphosate is due to expire this year and the matter will be considered further by the European Commission at the appropriate time.  This Council will comply fully with whatever decisions are made regarding the continued use, or otherwise, of glyphosate-based herbicides.

### **H8/0223 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS**

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

### **H9/0223 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

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

### **H10/0223 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 10 a) Chief Executive's Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77613)  
[HI 10 b) Statistical Report - January 2023](http://www.sdublincoco.ie/Meetings/ViewDocument/77757)  
[HI 10 c) Finance Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77545)

A discussion followed with contributions from Councillors M. Johansson, D. McManus, D. Ó Brádaigh, C. Bailey, L. Donaghy, and L. O'Toole. Queries were raised regarding housing relets, the cost rental scheme, bridge inspections, and Clondalkin and Lucan swimming pools.

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

The report was **NOTED.**

### **H11/0223 SECTION 85 PPP CLONBURRIS – 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**

**Report on Proposed Section 85 Agreement for Provision of Social Housing via a Public Private Partnership - Bundle 5 of National Social Housing PPP Programme**

**Section 1: Overview of the Programme**

In November 2014, the Minister for the Environment, Community and Local Government (now the Minister for Housing, Local Government and Heritage) launched the Social Housing Strategy 2020. The Strategy provided for a number of measures to boost the supply of social housing including the use of off-balance sheet mechanisms, one of which is a large scale Public Private Partnership (PPP) Programme.

In September 2021 the Department of Housing, Local Government and Heritage (DHLGH) launched ‘Housing for All’, a new housing plan for Ireland to 2030.  Under the Plan, Housing Policy ‘Objective 4: Increase Social Housing Delivery’, there is a commitment to increase the use of PPP’s as a social housing delivery mechanism, building on the successful model of PPP housing delivery to date. On the 22nd June 2022, the Minister for Housing, Local Government & Heritage, Darragh O’Brien T.D., announced the approval of 18 sites across the greater Dublin region for PPP Bundles 4 & 5.

The Social Housing PPP Programme is a partnership between the DHLGH, participating local authorities, the National Development Finance Agency (NDFA) and a specially formed Project Company. The Programme is being rolled out in bundles outlined below.

**Bundle 1**

Bundle 1 of the programme, which delivered 534 social homes (of which 109 are in South Dublin Council administrative area), was led by Dublin City Council (DCC) on behalf of five participating local authorities, which included, Kildare, Louth, South Dublin and Wicklow County Councils.

**Bundle 2**

Bundle 2 of the programme was led by Cork County Council and delivered 465 social homes across seven local authorities; Cork, Roscommon, Waterford, Galway, Clare and Kildare County Councils and Waterford City Council.

**Bundle 3**

Bundle 3 of the programme has six sites across four local authorities. Dublin City Council is the lead local authority on behalf of Kildare, Sligo and Wicklow County Councils. All sites in this bundle have secured planning approval to deliver 486 social homes. The programme is currently in the procurement pre-qualification stage.

**Bundle 4**

Bundle 4 has eight sites that are solely in Dublin City Council’s (DCC) administrative area with scope to deliver c.780 new social homes, subject to detailed design.

**Bundle 5**

Bundle 5 has ten sites across six local authorities. Dublin City Council has been appointed the lead local authority by DHLGH on behalf of Kildare, South Dublin, Dun Laoghaire, Louth and Wicklow County Councils. The 10 sites are expected to deliver c. 795 social homes and 307 affordable homes.

|  |  |
| --- | --- |
| **Site** | **Local Authority** |
| Barry Road, Finglas | Dublin City Council |
| Cherry Orchard Avenue | Dublin City Council |
| Balally, D16 | Dun Laoghaire- Rathdown County Council |
| Lambs Cross, Sandyford | Dun Laoghaire- Rathdown County Council |
| Oldtown Mill, Celbridge | Kildare County Council |
| Coolaghknock Glebe, Kildare Town | Kildare County Council |
| Ballymakenny East | Louth County Council |
| **Clonburris** | **South Dublin County Council** |
| Burnaby, Greystones | Wicklow County Council |
| Rehills, Bray | Wicklow County Council |

**Section 2: Method of Delivery**

The Social Housing PPP Programme is delivered through the ‘availability’-based PPP model. Under this type of contract, the PPP project company (PPP Co), as the private partner, designs, builds, finances, maintains and operates (DBFMO) social housing developments for a period of 25 years in return for a monthly payment (unitary charge) from the State. Payment is made by the State only once construction of the buildings is complete and the homes are ready for tenanting.

This funding mechanism means that PPP’s typically require no upfront capital from the State, so the private partner takes on the full construction and funding risks.  PPP's also provide cost certainty for the State, with unitary charge commitments known before the execution of the contract. In addition, projects are subject to comprehensive value for money testing, in accordance with guidance from the Department of Public Expenditure and Reform (DPER).

The land provided by the local authority by way of a licence, but remains in State ownership throughout. In addition, handback provisions are a key feature of PPPs, with the private partner required to hand back the assets to the State at the end of the 25-year operating period, in a specified condition with a pre-defined residual life. This ensures the assets are handed back in good quality for future use.

**Section 3: Planning**

Each participating local authority will be responsible for obtaining the necessary planning approval in respect of the proposed PPP social housing development in its functional area and will undertake the necessary public consultation procedure in respect of the proposed development as required under the Planning and Development Acts and Regulations.

**Section 4: Procurement**

The Project Company is selected via an advertised tender competition, conducted by the NDFA in accordance with EU and national procurement regulations. Competitions are typically two-stage, with qualified parties invited to tender following a competitive, pre-qualification stage.

The objective of the tender stage is to identify the most advantageous tender based on pre-defined award criteria, usually a combination of price and qualitative criteria. The qualitative criteria generally includes, design quality and value of services based on the specific characteristics of the project, which will have been defined prior to submission of tenders. Following assessment, the tenderer that submits the most advantageous tender is then appointed as the successful Project Company, subject to the tender meeting a number of ‘*value for money’* tests.

PPP projects are not just about building infrastructure, but also about putting together comprehensive, legally enforceable arrangements for ensuring the proper management and maintenance of the infrastructure over the contract period.

It is also important to note that PPP projects are subject to a number of ‘*Value for Money’* tests before the contract is awarded. In the case of this project, the key test compares the calculated costs of undertaking the project through the traditional model of delivering social housing against the successful tender in the PPP competition. If the PPP tender cost is less than the cost of undertaking the project through traditional means, then it is considered that the project offers ‘*Value for Money’* and the contract may be awarded.

**Section 5: Overview of Functions/Responsibilities**

It is proposed that the programme for Bundles 4 and 5 will be delivered under a single PPP contract (Project Agreement), with a lead local authority acting as the contracting authority. Dublin City Council (DCC) has been appointed as the lead local authority by DHLGH and will therefore be the contracting party that will enter into the Project Agreement with the Project Company, in respect of the delivery and management of social housing under Bundles 4 & 5.

As set out in Section 3 above, each participating local authority will be responsible for obtaining the necessary planning approvals.  In addition, each local authority will retain the following functions in respect of the PPP social housing development in their administrative area,

* *Responsibility for the calculation of tenant rents, in accordance with each participating local authority’s differential rent scheme*
* *100% nomination rights for the PPP social housing homes.*
* *The role of landlord under the respective local authorities’ tenancy agreement.*

The Project Company occupies the land on foot of a licence granted by the contracting party for the specific purposes set out in the Project Agreement.  It is noted, that at no stage does ownership of the land or houses transfer to the Project Company.  The land always remains in the ownership of the local authority in whose functional area the development is constructed. The Project Company will act as the agent on behalf of the local authority in the management and maintenance of the development.

**Section 6: Recommendation**

The provisions of Section 85 of the Local Government Act 2001 allow a Local Authority to perform functions on behalf of another local authority.

I, therefore, recommend, that in order to enable Dublin City Council to act as the lead local authority in the Social Housing PPP Bundle 5 Programme and be the contracting authority, South Dublin County Council adopt the following motion:

*‘Pursuant to Section 85 of the Local Government Act 2001, as amended, South Dublin County Council hereby agrees to enter into an Agreement with Dublin City Council, Dun Laoghaire-Rathdown County Council, Kildare County Council, Wicklow County Council and Louth County Council, whereby Dublin City Council will carry out all of the functions of these local authorities in respect of the Social Housing PPP Bundle 5 Programme with the following exceptions:*

* *the nomination of tenants to be housed in the social housing development in the relevant local authority’s functional area,*
* *the calculation of the tenants’ differential rent,*
* *the role of landlord under the tenancy agreements and*
* *Obtaining the necessary planning approvals and undertaking the public consultation procedures in respect of the development as required under the Planning and Development Acts and Regulations.*

*It is hereby resolved under Section 85 of the Local Government Act 2001, as amended, to enter into Agreements with the local authorities listed above for the provision of the services as outlined above."*

**Daniel McLoughlin**

**Chief Executive**

**Dated 7th February 2023**

[H11 Section 85 Approval for Dublin City as Lead Authority on PPP Bundle 5 - Draft Agreement](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77667)  
[H11 Section 85 Approval for Dublin City as Lead Authority on PPP Bundle 5 - Presentation](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77723)

A discussion followed with contributions from Councillors D. McManus, M. Johansson, C. Bailey, L. Dunne, L. O'Toole, L. Donaghy, E. Ó Broin, B. Lawlor, W. Carey, and R. McMahon. Queries were raised regarding oversight of the project, ownership of the development and Traveller specific accommodation.

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

Councillors B. Lawlor, M. Johansson and R. McMahon called for a Roll Call Vote on the item, the result of which was as follows:

**FOR: 28 (TWENTY-EIGHT)**

Councillors C. Bailey, W. Carey, Y. Collins, T. Costello, L. Donaghy, L. Dunne, A. Edge, P. Gogarty, L. Hagin Meade, A. Hayes, P. Holohan, P. Kearns, C. King, B. Lawlor, M. Lynch, L. McCrave, R. McMahon, D. McManus, S. Moynihan, D. Ó Brádaigh, E. O'Brien, E. Ó Broin, G. O'Connell, C. O'Connor, L. O'Toole, B. Pereppadan, F. Timmons, J. Tuffy.

**AGAINST: 2 (TWO)**

Councillors M. Johansson, L. Sinclair.

**ABSTAIN: 0 (ZERO)**

As a result of the Roll Call Vote, The Section 85 PPP Clonburris was **APPROVED** on the proposition of Councillor D. McManus and seconded by Councillor B. Lawlor.

### **H12/0223 PROVISION OF FOOD SAFETY AUTHORITY OF IRELAND STATUTORY FUNCTIONS ON BEHALF OF FINGAL COUNTY COUNCIL BY SOUTH DUBLIN COUNTY COUNCIL.  (PROPOSED AGREEMENT UNDER SECTION 85 OF THE LOCAL GOVERNMENT ACT 2001) – FOR APPROVAL**

### The following report by the Chief Executive, which had been circulated, was presented by Ms. T. Walsh, Director of Environment, Water and Climate Change, and was **CONSIDERED.**

[H12 Proposed Agreement under Section 85 of the Local Government Act 2001 â€' FOR APPROVAL](http://www.sdublincoco.ie/Meetings/ViewDocument/77578)

The Provision of Food Safety Authority of Ireland Statutory Functions on behalf of Fingal County Council by South Dublin County Council. (Proposed Agreement under Section 85 of the Local Government Act 2001) was **APPROVED** on the proposition of Councillor C. King and seconded by Councillor P. Kearns.

### **H13/0223 CONFIRMATION OF LEA FOR €300K HAVE YOUR SAY - FOR APPROVAL**

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

**REPLY:**

‘€300K Have Your Say’ is a participatory budgeting initiative which was run by South Dublin County Council in the Lucan local electoral area in 2017, the Clondalkin local electoral area in 2018, Firhouse Bohernabreena in 2019, Tallaght Central in 2021 and Rathfarnham Templeogue in 2022. The initiative encourages local residents to develop project proposals for their local area and a public vote is then held on the shortlisted proposals. The winning projects to the value of €300,000 from the Council budget are then delivered by the Council.

The approval of the final local electoral area is now before the Council.

* Tallaght South and Saggart

Please note that Saggart is included alongside Tallaght South to ensure they do not miss out due to the 2019 electoral boundary change where this community moved from the Tallaght South to the Clondalkin LEA.

A meeting of the Steering Group will be convened following approval of the area at the February Council meeting. Below is the current membership of this group which includes two members of the Tallaght South area, and one members from the Clondalkin LEA in cognisicance of the inclusion of Saggart. This representation is particularly important to inform the planning for the communications and community workshops are targetted and inclusive of active groups in the area. The role of the Steering Group and the elected members is outlined in the agreed Terms of Reference for the initiative, which are attached.

Participatory Budgeting Steering Group members:

* Mayor Cllr Emma Murphy
* Cllr Pamela Kearns
* Cllr Guss O’Connell
* Cllr Mick Duff
* Cllr William Carey
* Cllr Dermot Richardson
* Cllr Baby Pereppadan

[H13 (b) Terms of Reference](http://www.sdublincoco.ie/Meetings/ViewDocument/77684)

The nomination of Councillor L. Dunne as a Steering Group member was **APPROVED** on the proposition of Councillor C. King and seconded by Councillor W. Carey.

Councillor C. Bailey raised a query regarding review of the project.

Ms. L. Maxwell, Director of Corporate Performance and Change Management welcomed Councillor L. Dunne and responded to the Member’s query.

At this point The Mayor, Councillor E. Murphy, joined the meeting.

Confirmation of LEA for 300K Have Your Say, was **APPROVED** on the proposition of Councillor E. Murphy and seconded by Councillor C. King.

### **H14/0223 ANNUAL SERVICE DELIVERY PLAN 2023 – FOR APPROVAL**

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

**REPLY:**

The 2023 Service Delivery Plan is prepared in accordance with Section 134 (A) of the Local Government Act 2001, as amended, which requires that each local authority prepare a Service Delivery Plan for the coming year following the adoption of the budget. The plan sets out the principal services that the local authority intends to deliver in that year. It also includes performance improvement targets for local and/or national performance indicators as recommended by the National Oversight and Audit Commission. Once adopted, a visual representation of the service levels and targets of this plan will be published and posted to every household, school and business as has been done in previous years, as part of the citizens newsletter. It will be promoted on the website and through social media.

The 2023 Service Delivery Plan is now presented to the elected members for adoption.

[H14 2023 Service Delivery Plan](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77611)

Councillor R. McMahon raised a query regarding the library service.

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

The Annual Service Delivery Plan was **APPROVED** on the proposition of Councillor E. Murphy and seconded by Councillor P. Kearns.

### **H15/0223 12TH LOCK ECONOMIC PLAN BRIEFING - FOR NOTING**

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

[H15 12th Lock Plan Briefing](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77574)

A discussion followed with contributions from Councillors C. King, L. Dunne, E. O'Brien, L. O'Toole, S. Moynihan, P. Holohan, L. Donaghy, P. Gogarty, M. Johansson, R. McMahon, E. Ó Broin, D. Ó Brádaigh, W. Carey and L. Hagin Meade. The Members welcomed the report while raising queries regarding management of the development, car and bicycle parking, engagement with Lucan Sarsfield GAA, creche facilities, the hostel, mixed use of the community facilities, flood alleviation, and proposed water based activities on the canal.

Mr. J. Frehill, Director of Economic, Enterprise & Tourism Development responded to the Members queries and thanked them for their positive comments.

The report was **Noted.**

### **H16/0223 PUBLIC REALM AND WATER SERVICES MINOR WORK PROGRAMMES 2023 -FOR NOTING**

### The following report by the Chief Executive, which had been circulated, was presented by Ms. T. Walsh, Director of Environment, Water and Climate Change, and was **CONSIDERED**

**REPLY:**

**Public Realm Improvement Works Programme 2023**

|  |  |  |  |
| --- | --- | --- | --- |
| **Clondalkin** |  |  |  |
| **No** | **Location** | **Description of Works** | **Estimated cost** |
| 1 | Clondalkin Playground | New equipment | €15,000 |
| 2 | Clondalkin Skatepark | Provide lighting (subject to DPIA) | €50,000 |
| 3 | Corkagh Park | Surface path on north side of fishing lake | €52,000 |
| 4 | Corkagh Park | Upgrade section of Oak Avenue beside fairy walk | €25,000 |
| 5 | Corkagh Park | Surface path to dog run & paddock area | €10,000 |
| 6 | Corkagh Park | Restore section of wall at entrance to Walled Garden | €45,000 |
| 7 | Corkagh Park | St Johns Car Park - replace bollards with stone wall | €50,000 |
| 8 | Corkagh Park | Replace vehicle barrier at MANN centre with park gates | €15,000 |
| 9 | Corkagh Park | Pollinator bulbs | €10,000 |
| 10 | Lealand estate | Upgrade path between Lealand Walk and Lealand Close | €10,000 |
| 11 | Monastery Gate Villas | Boundary upgrade between Mount Talbot Apartments & Monastery Gate Close | €15,000 |
| 12 | Monastery Road | Accommodation works for gateway sculpture | €15,000 |
| 13 | Monksfield Avenue | Path upgrade works | €15,000 |
| 14 | Mt St Joseph Cemetery | New information panel and headstone repairs | €10,000 |
| 15 | R120 Rathcoole Village | Pollinator bulbs | €10,000 |
| 16 | Rathcoole Park | Pollinator bulbs | €10,000 |
| 17 | Woodford Park | Path upgrade works | €30,000 |
| 18 | Woodford Park | Surface paths around Calisthenics equipment | €10,000 |
|  |  |  | **€397,000** |
|  |  |  |  |
| **Lucan** |  |  |  |
| **No** | **Location** | **Description of Works** | **Estimated cost** |
| 1 | Lucan Demesne | Path upgrade works | €35,000 |
| 2 | Lucan Demesne | Upgrade fairy walk and provide accessible picnic bench | €10,000 |
| 3 | Lucan Village | Provide 4 flower boxes at Lucan Bridge & 1 at Vesey Bridge | €10,000 |
| 4 | Lucan Village | Upgrade handrail on ramp to Lucan Weir at St Andrew's Hall | €10,000 |
| 5 | Vesey Park | Upgrade sections of path network throughout park | €40,000 |
| 6 | Beech Park Green | Provide 2 benches on open space | €5,000 |
| 7 | Beechpark | Upgrade section of path on open space | €15,000 |
| 8 | Airlie Park | Resurface path opp Scoil Mhuire N.S | €15,000 |
| 9 | Esker Glebe | Replace pedestrian bridge over River Griffeen | €25,000 |
| 10 | Griffeen Valley Park | Surface path in Haydens Estate natural playground | €10,000 |
| 11 | Griffeen Valley Park | Upgrade ramps to footbridges to improve accessibility | €10,000 |
| 12 | Griffeen Valley Park | Pollinator bulbs | €5,000 |
| 13 | GVP - Newcastle Road car park | Mark car park | €10,000 |
| 14 | GVP - Haydens Lane car Park | Landscape area between parking bays and boundary wall | €10,000 |
| 15 | GVP - Haydens Lane car Park | Provide new entrance gates | €15,000 |
| 16 | Haydens Lane/Griffeen Avenue | Upgrade 2 roundabouts at Haydens Lane & 1 at Rosberry | €15,000 |
| 17 | Hermitage Park playground | Upgrade path system in playground beside embankment slide | €10,000 |
| 18 | Balgaddy | Surface path from Tor an Rí to Méile An Rí across open space | €15,000 |
| 19 | Harelawn | Surface path between Harelawn Park & Grove | €15,000 |
| 20 | Collinstown Park | Widen & surface path | €25,000 |
| 21 | Collinstown Park | Surface area inside vehicle entrance | €10,000 |
| 22 | Collinstown Crescent | Upgrade kissing gate between Collinstown Cres  & Palmerstown Woods | €15,000 |
| 23 | Ballyowen Park | Path upgrade works | €20,000 |
| 24 | Glenaulin Park | Install interceptor drain along slope at the side of pitch 29 | €10,000 |
| 25 | Waterstown Park | Pollinator bulbs | €10,000 |
| 26 | Waterstown Park | Wheelchair-capacity play equipment | €15,000 |
|  |  |  | **€385,000** |
|  |  |  |  |
| **Tallaght** |  |  |  |
| **No** | **Location** | **Description of Works** | **Estimated cost** |
| **1** | Kingswood Playground | New perimeter fence for playground | €20,000 |
| **2** | Ashfield Road | Vehicle restriction fence between Walnut & Ashfield estates | €3,000 |
| **3** | Ballymount Park | Upgrade paths | €5,000 |
| **4** | Butler McGee Park | Looped footpath, constrcut next phase | €50,000 |
| **5** | Kilmartin Estate | Entrance from Outer Ring Road opposite Brookfield Community Centre, landscaping and fencing works | €40,000 |
| **6** | Sean Walsh Park | Installation of public lighting along footpath from Blue Bridge down towards sensory garden, adjacent to N81 | €25,000 |
| **7** | Old Bawn Drive/Parkwood | Install entrance gate to open space area between estates | €3,000 |
| **8** | Dodder Valley Park | Overseed previously planted wildflower areas | €5,000 |
| **9** | Aylesbury | Construct footpath across main open space from Pineview Rise to Firhouse Road West | €25,000 |
| **10** | Balrothery Rise | Install railing around open space | €30,000 |
| **11** | Tymon Park | Install railing along main Castletymon entrance road, from roundabout to depot | €40,000 |
| **12** | Cairnwood | Install lighting on new path from Cookstown Way to Cairnwood | €10,000 |
| **13** | De Selby estate | Provide new footpath across open space from De Selby Lawns to De Selby Road | €5,000 |
| **14** | Dodder Valley Park | Install perimeter fencing around tennis and basketball courts | €40,000 |
| **15** | Kilclare Estate | Provide footpath fromm Kilclare Gardens to Fortunestown Way | €10,000 |
| **16** | Avonmore Grove / Bolbrook Grove | Overlay footpaths between estates as necessary | €15,000 |
| **17** | Bancroft Park | Construct new footpath from entrance at Castle Park/Scoil St Aonghusa to link with path adjacent to the Poddle. | €15,000 |
| **18** | Belgard Rd/Belgard Sq North junction | Landscape upgrade works to roundabout at entrance to TUD | €20,000 |
| **19** | Tymon Park | Overlay footpaths where required. | €25,000 |
| **20** | Dodder Valley Park | Overlay footpaths where required. | €25,000 |
| **21** | Kilnamanagh | Landscape corner of open space on Treepark Road adjacent to M50. | €20,000 |
|  |  |  | **€431,000** |
|  |  |  |  |
| **Rathfarnham** |  |  |  |
| **No** | **Location** | **Description of Works** | **Estimated cost** |
| **1** | Moyville Estate | Construct perimeter path around main open space adjacent to Whitechurch Estate | €40,000 |
| **2** | Cypress Lawn | Overlay existing footpath on open space between Cypress Lawn and Cypress Grove Road. | €45,000 |
| **3** | Ely Arch | Public Realm upgrade works on Ely Arch open space | €50,000 |
| **4** | Willbrook/Fonthill estates | Wildflower/bulb planting on open space between estates | €10,000 |
| **5** | Tymon Park | Improvement works to accommodate new intergenerational facility at the Wellington Lane car park | €150,000 |
| **6** | Firhouse | Public lighting scheme on footpath on open space adjacent to Scoil Treasa | €30,000 |
| **7** | Firhouse | Overlay existing footpath from Scoil Treasa to Carrigwood | €10,000 |
| **8** | Carrigwood | Erect fencing around Carrigwood playspace | €40,000 |
| **9** | Glendown | Erect fencing around Glendown playspace | €40,000 |
| **10** | Glenmore Court | Overlay hard surface area between Glenmore Court and Whitechurch estate | €30,000 |
| **11** | Grange Road | Upgrade works to wildflower margin along cycletrack/walkway from Grange Road to Grange Downs | €5,000 |
| **12** | Cypess Downs | Overlay existing footpath on open space adjoining The Heath & The Court. | €10,000 |
| **13** | Dodder View Road/Fairways | Bulb planting scheme at Fairways Estate and adjacent to Dodder View Road | €5,000 |
| **14** | Dodder Valley Park | Bulb planting at focal points within Dodder Valley Park | €10,000 |
| **15** | Templeroan Estate | Construct phase one of loop footpath around main open space | €35,000 |
|  |  |  | **€510,000** |
|  |  |  |  |
|  |  | **Total** | **€1,723,000** |

[HI16 (b) Public Realm Minor Works Programme Presentation](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77703)

The report was **Noted.**

### **H17/0223 ROAD AND FOOTPATH WORKS PROGRAMME 2023 - FOR NOTING**

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

[H17 Works Programme for 2023](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77608)

### A discussion followed with contributions from Councillors E. Ó Broin, W. Carey and C. King who raised queries regarding works locations and funding.

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

The report was **Noted.**

### **C1/0223 CORRESPONDENCE**

1. [Correspondence received from Tipperary County Council](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77649)
2. [Correspondence received from Leitrim County Council](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77650)
3. [Correspondence received from Cavan County Council](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77651)
4. [Correspondence received from Limerick City County Council](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=77652)

The Correspondence was **Noted.**

At this point in the meeting the Mayor, Councillor E. Murphy informed the Members that the next presentation from the Chief Executive would be held in committee.

**Motions**

### **M1/0223** [**S254**](http://intranet/cmas/documentsview.aspx?noinc=true&id=77546)

It was proposed by Councillor M. Duff and seconded by Councillor C. O'Connor

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.

**REPORT:**

The Planning Authority recognises the views of the motion in relation to public consultation, and SDCC sought to improve awareness of Section 254 licences for Telecommunication infrastructure by including details of applications and decisions on the weekly planning list and on the website.

SDCC processes on a Section 254 Licence are in accordance with Section 254 of the Planning and Development Act 2000 (as amended) and to date, there is no public consultation provision in Section 254 of the Act.

Furthermore, the Act, under Section 254(5) outlines the relevant considerations in relation to the considering an application by stating:  
‘(5) In considering an application for a licence under this section a planning authority, or the Board on appeal, shall have regard to—  
(a) the proper planning and sustainable development of the area,  
(b) any relevant provisions of the development plan, or a local area plan,  
(c) the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and  
(d) the convenience and safety of road users including pedestrians.’

The practice of accepting public submissions could convey an erroneous impression to the public that such submissions have a role in the statutory process for deciding on Section 254 Licenses. For comparison, it is noticed that planning legislation (Section 34 of the Planning and Development Act 2000 (as amended)) requires the Planning Authority to have regard to submissions in the context of planning applications.

Section 254 (6) ( a) states that "any person may, in relation to the granting, refusing, withdrawing or continuing of a licence under this section or to the conditions specified by the planning authority for such a licence, appeal to the Board" and it is noteworthy that there is no time limit or construction threshold status restriction in relation to commencing an appeal. As such, a third party can appeal the grant of a Section 254 licence decision after the development is erected.

In this context, it is recommended that the motion to provide for public consultation in the SDCC Section 254 licence NOT be agreed.

A discussion followed with contributions from Councillors M. Duff, C. King, T. Costello, C. O'Connor, P. Kearns, and C. Bailey who spoke in favour of the motion.

Councillor A. Edge then proposed and Councillor E. Murphy seconded, an amendment to the Motion as follows:

*‘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 to ensure that a proper site notice is erected in every case.’*

Councillors L. Donaghy, Councillor Y. Collins and Councillor R. McMahon also spoke in favour the motion.

Mr. M. Mulhern, Director of Land Use Planning and Transportation, responded to the Members stating the requirements of the process is set out in legislation.

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

Councillors C. King, R. McMahon, W. Carey, M. Duff, and T. Costello then called for a roll call vote on the Amendment to the item, the result of which was as follows:

**FOR: 25 (TWENTY-FIVE)**

Councillors C. Bailey, W. Carey, Y. Collins, T. Costello, L. Donaghy, M. Duff, L. Dunne, A. Edge, P. Gogarty, L. Hagin Meade, M. Johansson, P. Kearns, C. King, M. Lynch, L. McCrave, R. McMahon, D. McManus, E. Murphy, D. Ó Brádaigh, E. Ó Broin, C. O'Connor, S. O'Hara, B. Pereppadan, F. Timmons, J. Tuffy.

**AGAINST: 0 (ZERO)**

**ABSTAIN: 0 (ZERO)**

As a result of the Roll Call Vote, the Motion **PASSED.**

### **M11/0223** [**ALL-IRELAND CITIZENS' ASSEMBLY**](http://intranet/cmas/documentsview.aspx?noinc=true&id=77662)

It was proposed by Councillor Derren Ó Brádaigh and seconded by Councillor F. Timmons and **MOVED** without debate.

This Council calls on the Irish Government to establish an all-Ireland Citizens' Assembly to debate and discuss our constitutional future. If this motion is agreed it will be forwarded to the Office of the Taoiseach.

**REPORT:**

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

### **M13/0223** [**SALT BINS**](http://intranet/cmas/documentsview.aspx?noinc=true&id=77569)

It was proposed by Councillor T. Costello and seconded by Councillor L. Dunne and **MOVED** without debate.

This Council calls on the Chief Executive to provide salt bins and a bucket facility in central collection points where by locals can collect quantities which they could spread in their particular estate

**REPORT:**

Following issues with compacted snow that was experienced by a number of estates during the second week of Dec we have carried out a review of our salt bin location criteria.

We will no longer be placing salt bins within individual estates but will be placing them at strategic locations around the county. These salt bins will be available to multiple estates and local amenities and will provide a better and broader level of service.

We are currently examining strategic locations bearing in mind

* Location of local community amenities such as shops and schools
* What roads are on our treatment routes
* Where other salt bins are located.

We will also use customer requests from the Dec weather event to locate areas that were identified as problematic.

A report is currently being prepared and elected members will be briefed on this in due course

Meeting ended 19:04

**Motions not reached**

### **(M2) WATER REFERENDUM**

**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.'

### **(M3)** [**ILLEGAL DUMPING**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77549)

**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.

### **(M4) NCS-SUBSIDISED HOURS**

**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.

### **(M5) BAN ON HARE COURSING**

**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.

### **(M6)** [**MINI WOODLANDS**](http://intranet/Cmas/documentsview.aspx?noinc=true&id=77553)

**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.

### **(M7) DOG BREEDING ESTABLISHMENTS**

**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.

### **(M8) TREE REMOVALS**

**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.

### **(M9) 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.

### **(M10) CHILDCARE**

**Councillor L. Sinclair**

That this Council writes to the Minister for Children, Equality, Disability, Integration and Youth demanding that a plan is put in place to provide preschool childcare for free at the point of use.

### **(M12) EXCESS DEATHS 2023**

**Councillor P. Holohan**

This council calls on the minister for health to set up an independent enquiry to explore the reasons for Irelands 2023 high excess deaths figures and to make a statement on it.

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

Mayor

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