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

Minutes of South Dublin County Council July 2023 County Council Meeting held on Monday 10 July 2023

### **PRESENT**

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

### **OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | C. Ward. |
| Directors | J. Frehill, M. Mulhern, L. Maxwell, T. Walsh, E. Leech |
| Head of Finance | R. FitzGerald. |
| Head of IT | T. Kavanagh |
| Senior Executive Officer | M. Murtagh. |
| Administrative Officers | D. Healy, M. Reilly |
| Senior Staff OfficerStaff Officer | L. AbbeyK. McLoughlin |
| Assistant Staff Officer | D. Murphy, L. Farrell |
| Sord | A. O’Brien. |
|  |  |

The Mayor, Councillor A. Edge, presided.

Apologies were received from Councillors T. Gilligan, A. Hayes, B. Pereppadan, D. Richardson, and L. Whelan.

**WEBCASTING NOTICE**

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

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

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

The Mayor, Councillor A. Edge, 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.

**H1/0723 CONFIRMATION AND REAFFIRMATION OF MINUTES - FOR APPROVAL**

1. [June Council Minutes 12th June 2023](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79406)

Minutes of the June Council Meeting held on 12th June 2023 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor A. Edge seconded by Councillor R. Mc Mahon

**H2/0723 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.*

**H3/0723 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

**H4/0723 STRATEGIC POLICY COMMITTEES - FOR NOTING**

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

**H5/0723 REPORTS REQUESTED BY AREA COMMITTEES - FOR NOTING**

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

**QUESTIONS:**

It was proposed by Councillor A. Edge, and seconded by Councillor D. O’Bradaigh and **RESOLVED**:

“That pursuant to Standing Order No. 22, Questions numbered Q1 – Q29 be **ADOPTED** and **APPROVED.”**

### **Q1/0723 Councillor T. Costello**

To ask the manager have their been incidents reported to SDCC where a person has lost out on a HAP /Homeless HAP tenancy due to a delay in processing times

**REPLY:**

It should be noted that fully completed housing applications with all the required documents are assessed within the 12-week timeframe. A housing application must be processed and approved before applicants can avail of housing supports including HAP/Homeless HAP. Homeless Hap assessments are carried out 12 weeks prior to the validated NTQ.

Every effort is made to process HAP applications with fully completed documentation submitted by both the tenant and the landlord to avoid applicants losing out on a potential property. **Applicants should not pursue a property until they have received approval.**

### **Q2/0723 Councillor T. Costello**

To ask the manager for a report on dog fouling. Report to include the method used by SDCC to clean up dog fouling and, on average, how many man hours per month are spent on this.

**REPLY:**

South Dublin County Council continues to look for new and innovative ways to help combat the issue of dog fouling, and over the last number of years has engaged in radio and cinema adverts to increase awareness around the issue of dog fouling.

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. An on the spot fine of €150 can be imposed on the owner of a dog who fails to remove dog faeces from a public place, with the maximum fine for this offence being €3,000.

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.

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 is picked up in the same way as litter is through our cleansing services across the county which includes:

* The servicing of on-street litter bins on a daily basis, the service consists of full-time operatives servicing litter bins on dedicated routes each day and this includes servicing of bins on Sundays and bank holidays.
* Daily cleaning of town and village centres in Tallaght, Clondalkin, Lucan, Palmerstown, Rathcoole, Rathfarnham, Templeogue and Walkinstown.  This service is also provided on Sundays and bank holidays.
* Daily cleaning of parks and servicing of park litter bins on a daily basis.
* The operation of mobile cleansing crews dealing with the cleaning and litter picking of parks and estate open spaces, including the response to illegal dumping and collections from Tidy Towns and community clean up events.
* The road sweeping service provided under contract to the Council by Oxigen Environmental Ltd.

These services are considered to be priority services within Public Realm, and in this regard, they are the first tasks to be assigned to staff each day.  What this means in effect is that where a regular operative is not available on a given day a replacement is assigned to their task as a priority, before any other tasks are assigned.

Information relevant to the provision of these services is included in the reports on the Litter Management Plan which are presented to the area committees on a twice-yearly basis.  Any issues raised by elected members through this process are taken into consideration and responded to in an appropriate manner.

Cleansing services are kept under constant review and as issues come to light through area committee business, membersnet and customer care items or through ongoing monitoring and supervision they are responded to in a timely manner.  Where certain changes or improvements to a service are required then these have always been acted on and this will continue to be the case.

Issues such as the provision of additional street litter bins arise from time to time as area committee agenda items and where possible these are responded to in a positive manner with additional bins provided as requested by elected members.  Similarly where locations of persistent littering or illegal dumping are raised by elected members then these are factored in to the regular response by public realm operations, with illegal dumping incidents being responded to within a 24 hour time frame where possible.  As the county grows and new urban centres, public parks and residential areas become established then the services provided will have to expand accordingly.

A review was carried out in recent months of litter and cleansing issues which were brought to the attention of public realm staff through CMAS, membersnet and customer care.  The results of the review suggested that there have been no major issues in recent times that would require any substantial change to the configuration of cleansing services as they are currently.

As dog fouling is removed as part of the general cleaning of an area, it is not possible to give the number of man hours that are spent per month on removal of dog fouling.

### **Q3/0723 Councillor T. Costello**

To ask the manager how many grant applications for housing adaptation grants have been returned to applicants due to Statement of Liability missing for 2022 - YTD

**REPLY:**

The administrative guidance to local authorities for the HAG, MAG and HOP schemes has been provided directly by the Department of Housing, Local Government and Heritage. The amount of grant payable depends on the household income for the previous tax year.  Local authorities are required to be satisfied that the applicant qualifies for the grant and is awarded the correct percentage. Therefore, a Statement of Liability for the previous tax year is required for each application.

Please see table below:

|  |  |  |
| --- | --- | --- |
| **Year** | **2022** | **2023 YTD** |
| Total grant applications received | 547 | 370 |
| Total grant applications returned to applicant   | 317 | 260 |
| Applications returned to applicant due to no statement of liability submitted | 283 | 226 |

### **Q4/0723 Councillor T. Costello**

To ask the manager how many people who have medical priority with complex needs ( wheelchair friendly / hoists required) and are awarded or entitled to hap have actually been able to secure rental property in the past 12 months

**REPLY:**

There are currently 392 medically approved applicants with a further 277 approved for supported living.   Of these 240 have been approved by the Council for ground floor accommodation and of these 105 requiring wheelchairs accessible accommodation.

All approved housing applications are eligible to apply for the HAP assistance payment to secure rental properties.

We currently have 69 households in HAP accommodation, who have medical approval.

### **Q5/0723 Councillor P. Gogarty**

To ask the Chief Executive to outline the legislative framework that guides its policy on assessing the Medical Priority List for ground floor accommodation on a time on list basis and indicates where a risk assessment to a person is factored in to priority, if at all?

**REPLY:**

The Council's Allocation Scheme is in accordance with Section 22 of the Housing (Miscellaneous Provisions) Act 2009 and Social Housing Allocation Regulation 2011 (S.I. No 198 of 2011).

There are currently 240 approved applications for ground floor accommodation in our administrative area. In accordance with the Allocation Scheme where priority for housing accommodation is claimed on grounds consisting of/ or including medical grounds, regard is had to the report of the Council's Medical Advisors. The applicant's Occupational Therapy report should, in their professional opinion should also include what type of housing is suitable and what is required.

Every effort is made to provide accommodation to those most in need. Ground floor accommodation is generally made available to applicants on the medical/age friendly housing lists.

From 2022, onwards our housing delivery programme provides for a minimum 7% of medically adapted homes which can be allocated to households on the medically approved housing list.

### **Q6/0723 Councillor P. Gogarty**

To ask the Chief Executive to outline how many risk assessments it has carried out for medical priority housing applicant individuals and families in the last five years in terms of safe and timely exit of the building in an emergency; and if a statement can be made on the matter?

**REPLY:**

Medical Priority status may be awarded by our Allocations/Transfer sections if the following three criteria apply to a household:

• you or someone in your household has a disability or a medical condition and

• the current accommodation is not suitable to meet the needs of the person with a disability or medical condition and

• a change in housing will improve or stabilise the circumstances of the person with a disability or medical condition

The application must be completed by two Healthcare Professionals who work with the person with a disability or medical condition. An Occupational Therapist report must also be provided where there is a need for a specific accommodation requirement. The application is then reviewed by an independent medical referee appointed by the Council. A  medical priority may cover a particular type of dwelling and/or accommodation in a particular area.

In the last five years, 35 feasibility studies / assessments have been carried out by Architectural Services in conjunction with the Housing Department in respect of the construction of an extension and/or internal alterations and adaptations to council housing stock for existing tenants on medical grounds.

The feasibility studies/assessments consider the needs of the individual or family which is based on a medical assessment and recommendations provided by a medical professional/ occupational therapist, and the condition and particular constraints of the existing dwelling in accordance with relevant building standards.

### **Q7/0723 Councillor L. Guéret**

To ask the Manager what plans are in place to improve the digital skills of our ageing population?

**REPLY:**

The Council recognises that digitalisation can be a challenge for older people. Increasingly members of the public are required to access information, supports, services, and entitlements through on- line portals and websites. Our aim is to support the provision of basic digital skills training to ensure that Older Persons are not at risk from being excluded from our increasingly digitalised society through a variety initiatives/programmes outlined below:

**South Dublin Age Friendly County Strategy 2020-2024**

The South Dublin Older People's Council identified ‘Communication and Technology’ as a key action to address in their 2023/2024 work programme and have approached volunteer agencies to partner on an information technology project assisting older people with online form submissions. Intergenerational projects are also included as an action for 2024. The Older People's Council have recently engaged in the consultation process with our Housing Department for the Housing Adaptation Grant Scheme on-line application portal which will go live in July 2023.

**South Dublin Libraries**

Our Library network provides a community hub where users can access online resources, take digital training courses, learn how to use new technologies and creative learning tools, or access information about government services. Our library staff are trained in the use of new technologies, and to help the public use them including:

* Basic information technology literacy classes
* Age Action sessions targeting Older Adults in the community
* Staff led 1-1 sessions supporting older people accessing online services on their own devices
* Information Technology classes delivered by Dublin, Dun Laoghaire Education Training Board (DDLETB) targeting older adults in the vicinity of Clondalkin Village, Tallaght, and North Clondalkin Libraries
* All these activities will recommence in September for the 2023/2024 programme.

**Age Friendly Healthy Homes Programme**

* Provided ACORN Tablets to vulnerable people in the community as identified by the local co-ordinator.
* The library services also have these ACORN tablets available to loan out (with / without WIFI connect ability options) in libraries across the county.
* The PanPan Smartwatchis designed to set peace of mind for Older persons and their families. It works with a monitoring platform for emergency reaction for family members to be informed. It has an intuitive user interaction with a single button for alerts.

**New Housing Customer Centre**

* Dedicated frontline staff who will act as digital champions and be available to show older customers how to operate on-line self-service processes for applying for age friendly housing, maintenance and repairs, rent account and housing grants

### **Q8/0723 Councillor L. Guéret**

To ask the Manager for a report on building works on social housing developments, report to include if there are sites where works are currently not operational, if there are plans for work to resume in quarter 3 or quarter 4 at these sites?

**REPLY:**

The table below details social housing developments currently on site and the status of each development:

|  |  |  |  |
| --- | --- | --- | --- |
| **Site** | **No.** | **Update** | **Projected Completion** |
| Old Bawn (age friendly) | 12 | On site | Aug ‘23 |
| Maplewood (AHB, age friendly) | 17 | On site–completion date advised by AHB | Aug ‘23 |
| Fernwood (AHB, age friendly) | 23 | On site–completion date advised by AHB | Nov ‘23 |
| Riversdale Phase 2 | 18 | On site | Nov ‘23 |
| Whitestown (AHB, age friendly) | 81 | On site–completion date advised by AHB | Dec ‘23 |
| New Nangor Road | 93 | On site | Dec ‘23/Q1 ‘24 |
| Lindisfarne | 19 | On site | Q2 ‘24 |
| Balgaddy | 69 | On site | Q2 ‘24 |
| Homeville | 16 | Contractor appointed to resume works in August'23. | Q2 ‘24 |
| St Aongus (age friendly) | 12 | Tender work progressing to appoint contractors and progress to site commencement in Q4 of this year. | Q3 ‘24 |
| St. Ronan’s (age friendly) | 9 | Q3 ‘24 |
| Pearse Bros Park(age friendly) | 10 | Q4 ‘24 |

### **Q9/0723 Councillor L. Guéret**

To ask the Manager how many outdoor and indoor tennis court facilities are available in South County Dublin and if there are plans for other future outdoor and indoor tennis court facilities?

**REPLY:**

The following are the current indoor and outdoor tennis court facilities in South Dublin County:

|  |  |
| --- | --- |
| **SDCC Public Courts** | **Private** |
| Beechfield Park / Cherryfield x 6 | Tallaght Sports Complex x 4 |
| Dodder Valley Park x 2 | Templeogue Tennis Club x 12 outdoor and 3 Indoor courts. |
| Kingswood Heights x 2 |   |
| Weston Estate Lucan x 1 |   |

In addition to this, there are various schools within SDCC remit with dual tennis/basketball courts.

SDCC actively engages with Parks Tennis to promote tennis locally as well as providing facilities.

There will be 3 outdoor tennis courts opening shortly in Airlie Park. These will be available to book through our online booking system.

### **Q10/0723 Councillor K. Mahon**

To ask the Manager to make a statement on whether the Council or its contractors are using Round Up or other glyphosates to kill weeds?

**REPLY:**

The elected members of South Dublin County Council voted in July 2017 to adopt a partial ban on the use of glyphosate based herbicides and this partial ban continues to be enforced as intended in public parks, public gardens and in play spaces.  The Council's Public Realm section continues to seek ways to reduce the use of glyphosate in accordance with the relevant aims of the Pollinator, Biodiversity and Climate Action Plans.  Glyphosate continues to be used to control the growth of weeds on hard surfaces, in particular the road sweeping contract includes a weed control programme which provides for the treatment and removal of weeds throughout the period April to September.  The terms of the contract will enable the Council to demand the use of non-glyphosate treatment methods, once a suitable alternative method has been identified and tested.  A number of alternative methods have been examined and trialled however none have been found to be suitable to date.

### **Q11/0723 Councillor K. Mahon**

Can management confirm that any alternative being used by them, or by contractors is not having the same detrimental impact on the environment as glyphosate?

**REPLY:**

The elected members of South Dublin County Council voted in July 2017 to adopt a partial ban on the use of glyphosate based herbicides and this partial ban continues to be enforced as intended in public parks, public gardens and in play spaces.  The Council's Public Realm section continues to seek ways to reduce the use of glyphosate in accordance with the relevant aims of the Pollinator, Biodiversity and Climate Action Plans.

Glyphosate continues to be used to control the growth of weeds on hard surfaces, in particular the road sweeping contract which is performed by Oxigen Environmental Ltd includes a weed control programme which provides for the treatment and removal of weeds throughout the period April to September.  The terms of the contract will enable the Council to move away from the use of glyphosate and demand the use of non-glyphosate treatment methods, once a suitable alternative method has been identified and tested to the satisfaction of the Council.  A number of alternative methods have been examined and trialled however none have been found to be suitable to date.

There are currently no alternative methods in use by the Council or it's contractors, in areas where the partial ban on glyphosate applies the growth of weeds is managed by either hand removal or allowing weeds to grow in boundary areas where grass and weeds are allowed to grow long.

### **Q12/0723 Councillor K. Mahon**

Can Manager comment on whether there any contractual obligations that limit the Council's ability to ensure best practice by all sub contractors in terms of stopping the use of glyphosate?

**REPLY:**

The elected members of South Dublin County Council voted in July 2017 to adopt a partial ban on the use of glyphosate based herbicides and this partial ban continues to be enforced as intended in public parks, public gardens and in play spaces.  The Council's Public Realm section continues to seek ways to reduce the use of glyphosate in accordance with the relevant aims of the Pollinator, Biodiversity and Climate Action Plans.

Glyphosate continues to be used to control the growth of weeds on hard surfaces, in particular the road sweeping contract which is performed by Oxigen Environmental Ltd includes a weed control programme which provides for the treatment and removal of weeds throughout the period April to September.  The terms of the road sweeping contract will enable the Council to move away from the use of glyphosate and demand the use of non-glyphosate treatment methods, once a suitable alternative method has been identified and tested to the satisfaction of the Council.  A number of alternative methods have been examined and trialled however none have been found to be suitable to date. The road sweeping contract will expire at the end of 2024 and will require to be retendered in the meantime, this will provide an opportunity in the coming 12 months for the position to be reviewed regarding the continued use of glyphosate or alternatively a move away from it's use to a proven alternative treatment system. There are currently no alternative methods in use by the Council or it's contractors, in areas where the partial ban on glyphosate applies the growth of weeds is managed by either hand removal or allowing weeds to grow in boundary areas where grass and weeds are allowed to grow long.

### **Q13/0723 Councillor K. Mahon**

Are there any plans by the Council to promote reduced interventions around natural plants that compete with cultivated plants (weeds)?

**REPLY:**

The main activity undertaken by the Council which benefits and promotes native plants within our landscape is the meadow management programme which has been in place for a number of years now.

Long flowering meadows are a one-cut per-annum grassland management regime. Currently the Council's Public Realm Section manages approximately 167 hectares as natural meadows (long flowering meadows).  The cutting of the meadows is an important part of their healthy management. Some of the meadow areas are cut at the end of the flowering season in late summer and early autumn.  This mimics traditional hay meadow management techniques.  Other meadow areas are left to overwinter and are cut in Spring.  This provides nesting and overwintering habitats for many insects. The Public Realm Section has allocated funding to allow for this management programme which involves cutting of the meadows and removal of the grass.  Cutting the meadows to collect and remove the arisings depletes the soil of nitrogen, allowing natural wildflower plants to grow and establish.  This is a carefully managed and sustainable way of increasing biodiversity while promoting wildflower habitats and providing food sources for pollinators. Ongoing botanical and insect surveys are part of the Council natural meadow management and will guide future management practices. It is also intended to add additional meadows where appropriate throughout the lifetime of the plan.

In addition to this, the Council conducted a County wide trial of short flowering meadows (5 cuts per annum) in 2022. The trial locations were set out throughout South Dublin County and comprised of 8.81 ha in total. Short flowing meadows are designed to suit public open spaces in residential areas where long flowering meadows may not be practical.  This is an objective of the All-Ireland Pollinator Plan and an environmentally enhancing way of managing public open space.  The cutting and collecting programme allows short flowering species to flower and set seed, while also aiming to reduce the overall competition from grass species as the ground is depleted from nitrogen. This initiative has proven successful and is being expanded for 2023 with approximately 18 hectares now allocated for short flowering meadow management.  The Council intends to continue to identify suitable areas in public open spaces throughout the County to expand the short flowering meadow programme and to promote native Irish wildflower plants.

This meadow management programme has been hugely successful and in both 2019/2020 and 2022/2023 Tymon Park was awarded the pollinator award for the best town park in Ireland.

### **Q14/0723 Councillor S. Moynihan**

To ask the Chief Executive for an update on the feasibility study for the installation of solar panels on community centres in the County as provided for in the budget.

**REPLY:**

Provisions have been made in the Council’s Capital Budget for an allocation of €200,000 to assist with installation/upgrade of Solar Panels in a number of community facilities in the County.

The selection and sequencing of the community buildings to be selected will be completed by the Community Services in conjunction with our Architectural Services and Environment, Water and Climate Change Departments.

Buildings will be selected on the basis of potential for energy savings and building design technical suitability, with priority given to Council owned community buildings to assist with meeting our Climate Change and Energy Efficiency targets as set out in our Climate Action Plan.

It is anticipated that works will commence on those buildings that already have solar panels and may need further updating to ensure full working efficiency and on community centres where other upgrade works are scheduled and suitability for the installation of solar panels has been identified when completing these scheduled upgrades.

### **Q15/0723 Councillor S. Moynihan**

To ask the Chief Executive as to why grass is not being collected after it is cut, and why this is the case especially where extremely high grass has been cut.

**REPLY:**

The normal grass cutting programme provides for the cutting of grass on playing pitches at a frequency of weekly and in parks, housing estate open spaces and roadside margins at a frequency of fortnightly.  The grass cuttings from this programme are not collected, the grass is mulched and the fine cuttings are left to fertilise the grass areas.

The grass cutting programme has also included an annual meadow mowing programme in certain designated park areas, this practice involves the lifting of those grass cuttings which in turn encourages the growth of natural wildflowers and discourages the growth of grass.  The meadow mowing programme is carried out in 2 parts, one in spring and one in autumn, with the first part of the annual programme just recently completed.

Since 2022 the grass cutting programme has also included a short meadow programme where areas in both park locations and also in some housing estates have been allowed to grow with the frequency of cutting reduced to 6 to 8 weeks to enable pollinating wildflowers to grow for that period. This programme also involves the lifting of the grass cuttings as this is best practice for the encouragement of wildflower growth. As some of the locations selected are in housing estates it is acknowledged that local residents may wish to see open spaces cut short so that they can be used locally for recreation, and where this arises the fortnightly cutting regime can and will be restored.

A number of locations have been brought to the attention of the Public Realm Section where the cutting and lifting of long grass appears not to have been carried out as intended, with grass cuttings left uncollected after cutting.  These areas are being examined at present to establish what has happened, the necessary corrective action or change to the grass cutting programme will be made once that examination has been completed.

### **Q16/0723 Councillor S. Moynihan**

To ask the Chief Executive to clarify whether or not funds allocated to the Mobile Equipment Storage Schemes under Budget 2023 have been spent, and if so to outline where the funds were allocated.

**REPLY:**

Of the total allocated budget, no funds have been spent on Mobile Equipment Storage to date. However, grants to the value of €31,545 have been received and approved. Grants have been awarded for mobile equipment such as floodlights and goalposts. There have been no applications for storage equipment.

### **Q17/0723 Councillor D. Ó Brádaigh**

To ask the manager how many people over the age of 65 are on the council housing waiting list versus the same time last year?

**REPLY:**

In 2022, there were 597 applicants over 65 years old on the social housing waiting list. To date in 2023, there are 541 applicants over 65 years old on our social housing waiting list.

### **Q18/0723 Councillor E. Ó Broin**

To ask the Chief Executive how many vacant properties SDCC have listed for purchase under the scheme described in this Journal article : https://www.thejournal.ie/local-councils-vacant-properties-6098681-Jun2023/

**REPLY:**

The National Vacant Homes Action Plan*,*launched in January 2023, consolidates the various strands of work to address vacancy, with data on progress and delivery to date and actions being pursued. This Action Plan includes objective 19.5 from *Housing for All*which provides for the introduction of a new programme for the CPO of vacant properties for resale on the open market.  Under this Programme, local authorities are now required to adopt a proactive, planned and systematic approach to the identification and activation of vacant and derelict properties. The main steps of the Programme include:

* identification of vacant and derelict properties,
* identification of and engagement with owners,
* communication regarding the various schemes and measures in place to support bringing the property back into use, and
* where owners of vacant and derelict properties cannot be identified or where they are unwilling to engage, use of available legislative powers to compulsory purchase or acquire such properties using either the Housing Act,1966 or the Derelict Sites Act, 1991.

Acquired properties may subsequently be used for social housing, made available for sale on the open market or used for other purposes e.g., community use. The Department of Housing, Local Government and Heritage (DHLGH) has set the following targets for this Council:

|  |  |  |
| --- | --- | --- |
| **Scheme** | **Target** | **Update@30.06.23** |
| Repair and Lease | 2 | 1 application approved |
| Vacant and Derelict Properties | 25 | 20 vacant homes grants approved |
| Compulsory Acquisitions | 4 | 4 properties awaiting determination by An Bord Pleanála |

The Council now has Vacant Homes Officers (VHOs) in place and their role is to identify vacant properties, engage with the owners and promote and lead the uptake of initiatives, schemes and funding programmes which will bring those properties back into use. The Vacant Homes Officers are currently undertaking a detailed survey of vacant properties in South Dublin in conjunction with the DHLGH.

### **Q19/0723 Councillor E. Ó Broin**

To ask the Chief Executive how many properties SDCC have submitted to central government for purchase under the Urban Regeneration and Development Fund whereby local authorities can get 100% of their costs reimbursed to buy derelict properties? https://www.thejournal.ie/local-councils-vacant-properties-6098681-Jun2023/ John

**REPLY:**

The Council submitted an application for URDF round 3 funding to acquire two large vacant sites in Clondalkin Village to the west and north west of the existing Mill Shopping Centre. However, at this stage it is not clear if URDF Round 3 funding can be used for the acquisition of vacant land in Town Centres and if the Council's application will be accepted by DHLGH. If not, the Council may have to reconsider its proposed approach. We are currently awaiting a response from DHLGH and we will then progress accordingly. Further information on URDF round 3 funding can be found on the Departments website below

[gov.ie - Circular URDF 01/2023 - Urban Regeneration and Development Fund – Third Round of Funding Support (www.gov.ie)](https://www.gov.ie/en/circular/9e88f-circular-urdf-012023-urban-regeneration-and-development-fund-third-round-of-funding-support/)

### **Q20/0723 Councillor C. O’Connor**

To ask the CEO to present an update on the Relets programme and will he give details on houses involved across the County and will he make a statement?

**REPLY:**

The following is the current status of the vacant properties within our Council housing stock.

|  |  |
| --- | --- |
| **Status** | **No. Properties** |
| Works to be issued to contractors | 10 |
| Work in Progress | 59 |
| Works Complete | 26 |
| Total | 95 |

Of the 59 properties were works are in progress, 41 are expected to be complete in the coming 4 weeks with the remaining 18 properties to be completed in the next 8 weeks. A total of 97 properties with an average turnaround time from vacant to relet for year to date, is 27.5 weeks.

It should be noted, in November 2022, a report was issued to the Housing SPC of the findings of a review of the Housing Maintenance Re-Let Process.  The aim of the review was to find efficiencies to reduce the length of time to complete necessary maintenance works to allow the properties to be re-allocated to new tenants.  In turn this would reduce the number of properties vacant at any point in time.  Based on findings of the review, the following has been implemented.

* Procedures and templates have been developed to allow the Clerk of Works and Foreman of Works to survey properties, prepare works schedules and issues task order to contractors within a 2-week window of the property surrendered. For properties where extensive clear-outs are required, the window for appoint contractors is extended to 4 weeks from the time of surrender.
* Procurement competition has been completed for the formation of a panel of contractors to carry out works to vacant properties. From May 2023, 5 contractors (increased from 2 contractors) have been appointed with dedicated areas.
* Time allowed for the completion of works by contractors have been reduced as follows.

1 and 2 bed units completed within 6 weeks from issue of works schedules.

3+ bedroom units completed within 8 weeks from issue of works schedules.

Additional time will be allowed where extensive renovations are required.

Following the implementation of the review, Housing Maintenance Section would like to highlight significant improvements in the delivery of vacant properties over Q2 2023.

* 72% drop in properties waiting for contractors to be appointed.
* 43% increase in properties being works on by contractors.
* 22% drop in the total number of properties vacant.

Housing Maintenance acknowledges the work to date is not yet reflected in the turnaround times, from vacant to relet.  It is expected due to the progress on site seen in Q2, this will result in improvements in turnaround times during Q3-2023.

|  |  |  |
| --- | --- | --- |
| **Status** | **Date** | **Comment** |
| **1/3/2023** |  | **30/6/2023** |
| **No. of Properties awaiting contractor appointment** | 55 | 10 | Number of properties awaiting works schedules to be issued has reduced by 72% |
| **Work in Progress** | 41 | 59 | Number of properties where works is in progress has increased by 43% |
| **Works Complete** | 25 | 26 | Properties completed and not allocated remains static. |
| **Total** | 121 | 95 | Number of properties vacant reduced by 23% |

### **Q21/0723 Councillor C. O’Connor**

To ask the CEO to give details on actions being taken in respect of the current Homeless list; will he give details and make a statement?

**REPLY:**

The Council continues to work proactively to address the ongoing challenges for households in need of accommodation by increasing new housing supply through partnerships with approved housing bodies, ongoing choice based letting and other allocation options, turning around vacant Council properties for re-letting, supporting HAP tenancies and engaging with landlords on potential tenant in-situ acquisitions.

To date in 2023, there have been 78 allocations to homeless households in South Dublin. In June, there were 14 allocations of which 8 were families (comprising of a total of 11 adults and 12 children) and 6 singles. We have now exceed our 2022 allocations of 71. We currently have a further 75 properties assigned to homeless households in the coming months, of which 20 have been formally offered accommodation so far.

It should be noted that 11 offers of accommodation made to families in emergency accommodation have been refused to date this year.

Our allocation team are prioritising allocations to homeless households, including three and four bed homes to reduce family homelessness, and we are also progressing significant numbers of tenant in-situ acquisitions to prevent further homelessness.

Households at risk of experiencing homelessness should engage with the Council to examine prevention measures including possible alternative accommodation and our Homeless Unit continues to help those who find themselves homeless or at risk of becoming homeless.  Working in conjunction with the Dublin Region Homeless Executive (DHRE), this unit operates an advice clinic in County Hall and provides outreach services across the County as well as detailing emergency accommodation options including central placement, self-accommodate, family hubs and other supported accommodation. Staff in the Homeless Unit will organise emergency accommodation for those assessed as homeless through the Assessment and Placement Service and we will continue to actively explore further options for the provision of emergency accommodation across the County in collaboration with the DHRE.

Within South Dublin County, the following emergency accommodation is currently provided:

**Family Hubs:**

* High Street Family Hub (Abberley): a privately managed facility with 58 rooms (including 9 large family rooms) which is currently fully occupied with 54 households, some of whom require more than one room due to family size.
* Firhouse Family Hub: managed by Respond Housing with 20 rooms and currently fully occupied by 20 households.
* Springfield Family Hub: also managed by Respond Housing and fully occupied accommodating 12households in 12 family rooms.
* Cappaghmore Family Hub: Recently opened facility managed by Peter McVerry Trust, comprising of 8 rooms for smaller families.

 **Accommodation for Singles:**

* Finnstown: privately managed facility comprising 45 rooms (with capacity for sharing) for single females
* Killininey: managed by Peter McVerry Trust with capacity for 21 for single males
* Kiltipper: managed by Peter McVerry Trust with capacity for 15 single males
* Riversdale House, managed by Dublin Simon, with 25 rooms for single, older persons

Refuge facilities, provided and managed by Saoirse supported by the Council, are operational in Tallaght and Rathcoole to support victims of domestic violence. Additional supported/step down/transitional accommodation is also provided by approved housing bodies and other voluntary organisations including at Neilstown, Springfield, Kiltalown and Glencarrig.

The Council, in conjunction with the Dublin Region Homeless Executive will continue to explore potential options for additional family hubs and other supported accommodation in the County.

In addition, the homeless outreach service operates all year round for rough sleepers across the County, working with other agencies, including the HSE, in identifying rough sleepers and connecting them with appropriate accommodation and support services and this service will also play a vital role in assisting homeless rough sleepers during the winter months.

### **Q22/0723 Councillor C. O’Connor**

To ask the CEO to furnish details on the number of Derelict Sites he is pursuing in our County and will he make a statement?

**REPLY:**

In accordance with [**Section 3 of the Derelict Sites Act, l990**](http://www.irishstatutebook.ie/1990/en/act/pub/0014/sec0003.html) a derelict site is defined as:

*Any land which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of –*

*(a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or*

*(b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question or,*

*(c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by statute or by common law.*

In order to eliminate/abate dereliction the Council has and continues to rely on the following provisions of the Derelict Sites Act:

A **Section 11 Notice** is served where in the opinion of a local authority it is necessary to do so, in order to prevent land, situate in their functional area from becoming or continuing to be a derelict site,

A notice under this section becomes effective after the expiration of fourteen days from the date of service of the notice, and

* specifies the measures which the local authority consider to be necessary in order to prevent the land from becoming or continuing to be a derelict site,
* direct the person on whom the notice is being served to take such measures as may be specified in the notice, and
* specify a period (being not less than one month from the effective date of the notice) within which such measures are to be taken

A **Section 8(2) Notice** is served by the Local Authority on the owner and occupier (where they can be ascertained by reasonable enquiry) before making any entry on the register in relation to any land advising of their intention to make such entry. The Local Authority shall consider any representations any owner or occupier may make in writing within such period as may be specified in the notice, and may either make the entry or not as they think proper having regard to such representations.

A **Section 8 (7) Notice** is served by the Local Authority on the owner and occupier of a site where there is failure by the owner / occupier to respond to a Section 8 (2) Notice and where the owner / occupier has failed to take steps to render the site non derelict, advising that an entry has been made in the register.

**A Section 15 Notice** is served by the Local Authority on the owner and occupier of a site where it is intended to compulsorily acquire a derelict site.

A **Section 23 Notice**is served by the Local Authority on the owner and occupier of a site in respect of a levy / charge on the site where a market value has been determined (in accordance with Section 22) and which stands entered on the register on the first day of January of that financial year, until the dereliction is abated

There are currently 12 derelict sites entered on the [Register of Derelict Sites](https://www.sdcc.ie/en/services/planning/derelict-sites/derelict-sites.html)maintained by the Council pursuant to Section 8 (1) of the Derelict Sites Act 1990.

Last July, the Council published notice of our intention to compulsorily acquire four properties in Tallaght under the Derelict Sites Act, 1990 which is awaiting determination by An Bord Pleanála. The Council have also recently acquired a derelict site in Clondalkin that will potentially be developed for housing purposes. The Derelict Sites Register remains under continuous review, including considering the use of the compulsory acquisition process where appropriate.

### **Q23/0723 Councillor C. O’Connor**

To ask the CEO to give details of his consultations with outside bodies and groups in respect of his Climate Action Programme and will he make a statement?

**REPLY:**

South Dublin County Council’s Climate Action Team regularly work with stakeholders across South Dublin to highlight the work we are doing. We aim to inform the citizens of South Dublin of actions they can take at home, in the community and in work to reduce their impact on the climate.

Work has commenced on the Climate Action Plan 2024-29 as it is a Statutory Requirement for LAs under the Climate Action and Low Carbon (Amendment) Act 2021.

The plan, which will be ambitious in its targets, is considering actions where the local authority can influence, co-ordinate//facilitate and advocate for climate action in wider society.

While early engagement with the Elected Members and SPC Members took place in June to facilitate discussion on SDCC’s new Climate Action Plan, the statutory Public Engagement Process is scheduled to take place for up to 8 weeks in September – November 2023. The Climate Action Team are currently working on a comprehensive Communications Plan which will be delivered during the Public Engagement Process.

Specific workshops and engagement days are regularly delivered to communities, community groups, colleges and schools to build climate engagement throughout the year.

In 2023 we have worked directly with a range of organisations across the county:

* Staff and students at Technical University Tallaght
* Clondalkin Grow-it-Yourself
* Age Action Ireland
* Users of Brookfield Youth and Community Centre

 The Climate Action Team attend the Community Services Fun Day in the Square Tallaght.

We engage with the business community through the Local Enterprise Office and the South Dublin Chamber of Commerce.

Furthering citizen engagement, the Council recently appointed a Community Climate Action Officer (in June), to work with communities in South Dublin to distribute the new Community Climate Action Fund, worth €1,073,000 over three years. This fund is crucial to activate climate action outside of the direct control of the Council to address the wider emissions profile in the county. The fund will be launched in South Dublin in 2023.

Furthermore stakeholders can use our dedicated climate action website, [**www.southdublinclimate.ie**](https://eur04.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.southdublinclimate.ie%2F&amp;data=05%7C01%7CJhelbert%40SDUBLINCOCO.ie%7Ceb6d7c38b0434c2efb1108db78b58d9b%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C638236493374286382%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&amp;sdata=qKfkONJ7r3oiv40KdhlpEmbcXKHnsDZQ0qKTghaQVtQ%3D&amp;reserved=0), to keep up to date on our climate actions and latest news. Citizen engagement via the website is complemented by a quarterly citizens climate newsletter, which details current Council climate action on a specific, rotating thematic area. The Climate Team works with the Communications Unit to promote our website news articles and newsletters via our social channels.

### **Q24/0723 Councillor C. O’Connor**

To ask the CEO if the recently announced new system for reporting Maintenance issues is now working satisfactorily and will he update members?

**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. To date there are 3,788 tenants registered on the system.  Within the past three months approaching 45% of all maintenance requests have been submitted by tenants who are registered for Housing Online and we continue to encourage all tenants capable of doing so to submit initial maintenance requests directly through Housing Online to facilitate the most efficient categorisation and assignment of work to either our direct labour staff or an appropriate contractor. This allows a more timely and responsive service to address maintenance issues in tenants’ homes

A dedicated phone line is available to take calls to report maintenance issues from tenants who are older, have additional needs, JAM card holders or emergency maintenance requests. Our maintenance staff are also aiding with step-by-step assistance to use the new system.

### **Q25/0723 Councillor F. Timmons**

To ask the Chief executive following Recent Newstalk radio article with an officer from the housing acquisitions section of Dublin City Council, in the piece the DCC officer stated in the current climate, DCC have loosened their policy on buying houses for HAP tenants whose landlords are selling up. They stated in the interview, they will still look to buy the property, even if the bedrooms don't match the family size. Can you advise if South Dublin County Council are adopting this policy too?

**REPLY:**

The tenant in-situ acquisitions scheme does not specify criteria for eligibility relating to under or over occupancy, time on list, time in receipt of housing supports etc. and the Council is applying sufficient flexibility to the assessment process to prevent homelessness wherever possible.

### **Q26/0723 Councillor F. Timmons**

To ask the Chief executive how long is the process taking of purchasing homes for tenants in situ by SDCC where the landlord is selling the property?

**REPLY:**

Where expressions of interest are received from property owners, various standard due diligence checks are undertaken in relation to property condition, valuation and conveyancing and the general steps in the process are as follows:

• Determine the housing need status of the household;
• Determine the validity and timelines of the Notice of Termination;
• Explore options for suitable alternative accommodation where possible;
• Arrange a property condition survey and property valuation;
• Commence negotiation on acquisition price for the property;
• Where the sale price is agreed the Council’s Law Department commence and complete the conveyancing process.

Individual property purchases can be delayed for various reasons such as the owner not having full legal title, various planning issues, outstanding property taxes, general contractual conditions of sale not in place etc. and the process is also reliant timely progress from the vendor’s legal and sales agents, so timeframes vary from purchase to purchase. However, the Council has temporarily assigned additional resources to this work area from elsewhere within the Housing, Social and Community Development directorate and we are also procuring additional external technical resources to ensure that the existing potential acquisitions are progressed as promptly as possible. The level of activity and resource requirements for tenant in-situ purchases will continue to be reviewed in conjunction with the Department of Housing, Local Government and Heritage in the coming months to ensure that we are able to prevent homelessness where possible.

### **Q27/0723 Councillor F. Timmons**

To ask the Chief executive does the tenant in situ also apply to those in receipt on rent supplement?

**REPLY:**

The Tenant in Situ Scheme allows Local Authorities to buy properties where tenants are facing eviction when the landlord is selling the property. The Scheme applies to tenants with a valid Notice of Termination, deemed at risk of experiencing homelessness and who qualify for social housing support, including those in receipt of Rent Supplement, Housing Assistance Payment (HAP), or in a RAS or long-term leased property.

### **Q28/0723 Councillor F. Timmons**

To ask the Chief Executive for a report into the Planning and Development Act (as amended), 2000. Report to confirm what stage in Dail Eireann is the review and to explain why this affects SDCC's instigation of Tree Protection Orders.

**REPLY:**

The Draft Planning and Development Bill 2022 was published on 26 January 2023, following a 15-month review and consolidation of the Planning and Development Act 2000 (the 2000 Act) which was led by the Office of the Attorney General in collaboration with the relevant Minister. This review reflects a commitment by Government as set out in Housing for All to streamline, reform and review Ireland’s planning legislation, so that it is well-resourced, plan-led and fit for purpose for the future. Pre-Legislative Scrutiny of the Draft Planning and Development Bill 2022 by the Joint Committee on Housing, Local Government and Heritage was carried out in April 2023.

In relation to Tree Preservation Orders (TPO), SDCC currently considers a TPO request in the context of Section 205 of the current Planning and Development Act, 2000 (as amended). Section 205(1) states that ‘if it appears to the planning authority that it is expedient, in the interests of amenity or the environment, to make provision for the preservation of any tree, trees, group of trees or woodlands, it may, for that purpose and for stated reasons, make an order with respect to any such tree, trees, group of trees or woodlands as may be specified in the order.’
If the Tree Preservation Order legislation is changed as part of an enacted new planning act, SDCC will consider TPOs in that new legislative context.

### **Q29/0723 Councillor F. Timmons**

To ask the Chief Executive for a report on Planning Enforcement complaints. Report to include what is the procedure and timeline when SDCC receive a complaint, the number of open Enforcement files open including date when opened and when it is anticipated these Enforcement files will be completed.

**REPLY:**

On receipt of a written complaint, where it would appear to the Council that unauthorised development may have been, is being or may be carried out, the Council must issue a warning letter to the owner or person carrying out the development, unless the development in question is considered of a trivial or minor nature, or the Council considers that the complaint is without substance.

The warning letter, referred to as a [Section 152 notice](https://www.irishstatutebook.ie/eli/2000/act/30/section/152/enacted/en/html#:~:text=Planning%20and%20Development%20Act%2C%202000.%20Warning%20letter.%20152.,is%20not%20vexatious%2C%20frivolous%20or%20without%20substance%20), must issue within 6 weeks of receipt of the written complaint being made and must:

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

Once the letter has issued, the Council investigates the matter with a view to deciding whether further action is required. This decision must be taken as expeditiously as possible, although there is a statutory objective to decide this within 12 weeks of the warning letter issuing.

In making the decision, the Council must take into account the original written complaint received and any representations / submissions from the person who was served with the warning notice.

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

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

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

**Timescale for Warning Letter Process**

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

Once a planning authority has decided to pursue enforcement action, an Enforcement Notice, [See Section 154](https://www.irishstatutebook.ie/eli/2000/act/30/section/154/enacted/en/html) of the Planning & Development Act 2000, as amended,  is served on:

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

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

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

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

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

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

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

The following general points about enforcement notices also apply:

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

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

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

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

390 files were closed in 2022 and at present there are 615 live enforcement files of varying dates to hand, for which it is not possible to put timeframes for closure.

### **H6/0723 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS**

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

**H7/0723 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

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

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

|  |  |  |
| --- | --- | --- |
| ADDRESS | LESSEE(S) | PURCHASE PRICE |
| 5 Saint Dominic’s Avenue | Anthony Tighe | €42.97 |

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

**Colm Ward**

**Chief Executive**

The report was **NOTED** and it was proposed by Councillor A. Edge, seconded by Councillor L. Dunne, and **RESOLVED:**

That the “Disposal of fee simple in 5 St. Dominic’s Avenue, Tallaght, Dublin 24” be **ADOPTED** and **APPROVED**.”

**H8/0723 MANAGERS REPORT** - **FOR NOTING**

### The following reports by the Chief Executive, which had been circulated, were presented by Mr. C. Ward, Chief Executive and were **CONSIDERED**

[HI 8 a) CE Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79409)
[HI 8 b) Statistics Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79407)
[HI 8 c) Finance Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79350)

A discussion followed with contributions from Councillors D. McManus, P. Gogarty, K. Mahon, C. Bailey, C. King, E. Ó Broin, M. Johansson, J. Tuffy, B. Lawlor, S. Moynihan, E. Murphy, L. McCrave, Y. Collins and A. Edge. Queries were raised in relation to Airlie Park, Lucan Swimming Pool, Killinarden Park, tenant in situ process, Rosemont District Enhancement Scheme, contract management and 300k Have Your Say.

The Mayor, Councillor A. Edge commended SDCC Libraries on their involvement in Dublin Pride Parade 2023.

The Chief Executive, Mr. Colm Ward responded to the members’ queries.

The item was **NOTED**.

**H9/0723 CHANGES IN SPC MEMBERSHIP - FOR APPROVAL**

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

It is a matter for the Council to appoint replacements to fill these vacancies and this is now before the Members for consideration and recommendation.

**REPLY:**

A vacancy exists on the Arts, Culture, Gaeilge, Heritage and Libraries SPC following Councillor A. Edge's resignation as Chair of the SPC.

[H9 (b) Resignation of Councillor A. Edge from Arts Culture Gaeilge Heritage and Libraries SPC](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79405)

The report was **NOTED** and it was proposed by Councillor M. Duff and seconded by Councillor E. Murphy and **AGREED** that Councillor G. O’Connell be appointed as Chair of the Arts, Culture, Gaeilge, Heritage and Libraries SPC**.**

Councillor C. O’Connor wished Councillor G. O’Connell well. Councillor G. O’Connell spoke on his nomination.

A vacancy also exists on the Environment Public Realm & Climate Change SPC following G. O'Connell's resignation from the SPC.

[H9 (c) Resignation of Councillor G. O'Connell from Environment, Public Realm and Climate Change SPC](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79404)

The report was **NOTED** and it was proposed by Councillor M. Duff and seconded by Councillor S. Moynihan and **AGREED** that Councillor A. Edge be appointed.

**H10/0723 CAPITAL PROJECTS PROGRESS REPORT – FOR NOTING**

### The following report by the Chief Executive, which had been circulated, was presented by Mr. C. Ward, Chief Executive and was **CONSIDERED**

[H10 Capital Projects Progress Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79399)

A discussion followed with contributions from Councillors L. Dunne, C. King, M. Johansson, D. Ó Brádaigh, R. McMahon, C. Bailey, C. O’Connor, T. Costello, S. Moynihan, W. Carey, K. Mahon, Y. Collins, E. Murphy, P. Holohan, L. McCrave, L. Guéret, M. Duff, D. McManus, G. O’Connell, and A. Edge.

Queries were raised regarding the tenant in situ scheme, the housing allocation process, Tallaght Stadium, 12th Lock, the vacant homes grant, N81, Lucan Swimming Pool, Orchard Lodge, St. Cuthbert’s Park, Active Travel projects, housing developments, the energy efficiency and windows and doors programmes

The Chief Executive, Mr. Colm Ward, responded to the members’ queries.

The item was **NOTED.**

 **H11/0723 CLIMATE ACTION PLAN – UPDATE ON DRAFT CAP AND OUTLINE OF PUBLIC CONSULTATION PROCESS – FOR NOTING**

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

[H11 Climate Action Plan Update](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79362)

A discussion followed with contributions from Councillors P. Gogarty, R. McMahon, P. Holahan, D. McManus, P. Kearns, E. Ó Broin, K. Mahon, Y. Collins, W. Carey, M. Lynch. Queries were raised in relation to EV charging, public lighting, solar farm, tree planting, housing retrofit programme, decarbonisation zone for Clondalkin, data centres, and scope 3 emissions.

Ms. T. Walsh, Director for Environment, Water and Climate Change responded to the Members’ queries.

The Item was **NOTED.**

**H12/0723 TOURISM STRATEGY UPDATE – FOR NOTING**

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

[H12 Tourism Strategy Update](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79395)

A discussion followed with contributions from Councillors F. Timmons, R. McMahon, T. Costello, W. Carey, P. Holohan, C. King, J. Tuffy and L. Dunne. Queries were raised regarding bus connects, Bohernabreena reservoir, Tallaght and Clondalkin villages, art centres in villages, Corkagh Park market, historical buildings restoration, and tourist accommodation.

Mr. J. Frehill, Director for Economic Enterprise, and Tourism Development, responded to the Members’ queries.

The item was **NOTED.**

**H13/0723 RATHFARNHAM STABLES UPDATE – FOR NOTING**

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

[H13 Rathfarnham Stables Update](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79394)

A discussion followed with contributions from Councillors E. Murphy, Y. Collins, P. Kearns, M. Lynch, D. McManus, L. McCrave, R. McMahon and A. Edge. Queries were raised in relation to parking, local business and residents, ownership, and management of the facility.

Mr. J. Frehill, Director for Economic Enterprise, and Tourism Development responded to the Members’ queries.

The item was **NOTED**.

**H14a/0723 COMMUNITY GRANTS REPORT - FOR NOTING**

### The following reports by the Chief Executive, which had been circulated, were presented by Ms. E. Leech, Director for Housing, Social and Community Development and were **CONSIDERED.**

**Community and Sport Development Grants**

The application process of Community Development grants became available to community groups on 8th March 2023. The online rolling application process provides community and voluntary groups who are responding to locally identified needs within their communities with the opportunity to apply for assistance from the Council under the following categories:

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

Applications are assessed by the Community Development Team under the following criteria:

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

Following the assessment process and having regard to the available budget **22** grants totalling **€38,797.00** were approved for **21** local groups summarised as follows:

|  |  |  |
| --- | --- | --- |
| **Category** | **No:** | **Amount** |
| Community Development Grants | 5 | €3813.00 |
| Community Events Funding | 7 | €11,333.00 |
| Sports Development Grants | 9 | €23,151.00 |
| Summer Project Funding | 1 | €500.00 |
| **Total** | **22** | **€38,797.00** |

| The final list of approved grants together with their respective approved grant amounts is as follows:**Name of Group** | **Funding Category Applied For** | **Sub-Category of Grant** | **Amount** |
| --- | --- | --- | --- |
| Bodearg | Community Development Grant | Running Cost Grants | €295.00 |
| Boden Wood Residents Association | Community Development Grant | Running Cost Grants | €514.00 |
| ICA Lucan | Community Development Grant | Running Cost Grants | €805.00 |
| Retired Active Men's Social (RAMs) | Community Development Grant | Minor Equipment | €1299.00 |
| Women's Shed @ The Park | Community Development Grant | IT Grant | €900.00 |
| Daletree Residents Association | Community Events Grant | Family Fun Day  | €350.00 |
| Knockmitten Youth and Community Centre | Community Events Grant | Village/Community Festival | €1200.00 |
| Neighbourhood Network South Dublin | Community Events Grant | Other | €3000.00 |
| Palmerstown Community Council | Community Events Grant | Family Fun Day | €2400.00 |
| Sruleen Community Development Association | Community Events Grant | Family Fun Day | €2943.00 |
| St. Finian's GAA Club | Community Events Grant | Family Fun Day | €940.00 |
| Willington, Osprey, Rushbrook and Kennington (WORK) Residents Association | Community Events Grant | Family Fun Day | €500.00 |
| DCT United | Sports Development Grant | Operational Support | €1000.00 |
| Firhouse Carmel FC | Sports Development Grant | Mobile Floodlights and Goalpost Grant | €4945.00 |
| Glenanne Sports Club | Sports Development Grant | Operational Supports | €1000.00 |
| Limekiln Rounders Club | Sports Development Grant | Mobile Floodlights and Goalpost Grant | €5000.00 |
| Round Tower GAA Club | Sports Development Grant | Sports Coach Education Grant | €906.00 |
| St .Francis Football Club | Sports Development Grant | Mobile Floodlights and Goalpost Grant | €5000.00 |
| St .Francis Football Club | Sports Development Grant | Sports Coach Education Grant | €900.00 |
| St Maelruans Football Club | Sports Development Grant | Minor Equipment | €1300.00 |
| Three Rock Rovers Hockey Club | Sports Development Grant | Mobile Floodlights and Goalpost Grant | €3100.00 |
| Jobstown School Completion Programme | Summer Project Funding | Summer Project Funding | €500.00 |

A discussion followed with contributions from Councillors C. O’Connor, S. Moynihan, C. King, E. Ó Broin, and E. Murphy, who raised queries regarding further funding and application support for new entrants.

Ms. Elaine Leech, Director for Housing & Community responded to the Members’ queries.

The item was **NOTED**.

**H14b/0723 COMMUNITY GRANTS REPORT - FOR NOTING**

### The following reports by the Chief Executive, which had been circulated, were presented by Ms. E. Leech, Director for Housing, Social and Community Development and were **CONSIDERED.**

The Community Infrastructure Fund of €350,000 provided in the Council’s 2023 Revenue Budget again offered community groups, including sports clubs, the opportunity to apply for funding to assist with the costs of either constructing new facilities or for the modernisation and/or expansion of existing facilities.  Groups, including boards of management of community facilities, could apply online for grants ranging from a minimum of €5,000 up to a maximum of €50,000 during the period from 1st May to 26th May 2023 to respond to locally identified needs within their communities.  The fund was heavily oversubscribed, and a detailed assessment process based on the proposed projects' local community impact, value for money, funding, sustainability and viability took place. A total amount of €350,000 in funding for the following community infrastructure grants approved under the 2023 fund are as follows:

|  |  |  |
| --- | --- | --- |
| **Facility/Group** | **Project** | **Amount Approved** |
| Quarryvale Community & Leisure Centre | Upgrade of Heating System and Community Centre Facilities  | €50,000 |
| Clondalkin Rugby Club | Upgrade of Outdoor Training Facility Lights | €20,000 |
| Lucan United FC | Provision of an All Weather Pitch | €40,000 |
| Brookfield Youth and Community Centre | Upgrade and Installation of new Entrance Door | €13,000 |
| Firhouse Community & Leisure Club | Upgrade and partition of community meeting rooms | €10,820 |
| Kingswood Community & Leisure Centre | Upgrade of Central heating system | €7,160 |
| Rowlagh Community Centre (SDC South Dublin County Partnership CLG) | Supply & Fit New Wooden Floor | €21,360 |
| Whitechurch Community and Youth Centre | Upgrade of Community Centre Meeting Rooms | €18,750 |
| The WEB Project | Upgrade of Toilet Facilities | €14,000 |
| Perrystown Manor Estate Community Centre | New Window Ventilation System and Upgrade of Floor | €12,000  |
| 168th St Aengus Tymon North Scouts | Installation of Ventilation System in Scouts Den | €10,000 |
| Tallaght Athletic Club | Upgrade of Changing/Shower Room Area | €17,160 |
| Fettercairn Community and Youth Centre | Upgrade of CCTV and Fire Alarm System | €35,750 |
| St Aengus Parish & Tallaght Senior Citizen Community Centre | Upgrade to LED lights and Windows | €40,000  |
| Citywise Education | Construction of a new MUGA and Outdoor Sports Facility | €40,000 |
|  | **€350,000** |

A discussion followed with contributions from Councillors C. O’Connor, S. Moynihan, C. King, E. Ó Broin, and E. Murphy, who raised queries regarding further funding and application support for new entrants.

Ms. Elaine Leech, Director for Housing & Community responded to the Members’ queries.

The item was **NOTED**.

 **REPLIES, ACKNOWLEDGEMENTS & CORRESPONDENCE**

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

### **M1/0723 RETAINED FIRE AND RESCUE SERVICE PERSONNEL**

### **It was proposed by Councillor D. Ó Brádaigh and seconded by Councillor W. Carey that:**

That this council support the Retained Fire and Rescue Service personnel and their continued struggle for improvements in pay, conditions, and a decent work/life balance with agreed time off and call on the Minister for Local Government and the Minister for Public Expenditure to provide the funding necessary to sustain and enhance the service now and for future generations.

**REPORT:**

If this motion is passed, letters will be issued to the Minister for Local Government and the Minister for Public Expenditure. Responses, when received, will be circulated to the Members.

A discussion followed with contributions from Councillors D. Ó Brádaigh, M. Johannson, P. Kearns, K. Mahon, C. King, D. McManus, L. McCrave, S. Moynihan, W. Carey, Y. Collins, and A. Edge who supported the motion.

The motion was **PASSED.**

***Meeting finished at 19:02***

**Motions Not Reached**

### **(M2) Special Criminal Court**

 **Councillor D. McManus**

That South Dublin County Council writes to the Minister for Justice to express our support for the continued use of the Special Criminal Court, as necessary to combat organised crime and terrorism, and support stronger safer communities.

### **(M3) Medical Priority**

**Councillor P. Gogarty**

That the Chief Executive reviews how medical priority applicants are allocated ground floor or specially adapted accommodation as well as how such additional accommodation is identified so that those in most urgent need on health and safety grounds are not left waiting years solely due to time on list.

### **(M4) Military Neutrality** **Councillor L. Sinclair**

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

### **(M5) Time on Housing List Councillor T. Costello**

To ask SDCC that when a victim of domestic violence moves from one local authority to another that they are allowed carry over their time on the housing list rather than starting from the beginning

### **(M6) Widening of Footpaths Councillor E. Ó Broin**

This council agrees that in line with Regional Policy Objectives and 2022-2028 SDCC County Development Plan, opportunities for widening of footpaths in urban cores presented by planning permission applications for lands bordering existing narrow footpaths in same urban cores will not be lost.

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

Mayor

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