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

Minutes of South Dublin County Council September 2023 County Council Meeting held on Monday 11 September 2023

### **PRESENT**

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

### **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 |
| Staff Officer | K. McLoughlin |
| Assistant Staff Officers | D. Murphy, L. Farrell |
| Sord | A. O’Brien. |

The Mayor, Councillor A. Edge, presided.

Apologies were received from Councillors C. King, L. O’Toole.

**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.

**H1/0923 CONFIRMATION AND REAFFIRMATION OF MINUTES - FOR APPROVAL**

Minutes of the July Council Meeting held on 10th July 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 D. Ó Brádaigh.

1. [June Special Council Minutes - 15th June 2023](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79446)

[(b) Annual Meeting Minutes - 30th June 2023](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79447)

[(c) July Council Minutes - 10th July 2023](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79448)

**H2/0923 REPORTS OF AREA COMMITTEES - FOR NOTING**

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

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

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

**b) Clondalkin Area Committee**

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

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

**c) Tallaght Area Committee**

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

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

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

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

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

**H3/0923 STANDING COMMITTEES ORGANISATION, PROCEDURE & FINANCE - FOR APPROVAL**

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

**H4/0923 STRATEGIC POLICY COMMITTEES - FOR NOTING**

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

**H5/0923 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, seconded by Councillor P. Holohan and **RESOLVED**:

“That pursuant to Standing Order No. 22, Questions numbered Q1 – Q51 be **ADOPTED** and **APPROVED.**”

### **Q1/0923**  **Councillor C. Bailey**

To ask the Chief Executive how many renters in situ have enquired about purchasing their rented accommodation where an eviction notice has been provided in relation to a Landlord's Need to Sell and how many have been accommodated/had their application progressed?

**REPLY:**

The Council is currently not collecting data in relation to a tenant's first right of refusal to acquire their rented property where a landlord has served a notice to quit with the intention to sell the property. The agreed principles underpinning new measures for the Minister for Housing, Local Government and Heritage to give tenants the opportunity to buy their home including the development of a legislative based “first right of refusal” is ongoing in conjunction with the Office of the Attorney General to progress the implementation of the Government decision.

The Department of Housing, Local Government and Heritage have advised that Government approval of the necessary General Scheme of a Bill to progress the legal approach brought to Cabinet will be formally sought in September. The Government is conscious at all times in bringing forward legislation such as this, of the need to avoid unintended consequences insofar as possible. For example, they do not want to unnecessarily impede or complicate the sales process for rental accommodation nor cause delays to the conveyancing process.

The Government is also required to ensure, when formulating legislation, that it can withstand legal challenge. These matters and more have been considered in detail by the Department and the Attorney General.

It is important to stress that tenants are already availing of opportunities to purchase or indeed to remain as long-term tenants in their home under the current measures which are in place such as the Local Authority Home Loan, the expanded First Home Scheme for Tenants, the local authority’s Tenant in Situ Scheme, and the Housing Agency’s Cost Rental Tenant in Situ Scheme.

Landlords are already choosing to sell homes directly to tenants and to Local Authorities and the Housing Agency – there is no impediment to this and there have been successful applications made under each of the above named schemes. The proposed legislation will further bolster these measures.

Information for landlords in relation to Notices of Termination (NoTs) can be found at:

[**https://www.rtb.ie/ending-a-tenancy/notices-of-termination**](https://eur04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.rtb.ie%2Fending-a-tenancy%2Fnotices-of-termination&amp;data=05%7C01%7Cbpierce%40sdublincoco.ie%7C7236b209723f4f2dc1b408dbaa14b8e3%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C638290779929515039%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&amp;sdata=UbRLvaFwLLeyjq67bvhF5QVK8Sz9PzfpX7glNgytZww%3D&amp;reserved=0)

When a NoT is served on the basis of sale, the following information is sent out by the RTB:

[**https://www.rtb.ie/images/uploads/general/Local\_Authority\_Assistance\_-\_Notice\_of\_Termination\_for\_Rented\_Property\_Being\_Sold.pdf**](https://eur04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.rtb.ie%2Fimages%2Fuploads%2Fgeneral%2FLocal_Authority_Assistance_-_Notice_of_Termination_for_Rented_Property_Being_Sold.pdf&amp;data=05%7C01%7Cbpierce%40sdublincoco.ie%7C7236b209723f4f2dc1b408dbaa14b8e3%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C638290779929671269%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&amp;sdata=7bnVZLFxx7AxnilPOLQEa9j3182tOpvKyclesJocoZY%3D&amp;reserved=0)

### **Q2/0923 Councillor C. Bailey**

To ask the Chief Executive for a report in relation to SDCCs obligations under S42 Irish Human Rights and Equality Act 2014. In particular, regarding "the actions to be taken to enable [SDCC] implementation of the Duty, and the key moments for implementing the duty in developing or reviewing our strategies plans, programmes and policies.

**REPLY:**

The South Dublin County Council Public Sector Equality and Human Rights Duty Framework and first annual action plan were published in 2022. The Framework is available as a PDF document, and an Irish Sign Language (ISL) interpreted video, from the Council’s [Public Sector Duty webpage](https://www.sdcc.ie/en/services/our-council/policies-and-plans/public-sector-equality-and-human-rights-duty/) in [www.sdcc.ie](http://www.sdcc.ie).

Publication of the Framework fulfils South Dublin County Council’s commitment under our Corporate Plan and the legal requirement under Section 42 of the Irish Human Rights and Equality Act 2014, otherwise referred to as the Public Sector Equality and Human Rights Duty.

The ‘Duty’ sets out the responsibilities for all public bodies in Ireland to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans.

The identified groups, for the Public Sector Duty are those:

* covered by the grounds under our equality legislation: gender (including gender identity); civil status; family status (including lone parents and carers); age; disability; sexual orientation; race (encompassing race, colour, nationality and ethnic or national origins); religion; and membership of the Traveller community; and
* groups covered by the ground of socio-economic status, who are at risk of or experiencing poverty and social exclusion.

This Equality and Human Rights Framework has been developed as part of our commitment to implementing the Duty and doing to so to a high level of ambition and to a high standard. It presents:

* the assessment of human rights and equality issues facing the identified groups and of relevance to the Council’s functions and services;
* the SDCC equality and human rights Values Statement, which identifies those values that motivate our shared concern for equality and human rights and provides benchmarks, related to each value, for our ambition in this area and, specifically for the Duty; and
* the actions to be taken to enable our implementation of the Duty, and the key moments for implementing the duty in developing or reviewing our strategies plans, programmes and policies.

The Council’s cross departmental Public Sector Equality and Human Rights working group (chaired by the Director of CPCM), has recently been expanded to include active representation from all service Directorates. This action has been taken in recognition of the fact that equality and human rights are core to all services and responsibilities across SDCC. The purpose of the Group is to guide, support and monitor the implementation of the SDCC Public Sector Equality and Human Rights Duty Framework, and to draw on, and build on, existing expertise in equality and human rights related issues in the local authority.

The Council’s progress with implementing the Framework and meeting our responsibilities under the legislation are reported on within the annual report. Public Sector Duty webpages are also provided on both the staff intranet and [www.sdcc.ie](http://www.sdcc.ie)

**Examples of key moments since publication of the SDCC Framework:**

* The first annual staff event under the Framework took place on Friday, 9 December 2022. This event celebrated UN Human Rights Day and provided an opportunity to brief staff on SDCC’s various actions to address human rights and equality both for staff and the communities we serve. After the event Mayor Emma Murphy officially launched the Equality and Human Rights Framework. Information stands were displayed by IHREC, SDCC LGBTQ+ Staff Network, Community Services and Human Resources.
* SDCC HR mounted a successful Dignity in the workplace campaign, which included wellbeing webinars on a variety of topics and the production of a suite of three infographics listing 30 “Tips of Dignity and Respect”.
* The South Dublin Women’s Caucus hosted an event to mark International Women’s Day on Wednesday, 8 March 2023. The event was a panel discussion on the role of women in politics, the benefit of female participation and the importance of continued growth in the numbers of women engaging in local democracy.
* The International Women’s Day event also marked the official launch of South Dublin County Council’s “**Your Vote Your Voice -**an easy-to-read guide to voting” booklet which explains the voting process in Ireland. The purpose of the booklet is to provide information on how to exercise your right to vote, such as information on the different types of elections and voting that takes place in Ireland and how you register to vote.
* As part of the Women in Politics campaign, research was carried out with women who ran in the 2019 elections to inform the next stage in the project.
* A variety of Council publications including recruitment and housing related documents, actions plans and policies have been plain English, and equality proofed.
* Accessibility of [sdcc.ie](http://www.sdcc.ie) has been improved in line with the EU Web Accessibility Directive requirements.

### **Q3/0923 Councillor C. Bailey**

### To ask the Chief Executive, in regards to S42 of the Irish Human Rights and Equality Act 2014, whether IHREC has asked for any review to be made or change in operations and/or policies?

**REPLY:**

Under Section 32 (1) of the Irish Human Rights and Equality Commission Act 2014, the Irish Human Rights and Equality Commission (IHREC) may invite a particular undertaking to carry out an equality review. In April 2018, IHREC invited Dublin’s four local authorities to carry out Equality Reviews specifically focused on non-Irish nationals’ access to social housing and homeless services, and in June 2019 IHREC invited all 31 local authorities to undertake equality reviews on provision of Traveller Accommodation. South Dublin County Council has responded fully to both requests and the reports of all IHREC requested equality reviews can be found on the IHREC website [www.ihrec.ie](http://www.ihrec.ie)

The South Dublin County Council Public Sector Equality and Human Rights Duty Framework and first annual action plan were published in 2022. This Framework is available as a PDF document, and an Irish Sign Language (ISL) interpreted video, from the Council’s [Public Sector Duty webpage](https://www.sdcc.ie/en/services/our-council/policies-and-plans/public-sector-equality-and-human-rights-duty/) in [www.sdcc.ie](http://www.sdcc.ie). SDCC has not received any requests for reviews since the publication of the SDCC Framework.

### **Q4/0923**  **Councillor C. Bailey**

To ask the Chief Executive if any complaints have been made in relation to SDCC under S42 of the Irish Human Rights and Equality Act 2014.

**REPLY:**

The South Dublin County Council Public Sector Equality and Human Rights Duty Framework was published in 2022. This Framework is available as a PDF document, and an Irish Sign Language interpreted video, from the Council’s [Public Sector Duty webpage](https://www.sdcc.ie/en/services/our-council/policies-and-plans/public-sector-equality-and-human-rights-duty/) in [www.sdcc.ie](http://www.sdcc.ie). To date no complaints have been made in relation to SDCC under Section 42 of the Irish Human Rights and Equality Commission Act 2014.

### **Q5/0923**  **Councillor Y. Collins**

To set out in tabular form by year from 2019 to date, the amount of funding allocated for tree maintenance, to include tree pruning, tree felling, tree stump removal and tree replanting.

**REPLY:**

The budget provision for tree maintenance and tree planting for the 5 year period from 2019 to 2023 is shown in the table below.  The total provision over the 5 year period is €16,782,800.  There is no specific provision within the budget for the various activities such as pruning, removal or planting with all those activities drawing from the overall budget provision.  The expenditure on tree planting has been in the region of €300,000 each year with this amount increasing over the years with increasing costs.

|  |  |
| --- | --- |
| Year       | Provision       |
| 2019 | €2,796,000 |
| 2020 | €3,441,000 |
| 2021 | €3,796,400 |
| 2022 | €3,680,900 |
| 2023 | €3,068,500 |

### **Q6/0923 Councillor Y. Collins**

What happens to funding allocated for projects approved under the €300k Have Your Say initiative which cannot proceed, is there a facility whereby an additional project may be chosen from the shortlist instead, so that the funding is used in the area it was intended to benefit?

**REPLY:**

There is no provision for this to happen currently but there are examples of projects across each of the 7 electoral areas that did not progress to completion, for various reasons. As the initiative has now been completed in every area, an evaluation of the experience will be commencing under the direction of the Steering Group and will engage with the key stakeholders including the elected members, participants, and the executive which will make recommendations for the future development of the initiative, including addressing all such operational issues.

### **Q7/0923 Councillor T. Costello**

To ask the manager how many people are currently waiting for a place in family hubs in the county?

**REPLY:**

There are currently 92 families on a waiting list for accommodation in a family hub.

Within South Dublin County, family hubs are currently provided at:

* 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 12 households in 12 family rooms.
* Cappaghmore Family Hub: recently opened facility managed by Peter McVerry Trust, comprising of 8 rooms for smaller families and fully occupied.

### **Q8/0923 Councillor T. Costello**

To ask the manager how many homes have been purchased in the county as part of the tenant in situ scheme?

**REPLY:**

The Council has been notified of approval for one hundred and fifty acquisitions in 2023 by Department of Housing, Local Government and Heritage. We examine all expressions of interest received in relation to potential purchases of properties with tenants-in-situ homes where a Housing Assistance Payment (HAP) or Rental Assistance Scheme (RAS) tenant has received a valid Notice of Termination and all other options available to re-house the tenant have not been successful.

At the end of August 2023, four hundred and nine expressions of interest have been received for potential acquisitions with ninety five properties purchased or at sale agreed stage. A further one hundred and thirty three properties are at valuation/negotiation stage where the Council is seeking to purchase having completed all pre-purchase checks, and another eighty five properties are at various stages of due diligence and pre-purchase checks.

Sales are not currently proceeding in relation to the expressions of interest received for a further ninety six properties due to either the property being vacant/tenant no longer in-situ, the tenant having been made a reasonable offer of alternative accommodation or where the property is the subject to planning issues.

### **Q9/0923 Councillor T. Costello**

Recently on CBL properties were advertised with a 25 year lease, what happen after the 25 year lease expires

**REPLY:**

The units recently advertised on Choice Based Letting were granted planning permission as build to rent, therefore they were advertised as leased units for a period of 25 years.

The lease is due to expire after 25 years, whereby the lease terminates and the units revert to the property owners unless alternative arrangements are agreed. At the end of the lease term, if the Council is not in a position to renew the lease, the Council will, as soon as possible, provide alternative accommodation suitable to the tenant (s) household needs to ensure security of tenure.

### **Q10/0923 Councillor T. Costello**

To ask the Chief Executive if there is rodent infestation or extreme tree or hedge overgrowth caused by the neglect of a vacant property what course of action can the neighbouring properties take.

**REPLY:**

**Derelict Sites Act**

The property may be reported to South Dublin County Council for investigation under the Derelict Sites Act, 1990.

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.*

The [**Register of Derelict Sites**](https://www.sdcc.ie/en/services/planning/derelict-sites/derelict-sites.html)is maintained by the Council pursuant to Section 8 (1) of the Derelict Sites Act 1990.

**Vacant Homes Unit**

Residents of neighbouring properties can also report a vacant home to our Vacant Homes Unit for investigation to confirm vacancy and to actively seek to bring the property back into use again. A vacant property can be reported by email to vhu@sdublincoco.ie or by logging on to [www.vacanthomes.ie](http://www.vacanthomes.ie)

### **Q11/0923**  **Councillor L. Dunne**

To ask the CEO if an applicant is on another Local Authority housing list but has a cross over for area of preference as South Dublin, does the applicant keep their time on the list & how does that allocation process work?

**REPLY:**

Applicants that move from one local authority to another do not carry over their time on list. An applicant of one local authority can include a cross over to a different local authority by changing their area of preference with the local authority their application is registered to.

In accordance with the Allocation Scheme applicants must express interest in at least 1 area of choice within the Council's functional area.  They may also express interest in an area of choice in the other Dublin Local Authorities – Dublin City Council, Dun Laoghaire/Rathdown and Fingal. Overall they may only express interest in 3 areas of choice.

South Dublin County Council housing applicants will only be able to view and express an interest in properties advertised through the Choice Based Letting platform within this Council's administrative area.

Applications with area of preferences outside South Dublin County will have different log in details etc. for that particular local authority.

### **Q12/0923**  **Councillor L. Dunne**

To ask the Chief Executive of all current staff within the Council, what percentage are female?

**REPLY:**

As of 29/08/2023 South Dublin County Council's current headcount is 1292 of which 613 are female, equating to 47.45% of headcount.

### **Q13/0923 Councillor L. Dunne**

To ask the Chief Executive, since the new Council housing portal has been in place for the public, how many queries have been answered and resolved & how many has gone unanswered and unresolved?

**REPLY:**

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 allows for a more timely and responsive service.

Below is a breakdown of work orders submitted through Housing Online 2022/23 to date:

|  |  |  |
| --- | --- | --- |
| **Year** | **2022** | **2023** |
| **Work Orders Submitted** | 14,382 | 9,564 |
| **Total Completed** | 10,894 | 6,472 |
| **% Completed** | 75.75% | 67.67% |

### **Q14/0923**  **Councillor L. Dunne**

To ask the Chief Executive, what is the average waiting time for a 4 bed on medical priority?

**REPLY:**

The average waiting time for a 4 bed property is 8.5 years. To date in 2023, housing allocations have completed the sign up of 9 four-bedroom properties.

As per 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.

All allocations are carried out in accordance with the Allocation Scheme which is based on time on list.

### **Q15/0923 Councillor L. Dunne**

To ask the CEO, when a house fire occurs in a Council or AHB property, is it Council Policy to provide alternative accommodation to a tenant or tenants while work is carried out?

**REPLY:**

In general, it is not Council policy to provide alternative accommodation to tenant(s) if a fire occurs in their home and tenants are advised to seek accommodation with family/friends in the first instance. The Council does not maintain a supply of vacant units to provide to tenant(s) whilst works are carried out to a fire damaged property.  Every effort is made to ensure efficient turnaround of fire damaged dwellings having regard to the vulnerability of the house and the need for the tenant to move back in as soon as possible.

### **Q16/0923 Councillor M. Duff**

Could the Manager please make a report giving details of the current policy concerning the process of adding adult children to the tenancy of current social housing and explain why so many applicants are turned down for tenancy?

**REPLY:**

It is not the practice of South Dublin County Council to include adult children/grandchildren to a tenancy agreement where there is a valid tenancy agreement in place.

In the event of death in the case of a joint tenancy, a succession of tenancy application may be allowed to the surviving tenant or tenants.  Where the sole tenant has died, the dwelling may be granted to the next member of the family subject to household need, provided that the person has continued to reside in the house as their normal place of residence and has been assessed for rent purposes for a minimum of two years up to and including the time of bereavement.

### **Q17/0923**  **Councillor A. Edge**

Are there any barriers to Council allotment holders keeping beehives on their plots?

**REPLY:**

The Council's Allotment Policy was presented as a headed item report for noting to the April meeting of the County Council this year.  The policy sets out all the relevant issues around the management of allotments and the rules which apply to the holding of an allotment by a member of the public.  One section of the policy sets out the details regarding the prohibition on keeping animals on an allotment, and this section also includes a ban on the establishment of a beehive on an allotment.

This position has been taken in light of experience gained at the Council's allotments in Mill Lane in Palmerstown.  An allotment holder was allowed to establish a beehive there in the past however this led to holders of nearby allotments and other members of the public being stung by the bees on a regular basis.  The Council had to intervene in the matter and the beehive was relocated to a more secluded area of Waterstown Park at a safe distance from the allotments, local residents and other park users.  While the establishment of a beehive on an allotment is not permitted the Council's Public Realm Section would be happy to examine possible alternative locations for beehives in suitable locations in our parks, similar to the approach taken at Mill Lane and Waterstown Park.

### **Q18/0923**  **Councillor L. Guéret**

To ask the Chief Executive how many applications there have been for Local Authority Housing Loans to South Dublin County Council in 2023 and how many have been approved?

**REPLY:**

The relevant 2023 data for the Local Authority Home Loan with this Council is as follows:

* 72 applications received;
* 32 applications provisionally approved;
* 25 applications declined;
* 12 loans advanced to applicants.

### **Q19/0923**  **Councillor L. Guéret**

To ask the Chief Executive what procedures and incentives are currently in place to deal with graffiti, and to give a report on how many hours/months are spent by South Dublin County Council in dealing with graffiti ?

**REPLY:**

The South Dublin County Council Litter Management Plan 2020-2022 proposes to address the negative impacts of litter on our county, improve the quality of life and sense of wellbeing of our residents, and enhance our commercial and tourism potential through effective and efficient enforcement of legislation and regulation, management and maintenance of our public realm and communication, education, and awareness. Graffiti is managed in accordance with the provisions of the Litter Pollution Act 1997 as amended, and through the Council's supporting Annual Action Plan. The Litter Management Plan 2020-2022 has been reviewed and the Draft replacement Litter Management Plan is currently out for public consultation and the members have been invited to make submissions. The report on the public consultation will inform the content and reporting arrangements in respect of the new plan.

All reports of graffiti are dealt with by our removal crews as they are reported. Other staff remove graffiti also, including the painter and other construction staff. We continue to take immediate action to remove or cover offensive or politically motivated graffiti as a priority once a report is received.

SDCC has a Memorandum of Understanding with the ESB and a number of other utility companies, who have agreed to remove graffiti from their premises/assets once reported to them.

From January 2023 to date, Public Realm has removed graffiti from 136 different locations. Of the 136 locations, multiple incidents of graffiti were removed at each of those locations.

SDCC has used some anti-graffiti paints in a limited number of areas such as some boundary walls and bridges. These paints/coatings are used to form a layer over a surface to prevent graffiti from attaching to that surface. Graffiti can then be removed using power hoses from surfaces that are treated in such a way. The addition of the paint/coating does not prevent further graffiti; however, it does make the area affected easier to clean.

SDCC are currently procuring for a specialist contractor for graffiti removal from block and stone face walls and other specialist graffiti removal.

Incentives that are currently in place include the Social Credits Scheme which supports and rewards community groups and individuals who take ownership of their environment and improve their local area by carrying out pro-environmental actions such as community clean-ups, maintenance of community gardens, graffiti removal, weeding of footpaths etc. The scheme is open to all community groups in South Dublin County's administrative area including:

* Environmental groups
* Primary and post primary schools
* Resident's Associations
* Volunteer groups
* Youth groups

The Social Credits Scheme is broken into 3 elements. Clean ups, Minor Landscape Scheme and Paint Enhancement Scheme.  Under the paint enhancement scheme the council provides paint to groups for the removal of graffiti or to carry out minor enhancement projects in their area.  We also supply materials including paint brushes and rollers.

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

It is not possible to quantify the Council's response to graffiti in terms of time spent on this activity.  The response covers a number of aspects including painting staff removing graffiti from litter bins and bring banks for example, construction crews removing graffiti from blockwork walls using a cement-wash technique as well a specialist chemical removal of graffiti carried out by specialist contractors and a crew managed by the probation service.  The budget provision for all these activities in 2023 is €98,100 and is likely to be similar in 2024.

### **Q20/0923 Councillor L. Guéret**

To ask the Chief Executive what facilities and programmes are currently in place in our South Dublin County Libraries for neuro diverse children and if there are any plans to install sensory pods or sensory rooms ?

**REPLY:**

[Q20 (a) Library Resources](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79512)
[Q20 (b) Upcoming Talks](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79513)

### **Q21/0923**  **Councillor L. Guéret**

To ask the Chief Executive for a report on the Domestic Lead Remediation Grant Scheme. Report to include how many applications there have been in 2023, the criteria for eligibility, and how many grants have been approved?

**REPLY:**

The Domestic Lead Remediation Grant Scheme helps households with the costs of replacing lead piping or related fittings located within the internal distribution system connected to a domestic water supply that serves a house. The scope of the grant and relevant definitions are as detailed in the [Housing (Domestic Lead Remediation Grant) Regulations 2022](https://www.irishstatutebook.ie/eli/2022/si/519/made/en/print) (S.I. No. 519 of 2022), which came into operation on 1 December 2022.

South Dublin County Council has not received any Domestic Lead Grant Applications in 2023 and therefore no grants have been approved in 2023.

Full information regarding eligibility criteria and Frequently Asked Questions are on the SDCC website. [See link to information.](https://eur04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.sdcc.ie%2Fen%2Fservices%2Fenvironment%2Fenvironmental-health%2Flead-pipe-grant%2F&amp;data=05%7C01%7Csconroy%40SDUBLINCOCO.ie%7C4bf4c270894041fa85e808dba942d519%7C6a3c00c019d0492da8de95fad8fda1d4%7C0%7C0%7C638289876730492505%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&amp;sdata=JkvBzMbdMSABMAxJ07ThEffu6%2BBSP07KWMTcFbOyWgI%3D&amp;reserved=0)

### **Q22/0923 Councillor L. Guéret**

To ask the Chief Executive what Programme is currently in place in South Dublin County Council regarding the maintenance of road traffic signs, road name signs and housing estate signage?

**REPLY:**

The Council maintains road traffic signs and road name signs across the County, where new signs are considered necessary or where existing signs need to be cleaned or maintained the Council will do these works where necessary. If there are particular locations where new road signs are needed or where maintenance is required please raised this with the Roads Maintenance team and individual locations can be reviewed.

### **Q23/0923**  **Councillor L. Guéret**

To ask the Chief Executive if South Dublin County Council Staff are dealing with reports from Communities in respect of the increasing use of Nitrous Oxide; will he appreciate the concerns of local Communities in respect of this matter and will he make a Statement ?

**REPLY:**

The Council's Public Realm Section on request from the elected members implemented a programme to monitor the reporting of nitrous oxide cannister finds and this programme ran for a 12 month period from August 2021 to August 2022.  The information obtained from this programme clearly showed that these cannisters were being used and discarded in all parts of the county and could be found in all locations including along main roads and footpaths, in housing estates and on open spaces, and in particular in public parks.  The monitoring programme also showed that over the 12 month period the level of usage and discarding of cannisters increased noticeably and it also changed in nature during that period, initially the finds reported were of multiple 'silver bullets' at a location however in the later months of the programme the cannisters found were the larger type which contain 50 to 60 times the volume of one 'silver bullet'.  The Council's Public Realm Section continues to receive reports of these finds and responds and removes the cannisters as necessary.

The issue of nitrous oxide abuse presents a particular problem in that it has many legitimate uses such as in the catering industry and in dentistry and to be in possession of it for a legitimate purpose is not an offence, and for this reason it is not controlled by the Misuse of Drugs Act.  It is an offence to possess it for the purpose of consumption or inhaling and it is also an offence to supply it for this reason.  There is no provision within current legislation in this area for an offence of personal possession of this substance.

### **Q24/0923 Councillor L. Hagin Meade**

To ask the Manager as to the location and protection of high quality/heritage trees in SDCC, including current efforts to map and protect said trees?

**REPLY:**

The Tree Council of Ireland have compiled a database of trees of biological, cultural, ecological or historical interest because of their age, size or condition.  The survey work was carried out in the period 2009 to 2011 and the resulting database is available through the National Biodiversity Data Centre. The objective of the survey was to develop a recording framework and produce a database to locate and record information on trees of heritage importance in Ireland in order to improve the accessibility, application and availability of this information for a wide range of uses.  It was envisaged that the compiled data would be a valuable aid to a variety of interests towards generating awareness and appreciation of trees and particularly in developing more informed policies about the future management and conservation of Ireland's Heritage Trees. Such interests include local authorities, planners, landscape architects, property developers, environmentalists, communities, conservation groups.  Furthermore, Heritage Trees suitably marked on site can be an added attraction for visitors to tourism areas.  This database is currently being examined to establish which trees, if any, in this County are included in it.

The Council is in the process of compiling it's own comprehensive database of trees within the County on the Arbortrack system, and this system enables us to identify trees of particular high quality or heritage value if required.  To date the surveying of trees has focussed on street trees, for the purpose of informing the Council's annual tree maintenance programme.  Once the surveys of street trees are completed the focus can then move to trees in parks and on open spaces, until the surveying exercise has been completed.  The main purpose of the Council's tree policy 'Living with trees' is to provide protection to all trees and to ensure that only those trees which are dying, diseased, unstable or causing damage to private property can be removed.  The Planning Authority also has the option to make a Tree Preservation Order to protect a tree or group of trees where it is considered to be in the interests of amenity or the environment to do so.  There are 4 such TPOs in place in South Dublin County at the present time.

### **Q25/0923**  **Councillor M. Johansson**

To ask the Chief Executive how much on average is spent annually on cleaning up illegal dumping in the county?

**REPLY:**

The expenditure costs for the removal of illegal dumping for 2021, 2022 and 2023 to date were as follows:

|  |
| --- |
| **Expenditure costs in relation to reported incidences of illegal dumping** |
| 2021 | €1,465,374 |
| 2022 | €1,371,243 |
| 2023 to date |    €905,877 |

### **Q26/0923 Councillor M. Johansson**

To ask the Chief Executive if there are any schemes for waste disposal for households in hardship?

**REPLY:**

Since the sale of the domestic waste collection service in 2011 to Greyhound Recycling the Council no longer has a role in the provision of household waste collection and disposal services.  While local authorities operated a scheme to waive waste collection charges for less well-off households this aspect of the service is not provided by private waste collection operators.  The Council is aware that the Dept of Social Protection operates an Additional Needs Payment Scheme to provide assistance to families in need with regard to a wide range of issues.

### **Q27/0923 Councillor M. Johansson**

To ask the Chief Executive if the Vacant Homes website (www.vacanthomes.ie) is still in use and if members of the public should continue to report vacant homes to the website or directly to South Dublin County Council?

**REPLY:**

The Vacant Homes Website is still active and our Vacant Homes Officers receive an email each time a new property is added to the website.  A staff member will then visit the property to investigate whether the property is vacant and commence attempts to contact the owner. The public can continue to use the website to report vacant properties or alternatively they can contact the our Vacant Homes Office directly by email at vhu@sdublincoco.ie

### **Q28/0923**  **Councillor M. Johansson**

To ask the Chief Executive to provide a list of all vacant homes in the South Dublin County Council area that have been reported by members of the public or councillors to SDCC directly and through the Vacant Homes website?

**REPLY:**

The Council does not publish the individual addresses of privately owned properties on our vacant homes register. The Vacant Homes Officers have recently completed Phase 1 of a county- wide survey of potential vacant properties in conjunction with the DHLGH. Phase 2 of this survey will commence in Quarter 4, 2023. This will result in a more comprehensive list of vacant homes in the County.

Listed below is the number of vacant homes currently on the register by electoral area:

|  |  |
| --- | --- |
| **Local Electoral Area** | **No of Properties** |
| Clondalkin | 12 |
| Firhouse/Bohernabreena | 7 |
| Lucan | 4 |
| Palmerstown/Fonthill | 4 |
| Tallaght Central | 13 |
| Tallaght South | 4 |
| **Total** | **44** |

### **Q29/0923**  **Councillor M. Lynch**

To ask the manager to comment on the report in the Journal.ie stating that South Dublin County Council has not levied any monies against landowners of derelict sites in 2022 and update the meeting on progress in 2023 to date.

https://www.thejournal.ie/local-authorities-not-collecting-dereliction-levy-6122687-Jul2023/

**REPLY:**

During 2023, the team within EWCC with responsibility for the Derelict Sites function, has been carrying out a review of all cases currently under investigation including those entered on the Register of Derelict Sites. This review is nearing completion and will result in comprehensive updates to the existing Register to include removal and addition of sites as appropriate, review and determination of up to date market valuations as necessary. Upon completion of the review, derelict sites levies will be charged where appropriate in accordance with the requirements of the Derelict Sites Act.

The [**Register of Derelict Sites**](https://www.sdcc.ie/en/services/planning/derelict-sites/derelict-sites.html)is maintained by the Council pursuant to Section 8 (1) of the Derelict Sites Act 1990. Sites/properties that constitute derelict sites within the definition contained in Section 3 of the Derelict Sites Act, 1990 are entered on the Register of Derelict Sites. Sites that are under investigation are not routinely entered on the register until such time as investigations are completed and a determination made that the site is derelict.

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.*

Section 23(1) of the Derelict Sites Act, 1990 states:

*There shall be charged, levied and paid for each local financial year beginning with such year as may be prescribed, in respect of all* ***urban land*** *in relation to which* ***a market value has been determined*** *and stands* ***entered on the register*** *on the first day of January of that local financial year, a levy to be called the derelict sites levy.*

"Urban land" is defined in Section 2 of the Derelict Sites Act, 1990 and means:

*a derelict site in an urban area which has been entered on the register but* ***does not include*** *any occupied dwelling or land owned by a State authority or by the local authority in whose functional area the land is situate or land in relation to which:*

*(a) a compulsory purchase order (other than a vesting order under the Derelict Sites Act) has become operative, or*

*(b) a development objective exists for the purpose of reserving the land for roads or parking places or for any of the purposes of reserving or preserving land indicated in Part IV of the Third Schedule to the Local Government (Planning and Development) Act, 1963*

In addition, section 23(1A) provides that:

*The derelict sites levy* ***shall not be payable*** *in respect of any land in respect of which vacant site levy is payable in accordance with the Urban Regeneration and Housing Act, 2015*

### **Q30/0923 Councillor K. Mahon**

To ask the Chief Executive how many Data Centres are in the County Council area and how it compares to other local authorities?

**REPLY:**

As of April 2023 within SDCC there are 23 operational data centres, a further 22 are at some level of construction, 5 have planning permission but have not commenced, and 2 applications have been refused and are at appeal. At this moment SDCC does not have data as to how this compares to other local authorities

### **Q31/0923 Councillor K. Mahon**

To ask the Manager to report on existing contracts for clearing weeds at hard surfaces in estates and in the public realm where glyphosate may be used by contractors. Report to include when contracts are due for renewal and updates in finding alternatives to 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 as part of the services provided under the road sweeping contract which is performed by Oxigen Environmental Ltd.  This 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 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 (hot water, hot foam, electrophysical, non-glyphosate chemicals) however none have been found to be suitable to date. The road sweeping contract will expire at the end of 2024, a tender process will take place during 2024 to procure a new service and 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.

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.

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.

### **Q32/0923**  **Councillor K. Mahon**

To ask the Chief Executive how South Dublin County Council will ensure access to information and views of local people who do not use online facilities following the introduction of the new Customer Care arrangements for the public.

**REPLY:**

As part of our ongoing Customer and Digital Services Transformation Strategy a new Housing Customer Centre was officially opened on Wednesday, 12th July. Some 99% of counter queries relate to Housing Services, this new Housing Customer Centre greatly improves the quality and standard of service provision to customers. In-person meetings are arranged through an appointments system to remove the queueing requirement for our customers and to ensure that discussions are fully private. We are happy to assist customers using our online facilities, customers can contact us at 01-4149000 to arrange appointments for guidance on using these facilities. The Council recognises the need for customers with limited I.T. skills or accessibility issues to speak directly with staff members to ensure access to information, our telephone lines are open from 9am to 5pm – Monday to Thursday and 9am – 4.30pm on Friday for this purpose.

Another project under the Customer and Digital Services Transformation Strategy is the redesign, build and fit-out the Concourse in County Hall to create a new public engagement space. The creation of the MyDoorstep space in County Hall created a new audio-visual experience where people can consider the range of information available in a comfortable, welcoming environment, while meeting and engaging with the Council on the plans for the local community they hope to move into. The redesign of the concourse in County Hall will modernise and integrate this full space to reflect a more open, welcoming and engaging Council.

### **Q33/0923 Councillor K. Mahon**

To ask the Chief Executive to confirm what options are available to members of the public with limited I.T. skills or accessibility issues to allow full and equal access following introduction of the new Customer Care arrangements.

**REPLY:**

As part of our ongoing Customer Services and Digital Transformation Strategy, the new Housing Customer Centre was officially opened on Wednesday, 12th July. Some 99% of the queries at the customer service counters related to Housing Services, and this new Housing Customer Centre greatly improves the quality and standard of service provision to our customers. In-person meetings are arranged through an appointments system to remove the queueing requirement for our customers and to ensure that discussions are fully private. We are happy to assist customers using our online facilities, customers can contact us at 01-4149000 to arrange appointments for guidance on using these facilities.

The Council recognises the need for customers with limited I.T. skills or accessibility issues to speak directly with staff members to enable access to services, and our telephone lines are open from 9am to 5pm – Monday to Thursday and 9am – 4.30pm Friday for this purpose.

### **Q34/0923 Councillor D. Ó Brádaigh**

To ask the manager how many vehicles in its fleet have transitioned to being electrified and what percentage does this represent?

**REPLY:**

At present South Dublin County Council’s fleet comprises primarily of diesel and petrol fuelled vehicles, with five electric vehicles. This represents a small percentage of the total fleet, while noting that not all of the fleet is considered appropriate for electrification at this time (e.g. HGVs).

The decarbonisation of the Council’s fleet is a key action in the upcoming Draft Climate Action Plan 2024-2029. For South Dublin County Council to meet the target of reducing its greenhouse gas emissions by 51% by 2030, it is estimated that a minimum of 31% of the fleet needs to be decarbonised.

To progress this action, a Sustainability Consultant was appointed to undertake a review of the Council’s fleet and prepare a strategy for our ten-year fleet decarbonisation plan, based on the principle of ‘Avoid – Shift – Improve’ (which seeks to improve energy/fuel usage, look for efficiencies in the fleet, promote alternative mobility solutions, and transition to decarbonised fleet options).

This strategy is being finalised and once approved, an implementation plan for the strategy will be progressed, initially with the roll-out of electrification of suitable vehicles and appropriate charging infrastructure and processes.

South Dublin County Council is also engaging with the National working group on Local Authority fleet decarbonisation.

### **Q35/0923**  **Councillor E. Ó Broin**

To ask the chief executive if it can happen that a household that have been granted a tenancy transfer between two SDCC owned properties or from an SDCC owned property to one managed by an AHB can ever be paying double rent in both residences while they move from one to the other?

**REPLY:**

When a tenant transfers between two South Dublin County Council properties, the original tenancy is ended and the new one is set up with the rent running consecutively. In some instances, if a payment of rent continues to be made with an old rent card, or if a payment is being made by standing order or through household budget, these payments may continue to be applied to the old rent account until the tenant ceases to use the old rent card or the institutions are notified of the new rent account details. If this arises, the Council's rents team will move the receipted payments across to the new rent account to ensure that double rent is not paid.

With regard to a transfer from a South Dublin County Council owned property to an Approved Housing Body property, once the Council's rents team are informed, the original Council rent account is terminated from the date of surrender.

### **Q36/0923 Councillor E. Ó Broin**

To ask the Chief Executive, why despite the ambition of Cycle South Dublin and other active travel initiatives, that this local authority has by far the lowest budgetary allocation for staffing for Active Travel projects for 2023 of the four Dublin Local Authorities? Note, Local Authority allocations are published online by the NTA under, 'Active Travel Investment Grants: 2023 Allocations'.

**REPLY:**

The Dept of Transport secured funding for Local Authorities to appoint staff to work on Active Travel projects. This funding was allocated for 5 years only. However, in the interest of attracting quality staff, SDCC has taken the decision to permanently appoint a team of people to work on dedicated active travel and new street projects.

The overall team consists of 12 people including engineers, landscape architects and admin staff. There are currently two vacancies in the team.

The team are actively progressing delivery of the Council's agreed Cycle South Dublin programme and to date the team has made progress on over 20 projects. Several projects have been completed, more are currently on site, and there are numerous schemes in the planning and design stages.

NTA funding can only be drawn down for staff that are working solely on NTA funded projects. Currently 8 of the Council's team are working on NTA funded projects alone and so the staff funding allocation is based on this number of staff.

The NTA allocated c.22m (which includes c.700k for staff) to SDCC for 2023. SDCC had initially requested more overall capital funding for 2023 to allow us to progress additional active travel works however this was not secured. Based on the current level of capital funding from the NTA that has been made available to the Council, the Council is projecting to spend close to the full amount of this funding and has sufficient staff in place to deliver this work.

In 2024 the overall level of capital funding may increase along with the level of staff funding required.

### **Q37/0923 Councillor E. Ó Broin**

To ask the Chief Executive to update members on how and when a schedule of Public Rights of Way will be created for this local authority as agreed in the current County Development Plan?

**REPLY:**

The South Dublin County Development Plan 2022-2028 identifies a public right of way at Lucan Weir and indicated that it is the intention of the Council to actively pursue the identification of further public rights of way, noting that this requires verification and that the burden of proof rests with the Local Authority.

Recognising the difficulties associated with identification of public rights of way, Objective EDE23 Objective 2, outlined a streamlined process for identification as follows:

EDE23 Objective 2

To identify, in a logical and sequenced way, existing public rights of way in relevant areas of the County and to investigate the creation of new public rights of way by taking the following steps within two years of adoption of the Plan:

* Identify and map those areas within the County which have the potential to give access to mountain, lakeshore, riverbank or other places of natural beauty or recreational utility;
* Examine the identified areas for existing access routes;
* Investigate whether existing access routes are public rights of way and where there is an understanding that a public right of way may exist, undertake the necessary steps for consultation set out in the Planning Acts;
* Once verified, map and identify those public rights of way in the Development Plan;
* Where public rights of way do not exist and access would be appropriate, consider using public rights of way agreements available under section 206 of the Planning and Development Acts;
* Where public rights of way agreements are not possible, consider the use of compulsory purchase orders under section 207 of the Planning and Development Acts.

The work involved in identification as set out in the objective will commence in 2024, that is, within 2 years of the adoption of the Plan.

### **Q38/0923**  **Councillor E. Ó Broin**

To ask the chief executive what approach this local authority has to keeping on street storm water drains cleared?

**REPLY:**

Responsibility for the surface water collection regime remains the remit of the Council. General maintenance includes the removal of silt and tree roots and the carrying out of camera surveys on the surface water network to identify blockages and assist in network improvement. The surface water related works also include the maintenance of river screens and clearing of streams to mitigate potential flood ‘hotspots’. A €425,000 Programme of Surface Water Minor Capital Works is delivered annually.

The cleaning of road gulleys and connecting pipework is included in the services provided by Oxigen Environmental Ltd under the Road Sweeping and Associated Services Contract.  The contract requires Oxigen to clean the 45,000 road gulleys once per year and following cleaning the contractor tests that the gulley is functioning properly.  If the gulley is not functioning properly when tested the contractor is required to jet the connecting pipe clean and then retest the gulley.  If the test fails on this occasion the matter is referred to the Council's Road Maintenance Section for attention. If a structural problem is encountered with the gulley chamber or lid then these matters are also brought to the attention of Road Maintenance. In addition to the once per year servicing of gulleys a smaller number (1,500 gulleys) are serviced twice per year, with some of these (500 gulleys) serviced four times per year.

In rural areas the Road Maintenance Section ensures that outlets to roadside drainage are maintained open and these are examined yearly.  Where road drainage discharges to rivers, streams and other open water courses these are also inspected and maintained with trash screens examined regularly and ahead of any forecasted storms or heavy rainfall events.

### **Q39/0923 Councillor E. Ó Broin**

To ask the Chief Executive if this local authority publishes and distributes a hard copy programme of events for Heritage Week which takes place in August each year as is the norm in other local authorities such as Kildare County Council?

**REPLY:**

SDCC prepares an event list of heritage activities that are spread throughout summer and early autumn every year.

This schedule of events is compiled and published every year in the 'Heritage and History' booklet which incorporates events that are specifically scheduled for National Heritage Week.  This year, Heritage Week occurred between 12th – 20th August.

The SDCC History and Heritage 2023 booklet can be accessed on-line at  [History and Heritage - SDCC](https://www.sdcc.ie/en/events/library-events/popular-library-events/history-heritage.html), while hard copies are distributed freely and are available in each of the County Libraries.

The SDCC heritage event list is co-ordinated by the Library Service.  Funding for these activities and for the publication of the History and Heritage booklet is drawn annually from the County Heritage Plan budget.

### **Q40/0923**  **Councillor C. O’Connor**

To ask the Chief Executive to give details of the number of Home Loans granted this year and will he confirm actions being taken to promote the availability of such supports.

**REPLY:**

The relevant 2023 data for the Local Authority Home Loan with this Council is as follows:

* 72 applications received;
* 32 applications provisionally approved;
* 25 applications declined;
* 12 loans advanced to applicants.

Information regarding the Local Authority Home Loan is advertised and promoted on the Council website and social media channels. The Department of Housing, Local Government and Heritage launched the Local Authority Home Loan Campaign on the 28th August 2023. This campaign will run for three weeks with the aim to encourage applicants to apply for the scheme and is available on radio, digital and social media platforms. This information is currently being shared across the Council's social media channels.

### **Q41/0923 Councillor C. O’Connor**

To ask the Chief Executive to outline the policy of the Council in dealing with requests, from any source, to cut down a Tree in an estate and will he make a statement?

**REPLY:**

On receipt of a request for tree removal the Council's Public Realm Section will arrange a detailed survey of the tree in question either by Council staff or by an experienced and suitably qualified arborist where necessary.  The results of the survey will determine the course of action, if any, to be taken regarding the tree and the request for it's removal.  The Council's policy document 'Living with trees' states the following at section 4.3 -

**4.3  Reasons for tree pruning and felling Policy:**

The Council will wherever possible try to avoid removing a tree or undertaking unnecessary pruning works where there is no good arboriculture reason. It has a duty to manage the tree population for the benefit of the wider community and in accordance with good arboriculture practices. The Council will undertake tree works to fulfil its legal obligations to ensure the safety of the public and properties.

Tree works will be undertaken:

* Where an inspection has identified visible decay, fungal brackets indicating possible root and trunk decay or any other defect that would lead to the tree failing.
* A tree is dead or visibly in decline.
* To abate an actionable nuisance, where branches are touching buildings, for example, physical contact with walls, windows and gutters.
* Where road signs, traffic signals, street lights, and sightlines for vehicles and pedestrians are obscured.
* Evidence has been provided that the tree is a contributing factor in causing structural damage that cannot be reasonably addressed by an alternative solution and proactive tree management has had no mitigating effect.

Tree removal or pruning will not be undertaken where:

* Trees are perceived to be too large.
* Satellite dish TV reception is interrupted.
* Sunlight may be blocked from reaching properties or gardens.
* Views are obstructed.
* Seasonal or naturally occurring events happen, for example, falling leaves, fruit, seeds or berries, honeydew sap, bird droppings, pollen allergies.
* Insects or other non-hazardous wildlife are present

### **Q42/0923 Councillor C. O’Connor**

To ask the CEO if any contact has been received from NCBI seeking support for the "Clear Our Paths" campaign; does he plan actions in that regard and will he make a statement? Charlie O'Connor

**REPLY:**

The NCBI "Clear our Paths" campaign was launched in May 2023.  This campaign urges members of the public to think about the obstacles on our footpaths that make safe and independent travel difficult for people with sight loss.

It is one of a number of initiatives and directives to which Roads Authorities adhere to in order to establish and maintain safe and free passageway for road and footpath users, including those with low or no vision.

"Clear our Paths" relates to addressing obstacles including cars parked on footpaths, wheelie bins, election posters, overhanging branches, dog litter and bicycles tied to poles.

DMURS is the Design Manual for Urban Roads and Streets, and provides measures for safe and accessible routes which encourage a culture for walking. These include improving the surface of footpaths, widening footpaths if possible in areas of high pedestrian flow, and clearing footpaths of unnecessary street furniture / rationalising signage poles etc.

The National Disability Authority (NDA), provides information and advice to the Government and Roads Authorities on policy and practice relevant to the lives of persons with disabilities, and highlight issues relative to street infrastructure seeking an incorporation of universal design / design for all approach.

The Council must also have due regard for various pieces of legislation and Road Safety Campaigns, which urge all drivers to park responsibly and not to park on footpaths or cycle lanes.

The penalties for motorists who park on footpaths, cycle tracks and bus lanes increased in February 2022, with the fixed charge notice doubling from €40 to €80 for motorists caught parking on footpaths, cycle tracks and bus lanes due to this being recognised as a road safety issue, with such illegal parking putting pedestrians in danger, potentially in the path of cars, buses, or cyclists.

### **Q43/0923 Councillor C. O’Connor**

To ask the CEO to detail plans to deal with the challenge of the forthcoming Halloween Season; will he give assurances and make a statement?

**REPLY:**

The Council recognises the difficulties that Halloween causes for many communities through the illegal burning of waste on Halloween bonfires, the damage to local amenities, and the threat to property and local services.

In response to Halloween in recent years the Council has adopted a cross departmental approach utilising the services of Public Realm, Waste Enforcement, Environmental Awareness, Library Services, Housing and Community Services Departments to prevent damage and promote the “Safe Halloween” message. The Council's response to Halloween in 2023 will involve the following elements as it has done in other recent years:

* Various awareness measures to highlight the dangers associated with bonfires and the harm done to the environment.
* Funding of community based activities which are intended to divert children away from bonfires and other anti-social behaviour.
* Action by the Council's Environmental Licensing and Enforcement Section to deal with commercial premises and their obligations to properly store their waste including waste tyres and pallets (including aerial surveys of premises where necessary).
* The Public Realm response to remove stockpiles of bonfire materials will take place throughout September and October as in previous years and will intensify as Halloween approaches.
* The Public Realm Section will have operational staff on duty over the October bank holiday/Halloween weekend collecting bonfire materials, in 2022 these collections captured in the region of 283 tonnes of materials and diverted it away from bonfires.
* Liaison with An Garda Siochana with regard to action being taken by them and by the Council in relation to this matter.
* Liaison with local residents groups who can help to identify the locations of material stockpiles.
* Implementation of the ‘bulbs not bonfires’ scheme which is a reward provided through South Dublin County Council’s Social Credit Scheme. This initiative provides communities with flowers in the Spring instead of scarred open space throughout the year. In recent years the Council has spent approximately €2,500 per year on bulbs for this popular scheme and it is envisaged that a similar sum will be spent again this year on the scheme.
* The social credits scheme will once again facilitate groups who are registered on the scheme with the disposal of materials at the Council's civic amenity site in Ballymount, and this will help to reduce the amount of materials being handed over for bonfires.

**Electrical Recycling Collections for Halloween**

RecycleIT, in association with South Dublin Country Council and in partnership with WEEE Ireland hosted a series of free door to door electrical recycling collection days in residential areas across South Dublin prior to Halloween in 2020, 2021 & 2022.  These collection days are now annual events and help ensure hazardous electrical equipment and batteries don’t find their way onto seasonal Bonfires.  This scheme helps residents to recycle all types of electrical, electronic and battery-operated equipment including old heaters, electronic toys, TV’s, washing machines, cookers, kettles, phones and computers, and any other item with a plug or battery (including batteries).

Recycle IT is very happy to work with community groups and resident’s associations to arrange free electrical recycling collections in September and October and throughout the year. Groups can call 01 4578321 or email info@recycleit.ie to learn more and take the first steps to arranging a FREE collection event for your estate or neighbourhood.

**Mattress Recycling**

The Council is running a mattress amnesty again in 2023 in conjunction with our social enterprise partners **[RecycleIT](http://www.recycleit.ie/)**.  Used mattresses are at present and will be collected, free of charge, at a number of designated collection points on dates during the months of August and September this year.  This event ran very successfully in 2022 with close to 1,000 used mattresses collected.   A total of 6 individual community collection days, covering the breadth of the County,  will take place and details of these have been published both online and in the local press.  Anyone unable to attend these collection days, will have an opportunity to drop their unwanted mattress off with our partners, RecycleIt, at their premises in Crag Industrial Estate, D22, free of charge.

The **Bulbs not Bonfires Scheme** continues to run annually as part of the Council's response to issues arising at Halloween.  This is part of the wider Social Credits Scheme which is operated by the Council's Environmental Awareness Section.  In response to the suggestion here, and to similar requests received, consideration is being given to changing the type of bulb provided to participants in the scheme.  To date the Council has issued daffodil bulbs only and these can continue to be provided to community groups who request these.  Where a group requests pollinator friendly bulbs it is proposed that crocus, muscari, snowdrop, allium and other bulbs can be supplied.  The Council policy is to map areas of biodiverse planting and in time this mapped information will be made available to the public.  The assistance of community groups who plant such areas will be requested in this mapping process, so that the Council's grass cutting programme can be organised to work around the areas which are planted by community groups. For more information please contact the office at envawareness@sdublincoco.ie

A total of 184 bonfire sites were recorded around the County in 2022, this was similar to the number recorded in 2021 and was a substantial reduction from the 280 sites recorded in 2020.  There were a number of factors to which the reduction can be attributed and these include the vigilance and efforts taken by local residents to prevent bonfires in their areas.  The Council held meetings with Kilnamanagh Neighbourhood Watch as well as residents from Aylesbury and Tymon North in 2022 in advance of Halloween to coordinate the efforts of the residents, the Council and the Gardai in identifying and removing material stockpiles and minimising the impact of bonfires on those areas.   The pre-Halloween collections of the Council show an increase from 2020 in materials intercepted before Halloween with Council crews out collecting material on 13 of the 14 days prior to Halloween. It is proposed that meetings with concerned residents groups as mentioned above will be arranged again this year and that the efforts of public realm crews to intercept materials before they reach a bonfire will continue at a level similar to recent years.

A comparison of bonfire numbers and tonnage statistics for 2020, 2021 & 2022 is set out below.

|  |  |  |  |
| --- | --- | --- | --- |
|   | 2022 |  2021 | 2020  |
| Number of bonfires | 184 |  180 | 280  |
| Tonnage collected before Halloween | 283 |  332 |  237 |
| Tonnage collected after Halloween | 296  |  276 |  355 |
| Total tonnage collected | 579  |  608 |  592 |
|  Total costs | €155,000 |  €155,000 |  €150,000 |

### **Q44/0923**  **Councillor C. O’Connor**

To ask the Chief Executive to detail how many Council houses have been refused by those on our lists so far in this calendar year and will he make a full statement in the matter?

**REPLY:**

To date in 2023, 109 applicants have refused their first offer of housing, 20 of which are listed as homeless applicants.

Some of the reasons for refusals are as follows:

* Did not like area of offer
* Location of property within estate
* Suitability of property (apartment)
* No garden
* No parking
* Not close enough to children’s school

### **Q45/0923 Councillor C. O’Connor**

To ask the Chief Executive to confirm if regular checks are made on the quality of the water supply in our County and will he make a statement?

**REPLY:**

Uisce Éireann tests and monitors all public water supplies in Ireland in accordance with the European Union Drinking Water Regulations S.I. No. 99/2023.  The regularity of testing for check and audit samples per water supply and the parameters to be tested are set out in the regulations.  Drinking water quality results are submitted to the EPA for compliance testing.

Information and advice on water quality is published on Uisce Éireann's website [www.water.ie](http://www.water.ie)

Members are reminded that Uisce Éireann have a Local Representative Support Desk, which can be contacted at localrepsupport@water.ie or at 0818 178 178.

### **Q46/0923 Councillor L. O’Toole**

To ask CE to confirm what levies were collected the council in relation to Derelict Site Levies in the county to date. If the CE could make a statement on the matter given a recent publication on this matter.

**REPLY:**

Nil collected to date in 2023. There are arrears from previous years being pursued. The total amount of these levies is €182,050.

During 2023, the team within EWCC with responsibility for the Derelict Sites function, has been carrying out a review of all cases currently under investigation including those entered on the Register of Derelict Sites. This review is nearing completion and will result in comprehensive updates to the existing Register to include removal and addition of sites as appropriate, review and determination of up to date market valuations as necessary. Upon completion of the review, derelict sites levies will be charged where appropriate in accordance with the requirements of the Derelict Sites Act.

The [**Register of Derelict Sites**](https://www.sdcc.ie/en/services/planning/derelict-sites/derelict-sites.html)is maintained by the Council pursuant to Section 8 (1) of the Derelict Sites Act 1990. Sites/properties that constitute derelict sites within the definition contained in Section 3 of the Derelict Sites Act, 1990 are entered on the Register of Derelict Sites. Sites that are under investigation are not routinely entered on the register until such time as investigations are completed and a determination made that the site is derelict.

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.*

Section 23(1) of the Derelict Sites Act, 1990 states:

*There shall be charged, levied and paid for each local financial year beginning with such year as may be prescribed, in respect of all****urban land****in relation to which****a market value has been determined****and stands****entered on the register****on the first day of January of that local financial year, a levy to be called the derelict sites levy.*

"Urban land" is defined in Section 2 of the Derelict Sites Act, 1990 and means:

*a derelict site in an urban area which has been entered on the register but****does not include****any occupied dwelling or land owned by a State authority or by the local authority in whose functional area the land is situate or land in relation to which:*

*(a) a compulsory purchase order (other than a vesting order under the Derelict Sites Act) has become operative, or*

*(b) a development objective exists for the purpose of reserving the land for roads or parking places or for any of the purposes of reserving or preserving land indicated in Part IV of the Third Schedule to the Local Government (Planning and Development) Act, 1963*

In addition, section 23(1A) provides that:

*The derelict sites levy****shall not be payable****in respect of any land in respect of which vacant site levy is payable in accordance with the Urban Regeneration and Housing Act, 2015*

### **Q47/0923**  **Councillor F. Timmons**

To ask the Chief Executive to explain the Taking In Charge process and what happens if a builder doesn't comply?

**REPLY:**

**T**he term “Taking in Charge” means that the Local Authority assumes liability and responsibility for the roads, footpaths and public areas associated with a particular estate.

A newly constructed development is offered for public ownership by a developer. This is usually done to recover the bond levied at planning stage. The developments infrastructure is checked to ensure it has been constructed to a specific standard and that all planning conditions have been met.  Once all the checks have been completed the development goes through a public consultation and is taken in charge by the local authority.  This is a Reserved Function.

Sometimes a developer will leave the development in the ownership of a management company, apartments and duplexes are done this way.  It is possible a developer will not engage in the taking in charge process or has gone into receivership allowing a bond to lapse.  When this happens the residents within an estate may opt to invoke a plebiscite provided by Sections 180 and 11 of the Roads Act 1993.  This is where the development has not been completed to the satisfaction of the planning authority and enforcement proceedings have not been commenced by the planning authority.  Within seven years beginning on the expiration of the planning permission period (this is five years) the authority shall, where requested by the majority of qualified electors who own or occupy the houses in question take it into public ownership.

**Legislative Background**

Section 180 of the Planning and Development Act 2000(as amended) requires planning authorities to commence taking in charge procedures in relation to residential developments, finished or unfinished, where certain conditions have been met.

Roads which are taken in charge are declared public roads under Section 11 of the Roads Act 1993.

**Facilities to be taken in charge**

A condition is imposed on all development proposals to be granted permission, that before any development commences that the applicant submit a plan for the agreement of the Planning Authority that clearly delineates the part of the approved development to be offered for taking in charge, and/or,  in the case of development to be controlled by a management company, that part of the approved development.

South Dublin County Council's Taking in Charge policy involves taking control of the following services and public areas associated with a particular development:

* Public roads including footpaths, street trees; margins, street furniture, underground ducting and generally the area between opposite
* Unallocated surface parking areas provided no gate or barrier has been erected
* Public Lighting
* Water Mains including sluice valves, air valves and scour valves, hydrants, associated chambers, reservoirs, treatment plants, protection zones and other sundry items. \*\*The Local Authority will engage with UE in this regard
* Foul and storm water drainage (including manholes, or other sundry items), Wastewater treatment plants and associated buffer zones, attenuation systems and outfall pipes to existing
* Public open spaces
* Playgrounds, where these are required by condition of a planning permission as facilities for public use (not for exclusive use of development subject of permission).

A local authority has six months from the date of a request for taking in charge to commence the relevant procedures.
Following a Taking in Charge request, a local authority will usually arrange for an inspection of the development.

This is to ensure that all works have been completed in accordance with the conditions of the planning permission and to the required standards to allow the taking in charge to proceed.

There are a number of scenarios where a developer may not engage. Sometimes a developer will leave the development in the ownership of a management company, apartments and duplexes are done this way.  In some other cases the developer may have gone into receivership.

Nonetheless, and even if a development has not been completed to the satisfaction of a local authority, if four years have passed since the expiry of the planning permission and no planning enforcement action has been taken, a local authority is obliged to take the development in charge if the majority of the homeowners submit a written request.

### **Q48/0923**  **Councillor F. Timmons**

To ask the Chief Executive, in regards to the Taking In Charge process, why are developers allowed build elsewhere without finishing estates ?

**REPLY:**

If a development is left unfinished then the Local Authority can take planning enforcement action against the developer within a certain statutory timescale to ensure the development is completed in line with the approved planning application.

There is also provision in S[ection 35 of the Planning and Development Act 2000](https://www.irishstatutebook.ie/eli/2000/act/30/section/35/enacted/en/html) whereby a planning authority can refuse planning permission for "past failures".

This is a complex process and in so doing, the planning authority must be satisfied that past failures are of a substantial nature, and will need to apply by motion on notice to the developer concerned, to the High Court, for an authorisation to refuse permission.

The High Court on hearing the application may

A) grant an authorisation to the Planning Authority to refuse permission

B) may refuse to grant an authorisation to refuse permission and remit back to the Planning Authority for a decision

c) May give such other directions

### **Q49/0923**  **Councillor F. Timmons**

To ask the Chief executive to explain the Memorandum of Understanding with Utility companies ?

**REPLY:**

The Memoranda of Understanding (MoUs) set out agreed procedures to deal with illegal dumping of waste, litter and graffiti at sub-stations, and other utility premises and structures in South Dublin County Council’s administrative area.

Among the key features in the MoU are:

* Standardised procedure for reporting illegal dumping of waste, litter and graffiti issues.
* Utility company remove illegally dumped waste and litter within 5 working days of being notified by South Dublin County Council.
* Any graffiti issue are be addressed within 10 working days (racist or other provocative graffiti will be removed within 5 working days).
* In cases where utility company cannot revert within this response timeframe due to circumstances outside of its control, utility company notify SDCC and agree a response timeframe
* Utility company can if requested provide photographic evidence to SDCC highlighting that a clean-up of the premises or structure, has been carried out and the date completed

A specific work flow chart accompanies these MOUs which generally follow these lines:

* SDCC receives complaint and identifies proprietor
* SDCC refers to utility company at a dedicated email address
* Complaint received in utility Contact Centre
* Utility contact centre directs the complaint to utility works areas
* Utility works area schedules work
* Utility works areas contacts SDCC to confirm receipt of complaint & advises SDCC of clean up date.

### **Q50/0923**  **Councillor F. Timmons**

To ask the Chief executive in regards to the Memorandum of Understanding with Utility companies, How its enforced?

**REPLY:**

The Memoranda of Understanding (MoUs) in place between South Dublin County Council and Utility Companies set out procedures to be applied to the reporting of litter and graffiti incidents by SDCC to the relevant utility in respect of their premises and structures.

When a complaint is received in respect of litter/graffiti the Council's Litter Warden investigates the complaint to ascertain the extent and nature of the complaint and also to verify the ownership of the location/box in question.

Requests for the removal of graffiti on utility boxes are referred through existing Memoranda of Understanding to the relevant utility company. In the case of graffiti a removal period of ten working days is applicable (save if the graffiti is of an offensive nature in which case the removal period is 5 working days). If these requests are not adhered to, within the timeframes specified, the Council's Litter Warden will initiate enforcement proceedings under the Litter Pollution Act 1997, as amended.

### **Q51/0923**  **Councillor F. Timmons**

To ask the Chief executive in regards to the Memorandum of Understanding with Utility companies , to consider how it could be strengthened and enforced?

**REPLY:**

The Memoranda of Understanding will be reviewed in conjunction with utility companies and consideration given to how they can be strengthened and enforced. This review is currently underway, when available an updated report will be circulated to the members.

**H6/0923 DECLARATION OF ROADS TO BE MADE PUBLIC ROADS - FOR APPROVAL**

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

**H7a/0923 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

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

**LD 1587 - Proposed disposal of substation site to ESB - Brady's Court, Old Bawn, Tallaght, D. 24**

Part VIII Public Consultation Process for the Brady’s Court social housing development was approved at Council meeting on 11th February 2020 – Certified Minute No. H11/0220 refers.

In order to facilitate power supply to this housing development, the ESB have made an application to acquire the freehold interest in a plot of land for a substation at the above address and a Right of Way (ROW) to access same. The subject plot is coloured red with the ROW coloured yellow on attached OS Sheet No. 3390-17 – Council Folio DN1933 refers.

Accordingly, I recommend that the Council disposes of its freehold interest in the plot of land coloured red, and grants a ROW to access same as coloured yellow on OS Sheet No. 3390-17, to the ESB in accordance with Section 211 & 212 of the Planning and Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001 subject to the following terms and conditions: -

1. That the Council disposes of its freehold interest in the plot of land coloured red comprising 5.72 square metres or thereabouts, on OS Sheet No. 3390-17.

2. That the Council grants a ROW to the ESB to access the above plot as coloured yellow, on OS Sheet No. 3390-17.

3. That the total consideration shall be the sum of €1 (one euro) plus VAT (if applicable). The consideration figure is exclusive of accommodation works, fees and reinstatement costs.

4. That there should be no building within three metres of Irish Water/Water Services infrastructure.

5. That the ESB shall have access to inspect, repair, and maintain the underground cables. They shall provide satisfactory advance written notice to the Council of any intended works to the cables and shall complete reinstatement works to the satisfaction of Council.

6. That the works are carried out in an efficient and reasonable timeframe once entry is made on site. All works to be carried out with minimum disruption to the Council and members of the public. All works and work procedures shall comply with Health and Safety regulations.

7. That the ESB shall pay a contribution in respect of the Council’s legal fees in the amount of €75O.

8. That in the event of any name change to Applicant prior to formal completion of the legal transfer, the Applicant must provide documentary evidence to the Council proving that the new named party is one and the same as the named Applicant heretofore to enable the transfer to complete.

9. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.

10. That the Law Agent shall draft the necessary documents and include any further terms deemed appropriate in Agreements of this nature.

11. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.

12. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed form part of the lands acquired by Compulsory Purchase Order in 1973 from Ms. Una Brady for roads and open space purposes.

**Chief Executive**

Councillor T. Costello raised a query regarding this disposal.

Mr. J Frehill, director for Economic Enterprise and Tourism Development, responded to the members’ query.

The report was **NOTED** and it was proposed by Councillor A. Edge, seconded by Councillor M. Duff, and **RESOLVED:**
That the “disposal of substation site to ESB - Brady's Court, Old Bawn, Tallaght, D. 24” be **ADOPTED** and **APPROVED**.”

**H7b/0923 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

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

**Disposal of fee simple in 111 Castle Park, Tallaght, Dublin 24.**

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  |
| 111 Castle Park, Tallaght, Dublin 24 | Philip Manalo and Thelma Manalo | €191.43 |

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

**Daniel McLoughlin**

**Chief Executive**

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

That the “Disposal of fee simple in 111 Castle Park, Tallaght, Dublin 24.” be **ADOPTED** and **APPROVED**.”

**H7c/0923 PROPOSED DISPOSAL OF PROPERTIES/SITES - FOR APPROVAL**

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

**Disposal of fee simple in 29 Alpine Heights, Clondalkin, Dublin, 22.**

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 |
| 29 Alpine Heights, Clondalkin,Dublin, 22. | Annette Donohue | € 981.00 |

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.

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Chief Executive.

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

That the “Disposal of fee simple in 29 Alpine Heights, Clondalkin, Dublin, 22.”
be **ADOPTED** and **APPROVED**.”

**H8/0923 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) Chief Executive's Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79604)
[HI 8 b) Statistical Report - July](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79592)
[HI 8 c) Statistics Report - August](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79591)
[HI 8 d) Finance Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79502)

A discussion followed with contributions from Councillors D. Ó’Brádaigh, P. Kearns, M. Duff, M. Johansson, J. Tuffy, P. Gogarty, E. Ó Broin, C. O’Connor, K. Mahon, S. Moynihan, W. Carey, C. Bailey, and A. Edge. Queries were raised in relation to housing, Lucan swimming pool, Active Schools and Active Travel programmes, Tallaght Heritage Centre, and St Cuthberts Park.

Mr. C. Ward, Chief Executive, responded to the Members’ queries.

The reports were **NOTED.**

**H9/0923 FINANCIAL ASSISTANCE FOR APPROVED HOUSING BODIES UNDER THE CAPITAL ASSISTANCE SCHEME IN ACCORDANCE WITH SECTION 6, HOUSING (MISCELLANEOUS PROVISIONS) ACT 1992 – FOR APPROVAL**

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

**REPLY:**

The Capital Assistance Scheme (CAS) is funded by the Department of Housing, Local Government & Heritage to Approved Housing Bodies (AHBs) to provide accommodation through construction or acquisition to meet specific categories of housing need, particularly in situations where tenancy supports and low to medium care is required. In many cases, AHBs provide a housing model and a range of on-site supports not normally associated with more mainstream local authority social housing schemes with the eligible categories of housing need under CAS including the following:

* Older persons
* Homeless persons (including "care leavers" exiting State care on reaching the age of 18).
* People with a disability, particularly people with a disability moving from a congregated setting into community-based living.

Under Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 it is a reserved function of the Council to approve such assistance and any associated terms and conditions under which that assistance is provided.  If approved, funding is then provided by way of a grant to AHBs and is not repayable provided that the accommodation continues to be let to eligible categories of persons and is properly maintained.

At the October 2022 Council Meeting, CAS funding of €7.5 million was approved by the Council and that funding is now committed for specific construction projects and the acquisition of various properties to meet the housing needs of applicants within the specific categories covered under CAS.

With various potential CAS developments and acquisitions under consideration in the County and to ensure appropriate provision be made in the Council's Three-Year Capital Programme 2023-2025, and to allow the Council to be responsive to CAS applications which meet the housing needs of such priority categories of applicants, particularly in the current prevailing housing market conditions, an additional approval in the sum of €10 million is now requested from the elected members.

This CAS funding approval is sought for projects supported in principle and which include a construction project of 2 homes for medical needs, acquisition of a number of second hand homes in our administrative area to exit persons from homelessness and proposed acquisition of an apartment block consisting of 8 apartments for the prevention and removal of persons from homelessness by Approved Housing Bodies.

Properties acquired, constructed, and funded through CAS will continue to be reported to the Housing SPC and Area Committees as part of regular housing delivery updates.

Accordingly, the following Motion is proposed:

"That this Council hereby approves assistance by way of grants up to the total sum of €10 million to various Approved Housing Bodies under the Capital Assistance Scheme for the acquisition and/or construction of appropriate housing units in South Dublin County in accordance with the requirements of Section 6 of the Housing (Miscellaneous Provisions) Act, 1992.”

A discussion followed with contributions from Councillors K. Mahon, C. Bailey, L. Dunne, P. Gogarty, M. Johansson, T. Costello, and E. Ó Broin. Queries were raised in relation to property type, management and proposed numbers, wraparound services for vulnerable tenants,

Ms. E. Leech, Director for Housing, Social and Community Development, responded to the Members’ queries.

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

**H10/0923 COMMUNITY & SPORT DEVELOPMENT GRANTS - FOR NOTING**

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

**REPLY:**

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
* Sports Development Grants
* 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 and 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 **32** grants totalling **€96,447.31** were approved for **29** local groups summarised as follows:

|  |  |  |
| --- | --- | --- |
| **Category** | **No:** | **Amount** |
| Community Development Grants | 13 | €31,809.04 |
| Community Events Funding | 6 | €20,295.00 |
| Sports Development Grants | 13 | €44,343.27 |
| **Total** | **32** | **€96,447.31** |

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** |
| Bawnogue Youth and Community Centre | Community Development Grant | Major Equipment Grant | €5,000.00 |
| Cherrywood Tidy Towns | Community Development Grant | Start Up Costs Grant | €500.00 |
| Clondalkin Autism Parents Support Network - (CAPS Network) | Community Development Grant | Minor Equipment Grant | €2,000.00 |
| Clondalkin Round Tower Heritage Group | Community Development Grant | Minor Equipment Grant | €1,200.00 |
| Clondalkin Women's Network | Community Development Grant | Major Equipment Grant | €3,059.04 |
| IACI - Integration of All Children In Ireland | Community Development Grant | Social Inclusion | €1,000.00 |
| Kilnamanagh Family Recreation Centre | Community Development Grant | Major Equipment Grant | €5,000.00 |
| Liffey Sounds Communication Cooperative Ltd. | Community Development Grant | Running Costs Grant | €950.00 |
| Liscarne CDC Ltd | Community Development Grant | Major Equipment Grant | €5,000.00 |
| Order of Malta Tallaght Unit | Community Development Grant | Major Equipment Grant | €5,000.00 |
| Scholarstown Wood Residents Association | Community Development Grant | Running Costs Grant | €1,000.00 |
| Scholarstown Wood Residents Association | Community Development Grant | Environmental Improvement Grant | €100.00 |
| Jobstown Celtic Football Club | Community Development Grant | Other | €2,000.00 |
| Clondalkin Addiction Support Programme | Community Events Funding | Family Fun Day | €900.00 |
| Knockmitten Youth and Community Centre | Community Events Funding | Other | €500.00 |
| Lucan Festival | Community Events Funding | Village / Community Festival | €10,000.00 |
| North Clondalkin Community Safety Programme | Community Events Funding | Family Fun Day | €3,360.00 |
| South Dublin District Council Foróige | Community Events Funding | Halloween | €2,400.00 |
| St. Patrick's GAA Club | Community Events Funding | Family Fun Day | €3,135.00 |
| Adamstown Community Badminton Club | Sports Development Grant | Major Sports Club Equipment / Improvements Grant | €5,000.00 |
| Beechpark Football Club | Sports Development Grant | Minor Sports Club Equipment / Improvements Grant | €1,450.00 |
| Clondalkin Rugby Club | Sports Development Grant | Major Sports Club Equipment / Improvements Grant | €4,000.00 |
| Croi Ro Naofa GAA Club | Sports Development Grant | Mobile Floodlight and Goalposts Grant | €5,000.00 |
| Eanna Basketball club | Sports Development Grant | Sports Coach Education Grant | €1,000.00 |
| Eanna Basketball club | Sports Development Grant | Major Sports Club Equipment / Improvements Grant | €5,000.00 |
| Glenanne Sports Club | Sports Development Grant | Mobile Floodlight and Goalposts Grant | €3,500.00 |
| Glenville FC | Sports Development Grant | Minor Sports Club Equipment / Improvements Grant | €1,906.20 |
| Jobstown Celtic Football Club | Sports Development Grant | Major Sports Club Equipment / Improvements Grant | €5,000.00 |
| Knockmitten United FC | Sports Development Grant | Major Sports Club Equipment / Improvements Grant | €4,952.07 |
| Lucan United Football Club | Sports Development Grant | Minor Sports Club Equipment / Improvements Grant | €1,000.00 |
| Palmerstown Boxing Club | Sports Development Grant | Minor Sports Club Equipment / Improvements Grant | €1,535.00 |
| St Anne's GAA Club | Sports Development Grant | Mobile Floodlight and Goalposts Grant | €5,000.00 |

A discussion followed with contributions from Councillors C. O’Connor, S. Moynihan, A. Hayes, T. Gilligan, V. Casserly, T. Costello and A .Edge who welcomed the Report and queried the provision of accessible toilet facilities at Fun/Festival days.

Ms. E. Leech, Director for Housing, Social and Community Development, responded to the Members’ query.

 The Item was **NOTED**.

**H11/0923 AUDIT REPORT 2022 - FOR NOTING**

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

[H11 (a) AFS 2022](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79473)
[H11 (b) Audit Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79474)

The item was **NOTED.**

**H12/0923 URDF – FOR NOTING**

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

[H12 (a) URDF Presentation](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79543)

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

[H12 (b) URDF Round 1 and 2 update](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79544)

Mr C. Ward, Chief Executive addressed the Members in relation to URDF funding.

A discussion followed with contributions from Councillors C. O’Connor, P. Holohan, L. Dunne, K. Mahon, M. Johansson, E. Ó Broin, J. Tuffy, G. O’Connell, C. Bailey, W. Carey, P. Kearns, and A. Edge. Queries were raised in relation to Tallaght Stadium, property type, eligible buyers, Adamstown and Clonburris affordable housing developments and funding.

Mr C. Ward, Chief Executive, Ms. E. Leech, Director for Housing, Social and Community Development, and Mr J. Frehill, Director for Economic, Enterprise and Tourism Development responded to the Members’ queries.

The items were **NOTED**.

**C1/0923 REPLIES, ACKNOWLEDGEMENTS & CORRESPONDENCE**

**Replies**

(a) Reply from the Minister of Transport in relation to Motion 4 (Road Traffic and Roads Bill 2021) at the June 2023 Special Council meeting.

(b) Reply from the Minister of Health in relation to Motion 4 (Decriminalisation of Drug Use) at the June 2022 Council meeting.

**Acknowledgements**

**Correspondence**

1. [Reply from the Minister of Transport in relation to Motion 4 (Road Traffic and Roads Bill 2021) at the June 2023 Special Council meeting](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79458)
2. [Reply from the Minister of Health in relation to Motion 4 (Decriminalisation of Drug Use) at the June 2022 Council meeting](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79459)
3. [Correspondence from Clare County Council re. Stained-glass image of St. Brigid](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79453)
4. [Correspondence from Cork County Council re. Lyme disease](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79454)
5. [Correspondence from Leitrim County Council re. School Bus drivers](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79455)
6. [Correspondence from Waterford County Council re. Active Travel Funding](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79456)
7. [Correspondence from Wexford County Council re. Use of the term "Halting Sites"](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79457)

### The Report was **NOTED**. **Emergency Motion:**

**SM1/0923**  In accordance with the provisions of Section 15 (5) of Standing Orders the Mayor, Councillor A. Edge, proposed and the Members **AGREED** to deal with an Emergency Motion in the names of Councillor L. Dunne, C. King C. Bailey, C. O’Connor, D. Richardson, D. Ó Brádaigh, E. Murphy, F. Timmons, G. O’Connell, J. Tuffy, K. Mahon, L. Donaghy, L. Sinclair, L. Guéret, M. Johansson, M. Lynch, M. Duff, P. Holohan, P. Kearns, P. Gogarty, S. Moynihan, T. Costello, W. Carey and Y. Collins.

That South Dublin County Council:

Stands in solidarity with FÓRSA members in South Dublin County Council and other local authorities across the state as they commence industrial action to address issues around job evaluation and pay; Supports their call for a formal job evaluation process to ensure workers jobs are properly graded and enumerated; Calls on Minister for Housing Darragh O’Brien, the LGMA and the Executive of South Dublin County Council to return to negotiations with FÓRSA and to agree a mechanism for progressing the job evaluation process***.***

The Motion was **AGREED.**

### **M1/0923 Local Improvement Scheme** It was proposed by Councillor A. Edge and seconded by Councillor F. Timmons that:

That this Council calls upon the Department of Rural and Community Development to include rural areas of Dublin in the Local Improvement Scheme (LIS) in order to assist in carrying out improvement works on private and non-publicly maintained roads.

**REPORT:**

If this motion is passed, a letter will be issued to the Minister for Rural and Community Development. The response, when received, will be circulated to the Members.

A discussion followed with contributions from Councillors A. Edge, S. Moynihan, E. Ó Broin, L. Hagin Meade and L. Guéret.

The Motion was **AGREED.**

### **M2/0923 Special Criminal Court**

It was proposed by Councillor D. McManus, and seconded by Councillor S. O’Hara 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.

**REPORT:**

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

An amendment to the motion was submitted by Councillor D. Ó Brádaigh, seconded by Councillor L. Dunne as follows:-

That South Dublin County Council writes to the Minister for Justice to express our support for the use of the Special Criminal Court, to combat organised crime and terrorism, support stronger safer communities ***and bring forward legislation to give effect to the recommendations of the Independent Review Group.”***

A discussion followed with contributions from Councillors D. McManus, D. Ó Brádaigh, M. Johansson, C. Bailey, P. Holohan, E. O’Brien, J. Tuffy, K. Mahon, S. Moynihan, P. Gogarty, A. Hayes, W. Carey, P. Kearns, Y. Collins, and A. Edge.

Councillor A. Edge, called for a Roll Call on the amendment to the motion the result of which was as follows:

**FOR:** **12 (Twelve)**

CouncillorsW. Carey, Y. Collins, L. Dunne, L. Guéret, A. Hayes, M. Lynch, S. Moynihan, D. Ó Brádaigh, G. O’Connell, C. O’Connor, D. Richardson, F. Timmons.

**AGAINST: 14** **(Fourteen)**

Councillors L. Donaghy, A. Edge, P. Gogarty, P. Holohan, M. Johansson, P. Kearns, K. Mahon, D. McManus, E. O’Brien, S. O’Hara, B. Pereppadan, L. Sinclair, J. Tuffy, L. Whelan.

**ABSTAIN: 6 (Six)**

Councillors C. Bailey, V. Casserly, T. Costello, L. Hagin Meade, L. McCrave, E. Ó Broin.

As a result of the Roll Call Vote, the amendment to the motion **FELL.**

Councillor A. Edge then called for a Roll Call Vote on the original motion, the results for which are as follows:

**FOR:** **12 (Twelve)**

Councillors Y. Collins, L. Guéret, A. Hayes, M. Lynch, L. McCrave, D. McManus, S. Moynihan, G. O’Connell, C. O’Connor, S. O’Hara, B. Pereppadan, F. Timmons.

**AGAINST: 11** **(Eleven)**

Councillors L. Donaghy, A. Edge, P. Gogarty, P. Holohan, M. Johansson, P. Kearns, K. Mahon, E. O’Brien, L. Sinclair, J. Tuffy, L. Whelan.

**ABSTAIN: 10 (Ten)**

Councillors C. Bailey, W. Carey, V. Casserly, T. Costello, M. Duff, L. Dunne, L. Hagin Meade, D. Ó Brádaigh, E. Ó Broin and D. Richardson.

As a result of the Roll Call Vote the motion was **AGREED.**

### **M3/0923 Medical Priority Applicants**

It was proposed by Councillor P. Gogarty, and seconded by Councillor F. Timmons and **MOVED** without debate:

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.

**REPORT:**

There are currently 402 medically approved applicants with a further 276 approved for supported living. Of these applicants 214 have been approved by the Council for ground floor accommodation with 107 persons requiring wheelchair accessible accommodation.

In accordance with the Council’s Allocation Scheme, where priority for housing accommodation is claimed on grounds consisting of/ or including medical grounds, regard is given to the report of the Council’s Medical Advisors. All allocations are carried out in accordance with the Allocation Scheme which is based on time on list.

The Council in conjunction with the Housing SPC will be commencing a review of the current Allocation Scheme later in the year and the medical approval process will be included in this review.

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.

### **M4/0923 Military Neutrality**

It was proposed by Councillor L. Sinclair and seconded by Councillor M. Johannson:

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.

**REPORT:**

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

An amendment to the motion was submitted by Councillor L. Dunne, seconded by Councillor W. Carey as follows:

That this council confirms its pride in, and continued support for, Irelands traditional policy of military neutrality and ***calls for a referendum on this issue*** and writes to the Taoiseach

A discussion followed with contributions from councillors M. Johansson, C. Bailey, D. Ó Brádaigh, L. Donaghy, E. O’Brien, G. O’Connell, Y. Collins, S. Moynihan, E. Ó Broin, L. McCrave, J. Tuffy, W. Carey, P. Kearns, and A. Edge.

Councillor A. Edge, called for a Roll Call on the amendment to the motion the result of which was as follows:

**FOR:** **8 (EIGHT)**

Councillors W. Carey, L. Dunne, M. Johansson, D. Ó Brádaigh, G. O’Connell, D. Richardson, L. Sinclair, F. Timmons.

**AGAINST:** **16 (SIXTEEN)**

Councillors Y. Collins, L. Donaghy, A. Edge, P. Gogarty, L. Guéret, L. Hagin Meade, P. Kearns, M. Lynch, L. McCrave, R. McMahon, S. Moynihan, E. O’Brien, C. O’Connor, S. O’Hara, B. Pereppadan, J. Tuffy.

**ABSTAIN:** **4 (FOUR)**

Councillors C. Bailey, M. Duff, A. Hayes, E. Ó Broin.

As a result of the Roll Call Vote, the amendment to the motion **FELL.**

Councillor A. Edge then called for a Roll Call Vote on the original motion, the results for which are as follows:

**FOR:** **17 (SEVENTEEN)**

Councillors C. Bailey, W. Carey, L. Donaghy, L. Dunne, L. Hagin Meade, A. Hayes, M. Johansson, P. Kearns, M. Lynch, R. McMahon, D. Ó Brádaigh, E. Ó Broin, G. O’Connell, D. Richardson, L. Sinclair, F. Timmons, J. Tuffy.

**AGAINST:** **0 (ZERO)**

**ABSTAIN:** **10 (TEN)**

Councillors Y. Collins, M. Duff, A. Edge, L. Guéret, L. McCrave, S. Moynihan, E. O’Brien, C. O’Connor, S. O’Hara, B. Pereppadan.

As a result of the Roll Call Vote the motion was **AGREED.**

### **M9/0923 Memorial Park**

It was proposed by Councillor F. Timmons and seconded by Councillor A. Edge and **MOVED** without debate:

That this Council look at how the motion agreed at the County Development plan below can be made a reality be rededicating an existing space or allocating a new space in our county  to support and facilitate the provision of a memorial park of remembrance for all survivors of the Mother and Baby and County Institutions.

**REPORT:**

As part of making the County Development Plan, a motion was agreed by Council and the following objective has been included in the adopted County Development Plan.

**Chapter 8** **- Community Infrastructure and Open Space - Section 8.7.6 Play Facilities - COS5 Objective 26:** *To support and facilitate the provision of a memorial park of remembrance for all survivors of the Mother and Baby and County Institutions.*

To date no location has been identified. The Council will consider suitable locations for an appropriate commemoration. In the first instance will seek advice from the Department of Children, Equality, Disability, Integration and Youth.

### **M11/0923 Lyme Disease Information**

It was proposed by Councillor M. Lynch and seconded by Councillor L. Sinclairand **MOVED** without debate:

That South Dublin County Council erect Lyme disease information and warning signage in all public parks and areas, which may pose any risk of tick bites which can result in the contraction of Lyme disease, to advise of the dangers of this disease and the steps to take to minimise the risk of contracting this chronic condition. See attached image of signage erected in Kilkenny following the adoption of a similar motion.

**REPORT:**

It is understood that the deer population are the carriers of the species of tick which can be infected by Lyme disease, while deer themselves do not appear to be affected by the disease.  Deer sightings have been reported in a number of the Council's parks such as Kiltipper Park, Dodder Valley Park and the parks along the Liffey such as Lucan Demesne and Waterstown Parks.  The Public Realm Section will examine the matter and identify a suitable way of bringing the matter to the attention of the public, either though the provision of additional signage in those parks or by adding more information to existing signage.

The general advice on the matter which is issued by the HSE though the Health Protection Surveillance Centre is to cover up when in areas where you may come in contact with the disease, to be aware of the appearance of the tick which carries it and to immediately remove any as soon as they are noticed, and to be aware of the symptoms of Lyme disease and notify your GP if you believe that you have those symptoms.  The Council will examine ways of providing links to this information through the Council website.

[M11(b) Image submitted by Cllr Lynch](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=79417)

 ***Meeting ended at 19:04***

**Motions not reached**

### **(M5) Domestic Violence** **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) Regional Policy Objectives**

**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.

### **(M7) “ 3 Day Wait” Period**

**Councillor R. McMahon**

To ask the Minister for Health and the Government to ensure that the "3 Day Wait" period be retained in the Termination of Pregnancy Act and that promises made by the Government, during the 2018 Referendum to Repeal the Eighth Amendment, not to be reneged on now.

### **(M8) "Scramblers and Quads, Know The Info" Campaign**

**Councillor M. Duff**

That this Council calls on the Chief Executive to initiate a Campaign, highlighting the "Scramblers and Quads, Know The Info" and the "Do It Right" campaign, and to work with all schools, Community Centres and Community & Voluntary Projects in our County to raise awareness.

### **(M10) Greenhouse Gas Targets**

**Councillor D. Ó Brádaigh**

This Council agrees to call on the Taoiseach and Minister for the Environment, Climate and Communications, as a matter of urgency to increase the pace of implementing imperative actions and critically examines any inactions which are contributing to missing legally binding greenhouse gas targets for 2030 and beyond.

circulated to the Members.

### **(M12) Housing Maintenance Portal**

**Councillor L. Dunne**

As members of the public have raised issues with the limitations of the Housing Maintenance Portal this Council calls on the Chief Executive to reinstate the Customer Care Desk in the Council for the public to attend for advice & emergencies, to allow for walk-ins for maintenance requests and to allow maintenance requests over the phone to support tenants who are not IT literate/or for those who do not have access to the internet or for those who have a disability.

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

Mayor

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