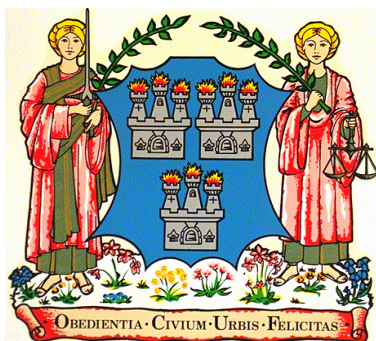


COMHAIRLE CATHRACH BHAILE ÁTHA CLIATH



Miontuairiscí Chruinniú Míosúil a tionóladh ar 7 Meán Fómhair 2015 i Seomra na Comhairle, Halla na Cathrach, Cnoc Chorcaí ag 6.15 i.n.
I Láthair an tArdmhéara Críona Ní Dhálaigh sa chathaoir

Comhairleoir:

Chris Andrews
Catherine Ardagh
Kieran Binchy
Paddy Bourke
Janice Boylan
Tom Brabazon
Christy Burke
Claire Byrne
Cathleen Carney Boud
Brendan Carr
Aine Clancy
Anthony Connaghan
David Costello
Patrick Costello
Ciáran Cuffe
Daithí De Róiste
Daithí Doolan
Pat Dunne

Comhairleoir:

Gaye Fagan
Declan Flanagan
Mannix Flynn
Mary Freehill
Gary Gannon
Alison Gilliland
Paul Hand
Seán Haughey
Jane Horgan-Jones
Vincent Jackson
Andrew Keegan
Teresa Keegan
Greg Kelly
Frank Kennedy
Dermot Lacey
Tina MacVeigh
Paul McAuliffe
Paddy McCartan

Comhairleoir:

Ruairí McGinley
Séamas McGrattan
Ray McHugh
Andrew Montague
Rebecca Moynihan
Emma Murphy
Jim O'Callaghan
Kate O'Connell
Ciáran O'Moore
Larry O'Toole
Cieran Perry
Noeleen Reilly
Nial Ring
Éilis Ryan
Bríd Smith
Paddy Smyth
Sonya Stapleton

Oifigigh

Owen Keegan
Brendan Kenny
Kathy Quinn
Jim Keogan

Michael Phillips
Carol McEntee
Vincent Norton
Oonagh Casey

Mary Pyne
Gerry Geraghty
Daithi Downey
Mary Davis

1. The Lord Mayor opened the meeting by expressing sympathy on her own behalf and on behalf of the City Council to the family of recently deceased Alexis Fitzgerald, Former Lord Mayor of Dublin and Eileen O'Keeffe, mother of Law Agent, Terence O'Keeffe. A minute's silence was observed as a mark of respect to the deceased.

The Lord Mayor then asked for and was granted the permission of the City Council for the erection of banners on Liberty Hall for the following charities:

a.) Our Ladies Hospice, "Coffee Morning Campaign", 4th - 18th September 2015

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- b.) Rape Crisis Centre “Ask Consent Campaign” 18th Sept – 2nd October 2015
- c.) Samaritans Christmas Awareness Campaign, 11th – 25th December 2015

The following conferences were approved for attendance by Members of the City Council :

- * Housing Conference 2015 *A new Direction for social housing* – on Friday 23rd October 2015, Biennial National Social Housing Conference.
- * Turning the Tide for Social Housing *Performance, Partnership & Delivery* - Wednesday 16th and Thursday 17th September 2015

The Lord Mayor also informed the Members that she was launching an Irish language initiative ; Coiste Gaeilge. She then informed the meeting that, accompanied by a cross party delegation, she had met with Minister Alan Kelly to discuss the housing and homeless crisis. She said that he had promised funding for the homeless and for voids and a package of measures for the prevention of homelessness. There was also discussion on the issue of rented accommodation. Some discussion took place around the issue and many Members expressed concern that the promised funding may not materialise.

The Lord Mayor then reminded the Members that Lord Mayor’s Charity Ball would be held Saturday 10th October and will be part of the Mansion House 300 series of events. It will be sponsored by Conference & Venue @ The Mansion House so all monies raised on the night will go directly to three great charities Cancer Clinical Research Trust (CCRT), Headway and The Rise Foundation

Congratulations were extended to both Dublin Ladies’ and Men’s senior football teams on reaching their respective All Ireland finals and both teams were wished good luck in their respective finals. The provision of a big screen showing the match in Smithfield was widely welcomed. Councillor L O’Toole asked that congratulations be sent to both Shelbourne and Bohemians Football Clubs on their anniversaries this weekend.

The Lord Mayor then informed the Members that the Director of Traffic & City Engineer, Mr Michael Phillips, would be retiring soon and as this was his last attendance at a City Council Meeting, she paid tribute to him for his excellent service to Dublin City Council over the years. Many Members joined in wishing him health and happiness in his retirement and expressed appreciation for all his help and co-operation in all their dealings with him. All present stood to give him a standing ovation. Michael responded, expressing his appreciation of the tributes that he had received.

2. Ceisteanna fé Bhuan Ordú Úimhir 16 -- It was moved by Councillor V Jackson and seconded by Councillor C Burke “That Dublin City Council approves the Dublin Chief Executive answering the questions lodged”. The motion having been put and carried, written answers to the 153 questions lodged for the City Council meeting were issued. The Questions and Answers are set out in **Appendix A** attached.
3. Letter dated 12th August 2015 from Donegal County Council conveying the terms of a motion from their July Meeting calling on the Council to request that An Taoiseach, Enda Kenny, formally ask the US Ambassador to Ireland to include Ireland in the next round of visa waivers for our undocumented Irish. It was moved by Councillor V Jackson and seconded by Councillor C Burke “That Dublin City Council notes the contents of this letter”. The motion was put and carried.

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4. Letter dated 17th August 2015 from Clare County Council conveying the terms of a motion from their July Meeting in relation to legislative anomalies regarding the provision of housing by local authorities. It was moved by Councillor V Jackson and seconded by Councillor C Burke "That Dublin City Council notes the contents of this letter". The motion was put and carried.
5. The minutes of the Special Meeting held on 29th June 2015, the Annual Meeting held on 29th June 2015 and the Monthly Meeting held on 6th July 2015, having been printed, certified by the Meetings Administrator, circulated to the Members and taken as read, were signed by the Lord Mayor.
6. Submitted Report No. 253/2015 of the Head of Finance (*K. Quinn*) – Monthly Local Fund Statement. It was proposed by Councillor R McGinley and seconded by Councillor N Reilly "That Dublin City Council notes the contents of Report No 253/2015". The motion was put and carried.
7. Submitted Report No. 238/2015 of the Chief Executive, in compliance with Section 138 of the Local Government Act 2001 informing the Council of works which are about to commence and in compliance with the Planning and Development Regulations 2001, Part 8: Herbert Park Tennis Courts. It was moved by Councillor P McCartan and seconded by Councillor D Lacey "That Dublin City Council notes Report No 238/2015 and hereby approves the contents therein". The motion was put and carried.
8. To fill a vacancy on the Dublin North East Regional Health Forum following the resignation of Councillor Gary Gannon from that Forum. – The City Council agreed to defer the filling of this vacancy to the next monthly meeting to be held on the 5th October 2015.
9. To fill one vacancy on the East Coast Regional Drugs Task Force (preferably from the Pembroke/South Dock Local Electoral Area) following its referral to South East Area Committee. It was proposed by Councillor D Lacey and seconded by Councillor K Binchy "That Councillor Sonia Stapleton be appointed as a member to represent Dublin City Council on the East Coast Regional Drugs Task Force" The motion was put and carried.
10. Vacancy on the Eastern and Midland Regional Assembly following the resignation of Councillor Seán Haughey from that Committee; It was proposed by Councillor P McAuliffe and seconded by Councillor J O'Callaghan "That Councillor Tom Brabazon be appointed as a member to represent Dublin City Council on the the Eastern and Midland Regional Assembly" The motion was put and carried.
11. Vacancy Dublin Mid-Leinster Regional Health Forum following the resignation of Councillor Mannix Flynn from that Committee – The City Council agreed to defer the filling of this vacancy to the next monthly meeting to be held on the 5th October 2015.
12. Submitted Report No. 233/2015 of the Chief Executive – Monthly Management Report – 7th September 2015. It was proposed by Councillor S McGrattan and seconded by Councillor C Burke "That Dublin City Council notes the contents of Report No 233/2015". The motion was put and carried. While it was agreed that no discussion would take place on the content of this report, nevertheless, Councillor J

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O'Callaghan wished that his objection and concern in relation to the Special Meeting of City Council held on the 8th September 2014 be recorded.

13. Submitted Report No. 245/2015 of the Assistant Chief Executive (*J. Keogan*) — Formal Addition of Domville House, Ballymun Road, Dublin 11 to the Record of Protected Structures in accordance with Section 54 and 55 of the Planning and Development Act, 2000. It was proposed by Councillor V Jackson and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No.245/2015 and approves the addition of Domville House, Ballymun Road, Dublin 11, to the Record of Protected Structures in accordance with Section 54 and 55 of the Planning and Development Act, 2000” The motion was put and carried.
14. Submitted Report No. 248/2015 of the Assistant Chief Executive (*J. Keogan*) – Addition of 9-10 Jervis Street, Dublin 1, Licensed premises – exterior only to the Record of Protected Structures in accordance with Section 54 & 55 of the Planning and Development Act, 2000. It was proposed by Councillor V Jackson and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No 248/2015. and approves the addition of 9-10 Jervis Street, Dublin 1, Licensed premises – exterior only, to the Record of Protected Structures in accordance with Section 54 and 55 of the Planning and Development Act, 2000” The motion was put and carried.
15. Submitted Report No. 249/2015 of the Assistant Chief Executive (*J. Keogan*) – Addition of 26, 27, 28, 29 & 30 Henry Street, Dublin 1 to the Record of Protected Structures in accordance with Section 54 & 55 of the Planning and Development Act, 2000. It was proposed by Councillor V Jackson and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No 249/2015. and approves the addition of 26, 27, 28, 29 & 30 Henry Street, Dublin 1, to the Record of Protected Structures in accordance with Section 54 and 55 of the Planning and Development Act, 2000” The motion was put and carried.
16. Submitted Report No. 250/2015 of the Assistant Chief Executive (*J. Keogan*) – Addition of 2 St. Mary's Place North, Dublin 7, Former Christian Brothers School, including entrance steps and railings to the Record of Protected Structures and Deletion of 1 St. Mary's Place North, Dublin 7, Former Christian Brothers School (hostel), including entrance steps and railings from the Record of Protected Structures, in accordance with Section 54 and 55 of the Planning and Development Act, 2000.

It was proposed by Councillor V Jackson and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No.250/2015 and approves the addition of 2 St. Mary's Place North, Dublin 7, Former Christian Brothers School, including entrance steps and railings to the Record of Protected Structures and Deletion of 1 St. Mary's Place North, Dublin 7, Former Christian Brothers School (hostel), including entrance steps and railings from the Record of Protected Structures, in accordance with Section 54 and 55 of the Planning and Development Act, 2000” The motion was put and carried.
17. Submitted Report No. 251/2015 of the Assistant Chief Executive (*J. Keogan*) - Addition of 14, 15 & 16 Great Denmark Street, Dublin 1 to the Record of Protected Structures in accordance with Section 54 and 55 of the Planning and Development Act, 2000. It was proposed by Councillor V Jackson and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No.251/2015 and

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approves the addition of 14, 15 & 16 Great Denmark Street, Dublin 1, to the Record of Protected Structures in accordance with Section 54 and 55 of the Planning and Development Act, 2000” The motion was put and carried.

18. Submitted Report No. 255/2015 of Director of Traffic/City Engineer (M. Phillips) – Report on the proposed Section 85 Agreement regarding the progression of the design of the River Dodder Greenway. It was proposed by Councillor M Flynn and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No 255/2015 and that the powers, functions and duties of Dublin City Council in relation to

- a) The project management of the environmental services required to develop the proposed Greenway along the entire length of the River Dodder including areas within Dublin City Council’s functional area.
- b) The design of a section of the proposed Greenway within the Dublin City Council owned Bohernabreena reservoirs at Glenasmole.
- c) In the event that the preliminary design and environmental assessment process for the Dodder Greenway deems that an application to An Bord Pleanála is warranted then South Dublin County Council will manage the submission process on behalf of Dublin City Council
- d) The preliminary design, approvals process, detailed design, procurement of contractors and construction of 2 No. cycle and pedestrian bridges across the River Dodder bridging between South Dublin County Councils functional area and Dublin City Councils function area at Bushy Park, Terenure and Orwell Park, Rathgar.

shall be exercised and performed by South Dublin County Council, and that Dublin City Council enter into an agreement with South Dublin County Council pursuant to Section 85 of the Local Government Act, 2001 to give effect to this agreement.” The motion was put and carried. The City Council requested a report encompassing all the various elements/proposals for the River Dodder be prepared and it further proposed that a committee be set up comprising Members and officials of both the local authorities to oversee this project.

19. Submitted Report No 257/2015 of Assistant Chief Executive (*J. Keogan*) – Draft Section 48 Development Contribution Scheme 2016-2020. It was proposed by Councillor R McGinley and seconded by Councillor T Keegan “That Dublin City Council notes the contents of Report No 257/2015”. The motion was put and carried.

20. Submitted Report No. 240/2015 of the Executive Manager (*D. Wallace*) - Amendment to the City Council’s Protocol to erect Temporary Posters/Notices on Dublin City Council Property to Advertise Public Meetings/Events. It was proposed by Councillor M Flynn and seconded by Councillor V Jackson “That Dublin City Council notes the contents of Report No 240/2015 and hereby approves the amendments to the City Council’s Protocol to erect Temporary Posters/Notices on Dublin City Council Property to Advertise Public Meetings/Events as set out therein”. The motion was put and carried.

21. Submitted Report No. 254/2015 of the Executive Manager (*C. Reilly*) - With reference to the disposal of the Fee Simple Interest under the Landlord and Tenant (Ground Rents) (No. 2) Act, 1978 in 34 premises. It was proposed by Councillor C Andrews and seconded by Councillor V Jackson “That Dublin City Council notes the contents of Report No 254/2015 and assents to the proposal outlined therein” The motion was put and carried.

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22. Submitted Report No. 247/2015 of the Assistant Chief Executive (*J. Keogan*) – With reference to the proposed disposal of the Council's fee simple interest in the site formerly known as Site G, Tallaght Town Centre, Dublin 24. It was proposed by Councillor C Andrews and seconded by Councillor V Jackson "That Dublin City Council notes the contents of Report No 247/2015 and assents to the proposal outlined therein" The motion was put and carried.
23. Submitted Report No 258/2015 of Assistant Chief Executive (*J. Keogan*) – With reference to the proposed disposal of a plot of ground to the rear of 15 Marino Green, Marino, Dublin 3. It was proposed by Councillor C Andrews and seconded by Councillor V Jackson "That Dublin City Council notes the contents of Report No 258/2015 and assents to the proposal outlined therein" The motion was put and carried.
24. Submitted Report No 259/2015 of the Assistant Chief Executive (*J. Keogan*) – With reference to the proposed disposal of a plot of ground to the rear of 15 Saint Aidan's Park Avenue, Marino, Dublin 3. It was proposed by Councillor C Andrews and seconded by Councillor V Jackson "That Dublin City Council notes the contents of Report No 259/2015 and assents to the proposal outlined therein" The motion was put and carried.
25. Submitted Report No 260/2015 of the Assistant Chief Executive (*J. Keogan*) – With further reference to the disposal of the Council's interest in a laneway to the rear of Nos. 32-46 Clonshaugh Crescent, Dublin 17. It was proposed by Councillor C Andrews and seconded by Councillor V Jackson "That Dublin City Council notes the contents of Report No 260/2015 and assents to the proposal outlined therein" The motion was put and carried.
26. Submitted Report No 261/2015 of the Assistant Chief Executive (*J. Keogan*) – With reference to the proposed disposal of site for a substation at Father Collins Park, Donaghmede, Dublin 15 to the Electricity Supply Board. It was proposed by Councillor C Andrews and seconded by Councillor V Jackson "That Dublin City Council notes the contents of Report No 261/2015 and assents to the proposal outlined therein" The motion was put and carried.
27. Submitted Report No 262/2015 of the Assistant Chief Executive (*J. Keogan*) – With reference to the proposed grant of a sublease of the 2nd Floor of the Ormond Building, Ormond Quay, Dublin 7 to Megatransfert Technologies Limited / MGT Ltd. It was proposed by Councillor C Andrews and seconded by Councillor V Jackson "That Dublin City Council notes the contents of Report No 262/2015 and assents to the proposal outlined therein" The motion was put and carried.
28. Submitted Report No 263/2015 of the Assistant Chief Executive (*J. Keogan*) – With reference to the proposed grant of a lease of property at Cherry Orchard Green, Ballyfermot, Dublin 10. It was proposed by Councillor C Andrews and seconded by Councillor V Jackson "That Dublin City Council notes the contents of Report No 263/2015 and assents to the proposal outlined therein" The motion was put and carried.
29. Submitted Report No. 264/2015 of the Assistant Chief Executive (*J. Keogan*) – With reference to the proposed grant of a lease of the premises at 1-12 Hogan Court,

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Wilson's Place, Dublin 2 to Peter McVerry Trust. The City Council agreed to defer consideration of this report to the Special Meeting to be held on the 16th September 2015 to enable the consultation process to be completed.

30. Submitted Report No 231/2015 of the Chairperson of the Arts, Culture, Recreation and Community Strategic Policy Committee (*Councillor Mary Freehill*) – Breviate of meeting held on 6th July 2015. It was proposed by Councillor S McGrattan and seconded by Councillor C Burke “That Dublin City Council notes the contents of Report No 231/2015”. The motion was put and carried.
31. Submitted Report No. 234/2015 of the Chairperson of the Planning and International Relations Strategic Policy Committee (*Councillor Andrew Montague*) – Breviate of meeting held on 23rd June 2015. It was proposed by Councillor R McGinley and seconded by Councillor T Keegan “That Dublin City Council notes the contents of Report No 234/2015”. The motion was put and carried.
32. Submitted Report No. 244/2015 of the Chairperson of the Housing Strategic Policy Committee (*Councillor Daithí Doolan*) – Breviate of meeting held on 8th July 2015. It was proposed by Councillor D Doolan and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No 244/2015”. The motion was put and carried.
33. Submitted Report No. 246/2015 of the Chairpersons of the Housing and Planning and International Relations Strategic Policy Committee (*Councillors Daithí Doolan & Andrew Montague*) – Breviate of meeting held on 22nd July 2015. It was proposed by Councillor D Doolan and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No 246/2015”. The motion was put and carried.
34. Submitted Report No. 239/2015 of the Chairperson of the Environment Strategic Policy Committee (*Councillor Naoise Ó Muirí*) – Breviate of meeting held on 22nd April 2015. It was proposed by Councillor C Burke and seconded by Councillor D Flanagan “That Dublin City Council notes the contents of Report No 239/2015”. The motion was put and carried.
35. Submitted Report No 241/2015 of the Chairperson of the Environment Strategic Policy Committee (*Councillor Naoise Ó Muirí*) – Breviate of meeting held on 24th June 2015. It was proposed by Councillor N Reilly and seconded by Councillor C Burke “That Dublin City Council notes the contents of Report No 241/2015”. The motion was put and carried.
36. Submitted Report No. 235/2015 of the North West Area Committee – Breviate for the month of July 2015 – *Councillor Áine Clancy, Chairperson*. It was proposed by Councillor S McGrattan and seconded by Councillor T Keegan “That Dublin City Council notes the contents of Report No 235/2015”. The motion was put and carried.
37. Submitted Report No. 236/2015 of the North Central Area Committee – Breviate for the month of July 2015 – *Councillor Ciarán O'Moore, Chairperson*. It was proposed by Councillor C O'Moore and seconded by Councillor L O'Toole “That Dublin City Council notes the contents of Report No 236/2015”. The motion was put and carried.

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38. Submitted Report No. 228/2015 of the North Central Area Committee – Breviate of Special Meeting held on 30th June 2015 – *Councillor Ciarán O'Moore, Chairperson*. It was proposed by Councillor C O'Moore and seconded by Councillor E Murphy "That Dublin City Council notes the contents of Report No 228/2015". The motion was put and carried.
39. Submitted Report No. 265/2015 of the Central Area Committee – Breviate for the month of July 2015 – *Councillor Nial Ring, Chairperson*. It was proposed by Councillor J Boylan and seconded by Councillor C Burke "That Dublin City Council notes the contents of Report No 265/2015". The motion was put and carried.
40. Submitted Report No. 242/2015 of the South Central Area Committee – Breviate for the month of July 2015 – *Councillor Ray McHugh, Chairperson*. It was proposed by Councillor R McHugh and seconded by Councillor P Hand "That Dublin City Council notes the contents of Report No 242/2015". The motion was put and carried.
41. Submitted Report No. 232/2015 of the South East Area Committee – Breviate for the month of July 2015 – *Councillor Paddy McCartan, Chairperson*. It was proposed by Councillor R McGinley and seconded by Councillor D Lacey "That Dublin City Council notes the contents of Report No 232/2015". The motion was put and carried.
42. Submitted Report No 252/2015 of the Protocol Committee (*Councillor Dermot Lacey, Chairperson*) – Breviate of meeting held on 2nd July 2015. It was proposed by Councillor D Lacey and seconded by Councillor P McCartan "That Dublin City Council notes the contents of Report No 252/2015". The motion was put and carried.
43. Submitted Report No 237/2015 of the North Central Area Joint Policing Subcommittee (*Councillor Larry O'Toole, Chairperson*) – Breviate of meeting held on 20th July 2015. It was proposed by Councillor L O'Toole and seconded by Councillor C Burke "That Dublin City Council notes the contents of Report No 237/2015". The motion was put and carried.
44. Submitted Report No 243/2015 of the South Central Area Joint Policing Subcommittee (*Councillor Vincent Jackson, Chairperson*) – Breviate of meeting held on 31st July 2015. It was proposed by Councillor P Hand and seconded by Councillor A Connaghan "That Dublin City Council notes the contents of Report No 243/2015". The motion was put and carried.
45. TOPICAL ISSUES – One issue was submitted but the City Council voted not to take this item.
46. *Emergency Motions* - The City Council suspended Standing Orders to agree the following emergency motion without debate. They also agreed to refer this motion to the Local community Development Committee for their consideration. This motion was submitted in the name of Councillor N Reilly and was seconded by Councillor P McAuliffe.

"That this Council calls for the reversal of the decision to close the Ballymun Young Women's Programme. Due to the SICAP process where the Ballymun/Whitehall partnership lost the bid it meant that the partnership could no longer act as host to the Young Women's Programme. A very poor attempt was made to find an alternative host with only one party being considered and

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the CDYSB have now decided to pull the programme despite other interested parties in Ballymun willing to act as host. The 3 employees as well as the former host the Ballymun/Whitehall Partnership have received nothing in writing as to the reasons for making this decision”

47. The following motion in the name of Councillor M O'Brien, standing at Item No 37 on the Agenda Paper, was deferred with the agreement of the City Council.
“That Dublin City Council:
- Noting the welcome passing of the marriage equality referendum by a wide margin reflecting a qualitative shift in public opinion in favour of progressive social change particularly among the youth and working class communities where the highest 'Yes' votes were recorded and
- Further noting recent reports from Amnesty International and the UN Committee on Economic, Social and Cultural Rights critiquing Ireland's highly restrictive abortion laws
- Calls on the government to hold a referendum during the remainder of this Dáil term to repeal the eighth amendment of the Constitution.
48. It was proposed by Councillor R McGinley and seconded by Councillor M Flynn “That this City Council supports measures for a Noise Control Act and seeks a report from the DoECLG on the matter”. The motion was put and carried.
49. It was proposed by An tArdmhéara Críona Ní Dhálaigh and seconded by Councillor S McGrattan “In noting that Dublin is in the midst of an unprecedented housing crisis, this City Council will explore and investigate all means of providing good quality, secure accommodation as an alternative to emergency hotel or B&B accommodation in Dublin, including the option of modular housing. Any final decisions must be made in full consultation with and receive the support of the elected members of Dublin City Council” The motion was put and carried.
50. It was proposed by Councillor D Doolan and seconded by Councillor J Boylan “That Dublin City Council proceeds with seeking Part 8 Planning Permission for housing on council land zoned for housing” The motion was put and carried.
51. It was proposed by V Jackson and seconded by Councillor R McHugh “That Dublin City Council brings forward a plan to provide a suitable street furniture plan for Dublin City Centre &, as part of this, identify some solutions to the lack/ non existence of restrooms within the city” The motion was put and carried.
52. As the Motion No 61 was on a related topic, the City Council agreed to take it at this time. Accordingly, it was proposed by Councillor R McHugh and seconded by Councillor Greg Kelly “That Dublin City Council agrees to the return of Public Toilets to main streets of our city” The motion was put and carried.

The meeting concluded at 9.30pm in accordance with Standing Orders and all items remaining on the Agenda were deferred to the next meeting of the City Council to be held on the 5th October 2015.

Correct.

LORD MAYOR

MEETINGS ADMINISTRATOR

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APPENDIX A: MINUTES OF MONTHLY MEETING HELD ON 7th SEPTEMBER 2015

QUESTIONS LODGED PURSUANT TO STANDING ORDER NO.16 FOR REPLY AT THE MONTHLY MEETING OF DUBLIN CITY COUNCIL TO BE HELD ON MONDAY, 7TH SEPTEMBER 2015

Q.1 COUNCILLOR RUAIRÍ MCGINLEY

To ask the Chief Executive, in relation to housing adaptations for disabled people, to set out the number and value of grant applications that are on file and to supply an aging by year as to when the application was first submitted to Dublin City Council.

CHIEF EXECUTIVE'S REPLY:

Home Grants – August 2015

	No of Grants Paid in 2015	Total Value of Grants paid in 2015	No of grants where commitment has been entered into	Total value of grants where commitment has been entered into	No of grants on hand awaiting approval	Total Value of Grants (estimated) on hand awaiting approval
Housing Adaptation Grant Scheme	357	€2,512,736.44	241	€2,323,481	459	€4,425,219
Mobility Aids Grant Scheme	41	€136,886.65	37	€185,592	40	€200,640
Housing Aid for Older People Grant Scheme	55	€157,821.45	46	€ 210,358	54	€246,942

Q.2 COUNCILLOR RAY MCHUGH

To ask the Chief Executive to arrange for an inspection at **(details supplied)** as I have several complaints from taxi drivers that the drop off point at **(details supplied)** is being used by some taxi drivers as a pick up and this is causing a problem as these drivers are skipping the taxi queue, a redesign of the rank would possible resolve the problem.

CHIEF EXECUTIVE'S REPLY:

The Dublin City Council Taxi Rank Bye-Laws have recently been reviewed and having twice been open to public consultation, the final draft is now being prepared which will be submitted to the September meeting of the Transportation SPC. It is not proposed to initiate any changes to the taxi ranks at **(details supplied)**.

The complaint relates to driver behaviour and as such is an issue for the National Transport Authority.

Q.3 COUNCILLOR RAY MCHUGH

To ask the Chief Executive, in light of the recent revelations, can he advise this Council what action Dublin City Council are taking to replace lead piping going into some of our housing stocks.

CHIEF EXECUTIVE'S REPLY:

No assessment has been carried out to date. Housing Maintenance have contacted Irish Water in order to cross reference addresses where they, through their meter installation programme have identified addresses with lead piping, with our own database of DCC owned addresses. This will indicate the scale of any replacement programme, on the basis of which submissions will be made for funding.

APPENDIX A: MINUTES OF MONTHLY MEETING HELD ON 7th SEPTEMBER 2015

In the meantime it has been the policy of DCC (and has been since the mid seventies) to replace with alternative materials any lead pipes found on our premises. This replacement procedure has occurred through normal maintenance requests, void turnaround and estate refurbishment programmes (PIPs, etc). Adding extra inspections of water supply piping to DCC owned houses through existing contracts (e.g. the Boiler Servicing contract) is also being investigated.

Water related queries should be forwarded to Irish Water directly at the following contact details:

Telephone: 1890278278 (Lo-Call)
Web: www.water.ie
Twitter: @Irish Water
Postal Address: Irish Water, PO Box 860, South City Delivery Office, Cork City.
Email: localrepsupport@water.ie

Q.4 **COUNCILLOR RAY MCHUGH**

Will the Chief Executive supply this Councillor with an update on the request for a replacement Hall Door for **(details supplied)**?

CHIEF EXECUTIVE'S REPLY:

The front door in this dwelling was inspected in August of this year and categorised as 'Category B' for replacement. An order was placed with our Joinery Workshop.

Category	Description	Estimated Timeframe
B	Partial rot. Senior Citizens. Reduced integrity.	12 months (approximately, depending on demand).

As category 'B' orders are not deemed urgent no date can be given for manufacture and installation at this time.

Q.5 **COUNCILLOR RUAIRI MCGINLEY**

To ask the Chief Executive to carry out the urgent repairs need to the footpath in front of shops on Terenure Road West, which is in a dangerous condition? This hazardous location has been pointed out on many occasions with no response from Dublin City Council to date.

CHIEF EXECUTIVE'S REPLY:

Arrangements will be made to inspect this location and any defects found will be put on our works programme.

Q.6 **COUNCILLOR RAY MCHUGH**

To ask the Chief Executive to arrange for an inspection of the sewer shore at the back of **(details supplied)** as there is an ongoing problem that needs to be resolved before it becomes a health issue.

CHIEF EXECUTIVE'S REPLY:

The Area Maintenance Officer confirms that repairs to the soil pipe and ground works at this location were carried out in early August 2015.

APPENDIX A: MINUTES OF MONTHLY MEETING HELD ON 7th SEPTEMBER 2015

Q.7 COUNCILLOR RUAIRI MCGINLEY

To ask the Chief Executive to take urgent steps to improve security at a Dublin City Council complex - **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

This complex **(details supplied)** was completed in 2009 and included many safety features, not present in the older complexes, such as fire alarms in the common areas, security doors at the block entrances, alarm in the lift in case of power failure, etc. These systems are installed for the safety of the residents but, unfortunately they are vulnerable to vandalism as in this case.

The fire alarm has been tampered with in the past which has led to false alarms causing unnecessary upset to residents and a waste of resources.

The security door at Block 'A' where **(details supplied)** resides has been repaired eighteen times since the block was occupied although the security doors in the other three blocks have had minimal repairs carried out. Although the faults have been reported, it has never been ascertained who is carrying out the vandalism.

In relation to this resident **(details supplied)**, a complaint was logged regarding a broken lock on hall door on 6th July 2015. Sundrive Road Depot replaced the lock and noted that both handles had been removed by the tenant. The maintenance staff reported that there was no evidence of a break in and that the tenant stated he would be removing the handles once they had left. There is no CCTV in the complex to mount a criminal investigation.

Q.8 COUNCILLOR SEÁN HAUGHEY

To ask the Chief Executive the following: **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.9 COUNCILLOR LARRY O'TOOLE

To ask the Chief Executive to respond to this housing transfer application: **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.10 COUNCILLOR LARRY O'TOOLE

To ask the Chief Executive to respond to this query: **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.11 COUNCILLOR CHRISTY BURKE

To ask the Chief Executive if Dublin City Council will install carbon alarms at **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A request will be made for a contractor to carry out an inspection in relation to carbon monoxide in this dwelling.

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Q.12 **COUNCILLOR CHRISTY BURKE**

To ask the Chief Executive if any progress has being made by the Dept. of Environment regards the 18 million shortfall for the homeless service and would the Chief Executive in his reply give me exact update as to progress?

CHIEF EXECUTIVE'S REPLY:

The Department of Environment, Community and Local Government has indicated that they will examine and consider the reported estimated deficit with DCC in September 2015 having regard to "actual spend on homeless" at that point in time. Therefore, DCC will engage with the department as per this request made.

Q.13 **COUNCILLOR CHRISTY BURKE**

To ask the Chief Executive what plans Dublin City Council have to regulate the rickshaws that drive about the City with no insurance, no license and no set charges and when will the Chief Executive agree a policy to regulate them.

CHIEF EXECUTIVE'S REPLY:

Dublin City Council drafted bye-laws to regulate rickshaw operations in 2013. We then received legal advice that indicated the Council does not have adequate statutory powers to regulate the operation of rickshaws and that primary legislation would be required. Since then we have been engaging with the National Transport Authority to develop a framework for the regulation of rickshaw operations. The issue of regulation of these operations is quite complex due to variations in the types of rickshaws being used. The issue of seizure of rickshaws has also to be addressed. It is hoped that a regulatory framework can be drawn up once certain technical issues can be clarified. The NTA recently sought a full legal opinion on all legislative implications surrounding the regulation of rickshaws. The Senior Counsel's advice is now to hand and is being examined with a view to progressing a joint approach. The Gardaí have confirmed that the recently introduced fixed penalty notices for cyclists also apply to pedal powered rickshaws. These penalties cover issues such as rickshaws operating in pedestrian areas and cycling without reasonable consideration. It is hoped that a full report will be brought before the Transportation Strategic Policy Committee shortly.

Q.14 **COUNCILLOR CHRISTY BURKE**

To as the Chief Executive if all shores at **(details supplied)** are cleaned up to help prevent flooding.

CHIEF EXECUTIVE'S REPLY:

The Road Drainage Unit will examine and clean the gullies at **(details supplied)**.

Q.15 **COUNCILLOR BRÍD SMITH**

To ask the Chief Executive to provide the following information:
How much is spent annually on the contract to provide hoarding to board up void houses?
Who currently holds the contract and how often is the contract renewed or reviewed?

CHIEF EXECUTIVE'S REPLY:

The spend on securing vacant dwellings by the City Council for 2014 was €298,368.

The current contractor for securing vacant dwellings is E&M Security Ltd. This contract is currently under review and due for re-tender in the coming months.

Q.16 **COUNCILLOR LARRY O'TOOLE**

To ask the Chief Executive to respond to this query: **(details supplied)**

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CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.17 COUNCILLOR LARRY O'TOOLE

To ask the Chief Executive to respond to this query: **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.18 COUNCILLOR SEÁN HAUGHEY

To ask the Chief Executive the following: **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.19 COUNCILLOR NOELEEN REILLY

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.20 COUNCILLOR NOELEEN REILLY

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.21 COUNCILLOR NOELEEN REILLY

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.22 COUNCILLOR NOELEEN REILLY

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.23 COUNCILLOR PAUL MCAULIFFE

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.24 COUNCILLOR NIAL RING

To ask the Chief Executive to detail the following in relation to the Three Patrons Park opposite the Mater Hospital on Eccles Street/Berkeley Road.

a. Who owns the park?

b. Does Dublin City Council maintain the park?

c. Is the park open to the public (my information is that it is not)?

d. Can the Chief Executive arrange that all interested parties and stakeholders meet and that the park is brought into use for the benefit of the local community, the general public and patients of the Mater Hospital?

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CHIEF EXECUTIVE'S REPLY:

- a) The park is in the ownership of the Mater Hospital and its Trustees.
- b) Dublin City Council's Parks Department maintain the Park.
- c) The Park is not open to the public and would require considerable investment in relation to lighting, seating, footpaths to enable it to open.
- d) The Central Area Office will convene a meeting with the relevant stakeholders to discuss the future of the Park.

Q.25 COUNCILLOR NIAL RING

To ask the Chief Executive for the anti-social policy unit statistics for each Dublin City Council administrative area for year to date to include number of anti-social complaints per 1997 Act - drug related number of anti-social complaints per 1997 Act - not drug related number of other complaints (nuisance)

Number of interviews per 1997 Act
Number of other interviews
Number of mediation requested

Number of live case files
Number of case files closed

Number of S20 evictions
Number of Excluding Orders (by category)
Number of Surrender of Tenancy due to anti-social behaviours

CHIEF EXECUTIVE'S REPLY:

Please see below statistics for 2014 which are our most up to date figures.

	Sth East	Sth Central	Central	Nth W	Nth C
Number of interviews per 1997 Act	5	167	101	136	23
Number of other interviews	86	344	87	32	256
Number of mediation requested	1	4	1	2	0
Number of live case files	n/a	108	189	n/a	46
Number of case files closed	n/a	224	225	n/a	681
Number of S20 evictions	0	1	0	0	0
No. of Excluding Orders (by category)	0	0	0	0	0
No. Surrender of Tenancy due to ASB	2	0	3	1	3

Q.26 COUNCILLOR NIAL RING

To ask the Chief Executive to detail the following in relation to the extension of operating time for the College Green "bus corridor":

- a. Who has the legal right to extend the operating hours and who made the decision to extend the operating hours?
- b. Who would have been consulted on the proposed extension of hours?
- c. Were the Dublin Chamber of Commerce, Dublin Town (BID) and/or the DCBA asked for opinion/input into the decision?
- d. Have members of the public any right to be consulted?
- e. What influence/rights have City Councillors in the process?
- f. What is the proposed time-scale for the extended hours?

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g. Can the Chief Executive give a categorical assurance that the extension of operating time of the bus corridor is temporary and not part of an overall strategy to covertly start to implement some of the recommendations of the Dublin City Centre Transport Study, especially the proposal to extend the current bus corridor to operate on a 24 hour basis?

CHIEF EXECUTIVE'S REPLY:

- a. The extension of the bus corridor hours is an executive function and the statutory order is made by the Executive Manager, Environment and Transportation Department, following a technical /engineering recommendation from the Traffic Division.
- b. The extension of the hours was requested by Dublin Bus due to the nature of the delays in their bus services which resulted from the works at College Green. This issue was discussed at the Transportation SPC meeting on 10th June 2015 where the rationale for the extended hours was explained and the Committee noted that the measure would be put in place in August. In addition the Garda Siochana were also consulted regarding this measure and agreed with the extension of hours.
- c. Yes Dublin Town and DCBA are members of the Transportation SPC and were present at the June meeting and like all members were given the opportunity to provide input and voice their opinion on the extension.
- d. There is no requirement to consult with members of the public on this matter.
- e. The extension of the Bus corridor hours was brought to the SPC in June and the breviat of that meeting including the decision to implement the bus corridor extension was noted by the Councillors at the July City Council meeting.
- f. The extension is of a temporary nature to accommodate the works in College Green and at present we don't have a complete time scale from the contractor.
- g. The current extension is solely as a response to the Luas works which are underway at this location and is not a covert implementation of the City Centre Transport Study.

Q.27 COUNCILLOR NIAL RING

To ask the Chief Executive how private companies can have parking spaces allocated to them on what appear to be public footpaths. I refer, in particular, to marked spaces on the Howth Road at Killester village. There are a number of car parking spaces marked out on the pathway for two local firms, namely Sherry Fitzgerald Auctioneers and Garland McDonald Accountants. Can the Chief Executive confirm:

- a. If these parking spaces are on public footpaths or not?
- b. Who gave permission for the parking spaces to be marked with the names of the firms and what is the process involved in privatising public car parking spaces?
- c. What is DCC policy regarding such markings/privatisation of parking spaces?
- d. If these spaces have been illegally marked, what remedies are available to DCC to bring these spaces back into public use?

CHIEF EXECUTIVE'S REPLY:

Roads Maintenance Division have confirmed that this location is private and are not part of the public footpath. As such the Council has no input as regards the marking

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out of spaces on this private area. I attach a map showing the private area at Killester Village marked in red.

Q.28 COUNCILLOR DECLAN FLANAGAN

To ask the Chief Executive to give an update regarding the plans for **(details supplied)**.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.29 COUNCILLOR DECLAN FLANAGAN

To ask the Chief Executive to provide an update in relation to **(details supplied)**.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.30 COUNCILLOR DECLAN FLANAGAN

To ask the Chief Executive to respond to the following **(details supplied)**:

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.31 COUNCILLOR DECLAN FLANAGAN

To ask the Chief Executive to provide an update on **(details supplied)**.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.32 COUNCILLOR PAUL HAND

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.33 COUNCILLOR PAUL HAND

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.34 COUNCILLOR CHRIS ANDREWS

To ask the Chief Executive to have the broken footpath outside **(details supplied)** made safe as the resident is a senior citizen and is nervous of tripping on this hazardous pavement

CHIEF EXECUTIVE'S REPLY:

The footpath outside **(details supplied)** was inspected and no defects were found.

Q.35 COUNCILLOR CHRIS ANDREWS

When will the glass feature that is in Portobello Harbour Square be fixed, as it is currently in bits and a commitment was given about 8 months ago that it would be restored after a child cut themselves on it.

CHIEF EXECUTIVE'S REPLY:

The improvement works at Portobello Harbour were completed on 6 August 2015.

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Q.36 COUNCILLOR CHRIS ANDREWS

Will the Chief Executive have lower branches on the trees opposite (**details supplied**) cut back as they are low hanging and a commitment was given previously to cut them?

CHIEF EXECUTIVE'S REPLY:

The tree at this location has been inspected and it has been noted for pruning. It is anticipated that the tree will be pruned over the coming weeks.

Q.37 COUNCILLOR CHRIS ANDREWS

Can the Chief Executive indicate the following:

- b) How many incidents have been reported where footpaths are broken and made dangerous by the roots of trees breaking up the footpaths?
- c) How much does it cost to repair these pavements?
- d) How many insurance claims have been made as a result of broken footpaths?

CHIEF EXECUTIVE'S REPLY:

- a) 2014 = 175 2015 (up to May) = 70
- b) These repairs by virtue of their nature tend to be small areas at widely dispersed locations and so are subject to substantial overheads – the rates vary from 700 Euro/m² for Modular Stone paving (as in O'Connell Street) to 100 Euro/m² for a bituminous surface of greater than 10/m² in a Traffic Impact 1 or 2 road.
- c) To date in 2015 Dublin City Council has received 137 claims as a result of broken/defective footpaths.

Q.38 COUNCILLOR RUAIRI MCGINLEY

To ask the Chief Executive to install a guide line of sufficient width along the middle of the pavement on Whitworth Road, Drumcondra to guide pedestrians with sight loss. The road has many pedestrians with sight loss who would benefit from improvements to footpath.

CHIEF EXECUTIVE'S REPLY:

The above request has been added to the list of Engineer's queries for the North West Area. A report and recommendation will issue to the Councillor following examination of the matter

Q.39 COUNCILLOR FRANK KENNEDY

To ask the Chief Executive to correct the uneven footpath surface on Bloomfield Avenue, Donnybrook. The footpath along Bloomfield Avenue from Morehampton Road leads to the entrance to the Royal Hospital Donnybrook, and an even surface would improve access for wheelchairs as well as patients and visitors travelling on foot.

CHIEF EXECUTIVE'S REPLY:

The footpaths along Bloomfield Avenue were inspected and found to be in a reasonable condition so no action is recommended.

Q.40 COUNCILLOR FRANK KENNEDY

To ask the Chief Executive to place prominent and effective signage on Sean O'Casey Bridge notifying cyclists and pedestrians that cycling is prohibited on this bridge. This Bridge is currently used by cyclists with regularity notwithstanding the ban and the current signage is utterly ineffective.

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CHIEF EXECUTIVE'S REPLY:

Additional 'No Cycles' signage will be provided on the middle bollards at the entrances to the bridge. The existing no cycling signage, which is not in accordance with the statutory Traffic Signs Manual, will also be replaced.

Q.41 COUNCILLOR FRANK KENNEDY

To ask the Chief Executive to place some kind of mirror or reflector at the extremely sharp bend at the corner of Clyde Lane to give an advance warning to motorists and pedestrians/cyclists of the traffic of all kinds coming in the opposite direction. As the attached photographs show this corner is at a perfect right angle, utterly blind, narrow and extremely dangerous. Due to its location immediately adjacent to both a school and a park, this Lane is frequented by pedestrians (a substantial number of whom are children) seven days a week. Furthermore, due to the narrowness of the footpath, pedestrians will sometimes walk on the road, augmenting the risk. (photos attached)

CHIEF EXECUTIVE'S REPLY:

The above request has been added to the list of engineer's queries for the South East Area. A report and recommendation will issue to the Councillor following examination of the matter.

Q.42 COUNCILLOR FRANK KENNEDY

To ask the Chief Executive to install adequate street lighting in Norwood Park, Ranelagh. Norwood Park is extremely dark at night and this problem will be particularly acute coming into the winter.

CHIEF EXECUTIVE'S REPLY:

There is no 2015 Public Lighting Improvement Programme. However, Dublin City Council is about to embark on a programme of replacing all of its low pressure sodium lighting with new LED lights over the next few years and will place Norwood Park on that list for upgrade.

Q.43 COUNCILLOR ANTHONY CONNAGHAN

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.44 COUNCILLOR ANTHONY CONNAGHAN

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.45 COUNCILLOR ANTHONY CONNAGHAN

To ask the Chief Executive to arrange (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.46 COUNCILLOR ANTHONY CONNAGHAN

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

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Q.47 COUNCILLOR DAMIAN O'FARRELL

To ask the Chief Executive to ensure that the iconic Tram Stop shelter opposite 390 Clontarf Road is restored as part of the S2S Cycleway works as promised. I understand that there is a strong possibility that the shelter has asbestos in the roof however if this is the case this should not be used as an excuse to demolish this Tram Stop which is the last of its kind in Dublin. I would like a report on this matter please and an assurance from the Chief Executive that the Tram Stop will be retained and restored

CHIEF EXECUTIVE'S REPLY:

It is planned to renovate the tram shelter as part of the current S2S Cycleway and Footway Interim Works (Wooden Bridge to Causeway Road). A specification for the renovation works has been prepared by James Ahern Architects and approved by Dublin City Council's Assistant Conservation Officer.

Q.48 COUNCILLOR DAMIAN O'FARRELL

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.49 COUNCILLOR DAMIAN O'FARRELL

To ask the Chief Executive to take action on the issue of dog dirt in the Clontarf area. Also can I have an update on joint meetings that have taken place between our Parks Dept and Waste Dept in order to tackle this scourge? I understand these departments are collectively setting a broad policy and developing a strategy in order to put a model in place which will include the area offices. Can I have a timeframe for when this model will be rolled out?

CHIEF EXECUTIVE'S REPLY:

There are meetings in progress between departments responsible for dog issues to see how City Council policy can promote responsible dog ownership based on best practice abroad. These meetings are at an early stage and it is anticipated that a draft policy will be available for presentation to the elected members in Q2 2016.

A number of initiatives including the roll-out of the Green Dog Walker initiative at Clontarf Promenade and the installation of over 3,000 anti-dog fouling signs throughout the city have been put in place over the last year. As the issue of dog-fouling in the city is such a complex issue it was felt that a multi-faceted approach needed to be taken.

An interdepartmental group, including area office staff, has been established to develop a policy for responsible dog ownership, which is clear, coherent and acknowledges the important value of dogs to the quality of life of their owners. The policy to reflect the needs of others in the community, particularly the elderly and children, to have public spaces which are safe and clean for rest, relaxation, recreation and play.

The policy if necessary will seek to inform national legislation, e.g. the need for all dogs to be micro-chipped and licensed/registered.

It is hoped to have a policy in place for the Spring of 2016.

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Q.50 COUNCILLOR DAMIAN O'FARRELL

To ask the Chief Executive Officer (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.51 COUNCILLOR RAY MCADAM

To ask the Chief Executive why is it that the City Council decided not to include Stoneybatter, Arbour Hill and Montpelier in the Living City Initiative particularly in light of the fact of (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

The Living City Initiative, with the associated special Regeneration Area was launched by the Minister for Finance on the 5th May this year. The LCI related to six cities, including Dublin.

The selection of areas was not arbitrary. The Department of Finance had previously requested the City Council to recommend areas, with supporting rationale, which would benefit most from the proposed Initiative outlined in the Government Finance Bill. The Initiative was subject to EU State Aid approval, given the tax incentive element involved, in order to ensure that best use was being made of public taxes to bring regeneration to focused areas of the city.

In response, the City council recommended that the following areas within the canals; with supporting rationale:

1. Land zoned Z5 in the City Council approved Development Plan within the city centre area on the basis that this was the core of the capital city.
2. Land zoned Z8 in the North Georgian conservation Areas on the basis of the extent of poor urban fabric, vacancy and deprivation concentrated in this area.
3. Land zoned Z8 in the South Georgian conservation Areas, on the basis of the relatively high vacancy rates and the high international profile of this area.
4. The key traditional radial routes/market streets to the city on the basis of the high vacancy rates and rundown appearance of such streets, which are in effect the windows to the city, and which are typically zoned Z4.

In the final decision by the Government (and not the City Council), some of the recommended areas were omitted, notably the South Georgian Quarter.

The City's role is to assist in the implementation of the LCI within the designated areas, in order to bring life back into the heart of the City, to be complemented by other initiatives such as the Public Realm Strategy and the Conservation Grant Scheme, as resources permit.

The Special Regeneration Area boundary does not cut across site boundaries. Properties fronting Stoneybatter, Manor Street and Prussia Street are included in accordance with the rationale outlined above. The boundary runs down the middle of Aughrim Street and St Joseph's Road.

Q.52 COUNCILLOR RAY MCADAM

To ask the Chief Executive to detail the process involved that will address the proposals attached in (**details supplied**)?

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

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Q.53 **COUNCILLOR RAY MCADAM**

To ask the Chief Executive to arrange for a new surface put on cycle/bus lane inbound on Lower Drumcondra Road from numbers 143 to 133?

CHIEF EXECUTIVE'S REPLY:

This section will be done as an extension to an existing contract as part of the 2015 Works Programme.

Q.54 **COUNCILLOR PADDY SMITH**

To ask the Chief Executive what are the current cost projections/estimates for the proposed cycle underpass at the Dart Tracks on the Dodder Cycle Greenway?

CHIEF EXECUTIVE'S REPLY:

RPS Consulting Engineers have recently been engaged by Dublin City Council to conduct an options review and develop a preliminary design for the River Dodder Greenway. As part of their brief they will be required to provide an updated feasibility cost estimate for the overall scheme, which will be prepared by the end of 2015. Estimates of discrete project elements will be developed later in the design process. In particular estimates for the underpass will be available after a consultation process with Irish Rail.

Q.55 **COUNCILLOR MICHAEL O'BRIEN**

To ask the Chief Executive what stock taking controls are in place to ensure that materials acquired by Dublin City Council for Public Lighting have been accounted for since 2007?

CHIEF EXECUTIVE'S REPLY:

Dublin City Council's Stores Management function has a rigorous set of control measures in place to monitor inventory stock. Full physical inventory stock takes are conducted on a rolling basis every two years in all Stores, including Public Lighting.

The following full physical inventory stock takes have been undertaken in Dublin City Council's Public Lighting Store since 2007:

Date	Full Physical Inventory Stock Items Counted
16 th -18 th February 2007	1142
06 th – 8 th February 2009	1202
25 th - 27 th February 2011	1158
22 nd -24 th March 2013	1370
06 th - 08 th February 2015	1337

In addition, high volume stock items are subject to **cycle counts** at least once a year. Cycle counts undertaken in the Public Lighting store since 2007 are listed below:

Cycle Counts
11 th May 2007
14 th June 2007
18 th June 2007
27 th August 2007
26 th Sept 2007
13 th Nov 2007
13 th Feb 2008
13 th May 2008
28 th July 2008
5 th November 2008
14 th June 2009

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17 th Nov 2009
27 th Jan 2010
30 th June 2010
30 th Nov 2010
1 st Nov 2011
26 th June 2011
14 th August 2012
19 th December 2012
28 th August 2013
28 th May 2014
27 th July 2015

It should be noted that zero to minimal variance rates occurred in both full physical inventory stock takes and in cycle counts.

Q.56 COUNCILLOR MICHAEL O'BRIEN

To ask the Chief Executive to make a statement on the media reports of his remarks dismissing the widespread opposition to the Poolbeg Incinerator.

CHIEF EXECUTIVE'S REPLY:

The Chief Executive sent an e-mail to all Councillors on 27 August 2015 dealing with the contents of a letter he wrote to the Chief Executive & President of Covanta. He does not propose to make any further statement on the matter.

Q.57 COUNCILLOR MICHAEL O'BRIEN

To ask the Chief Executive to list all currently void council owned properties in the North Central Area.

CHIEF EXECUTIVE'S REPLY:

There are currently 39 viable vacant units in the North Central Area.

Q.58 COUNCILLOR MICHAEL O'BRIEN

To ask the Chief Executive what plans, if any, does Dublin City Council have to complete the renovation of the Bolt Hostel that was begun by Housing Action campaigners and make it available to the homeless?

CHIEF EXECUTIVE'S REPLY:

Dublin City Council is currently working with an Approved Housing Body to return this building into self-contained units for social housing purposes.

Q.59 COUNCILLOR SEAN HAUGHEY

To ask the Chief Executive the following (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.60 COUNCILLOR SEAN HAUGHEY

To ask the Chief Executive the following (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

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Q.61 COUNCILLOR DEIRDRE HENEY

To ask the Chief Executive if he can examine the possibility of resurfacing the cycle/bus lane inbound on Lower Drumcondra Rd from numbers 143 to 133 as the surface at this particular location is in a very dangerous condition for cyclists.

CHIEF EXECUTIVE'S REPLY:

This section will be done as an extension to an existing contract as part of the 2015 Works Programme.

Q.62 COUNCILLOR DEIRDRE HENEY

Will the Chief Executive give the statutory basis for recent temporary closures of traffic rights for e.g.?

- A. cars on College Green busgate
- B. right of way for cars onto Dollymount at Causeway

And if he will confirm if these decisions are legally sound on Road Traffic Legislation grounds and Right of Way Legislation/Conventions and make a statement on the matter?

CHIEF EXECUTIVE'S REPLY:

A. The extension of the bus corridor hours is an executive function and the statutory order is made by the Executive Manager, Environment and Transportation Department, following a technical /engineering recommendation from the Traffic Division.

B. The access for cars onto the beach at Dollymount was prevented because of public safety concerns raised by the Gardaí. A beach is not a public road and so is not covered by Road Traffic legislation.

Q.63 COUNCILLOR DEIRDRE HENEY

To ask the Chief Executive to refer to the recent purchase of Dalymount Park and to make a statement on the matter which addresses the following issues?

- a) Explain what DCC are getting in return for the purchase
- b) To say if it is viewed in DCC as a business transaction or a sentimental gesture to a famous Club
- c) Explain our interest or commitment to assist Shelbourne FC, another historical club
- d) Say if DCC got independent financial advice on the merits of the purchase
- e) Say what was the point on which Shelbourne's involvement failed
- f) Say if surrender of lease was available to us
- g) Say what creative suggestion can we come up with to save Shelbourne & Tolka Pk
- h) Say if we can come up with funding for Shelbourne as we did for Bohs/Dalymount

CHIEF EXECUTIVE'S REPLY:

The proposed purchase by Dublin City Council of Dalymount Park is not yet finalised but should be in the coming weeks:

- a. Dublin City Council is getting the full property at Dalymount (Pitch and Stadium) which will be developed as a municipal sports centre for the city with Bohemian Football Club as the anchor tenant.

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- b. It is a business transaction and it will be a major sport, recreational and community facility for the city, it also prevents the property from being sold on the open market for redevelopment.
- c. The original objective in getting involved at all in this matter was to also facilitate Shelbourne Football Club to share Dalymount Park with Bohemian Football Club, but the surrender of the lease to Dublin City Council of the property at Tolka Park was an integral element of the proposed arrangement. It was not possible ultimately for Shelbourne FC to achieve this objective.
- d. Internal advice from our Planning Department, Chief Valuers Division and Law Agent was considered to be sufficient in this matter.
- e. Shelbourne's involvement failed when it became clear that they could not achieve the objective of surrendering the lease of Tolka Park to Dublin City Council.
- f. The surrender of the lease was not available; this is why the involvement of Shelbourne FC failed.
- g. Our discussions with Shelbourne FC and the developer who holds the main lease of Tolka Park have continued in order to "keep the door open" for a solution.
- h. The funding of Bohemian FC is related fully to the purchase of the property at Dalymount Park.
- i. Bohemian FC is owned by the members of the club who in turn owned the property at Dalymount Park which Dublin City Council has now agreed to purchase for a sum of €3.8 million. Shelbourne FC do not own the property at Tolka Park (they have a sub-lease) it is owned by Dublin City Council but subject to a long lease.

General: There is still an opportunity for Shelbourne FC to be part of the proposed new municipal sports centre at Dalymount and we are happy to continue our discussions with them. But this opportunity will not be there after the purchase of Dalymount Park have been finalised.

Q.64 COUNCILLOR DEIRDRE HENEY

To ask the Chief Executive, in relation to "rickshaws" being used throughout the City, what regulation if any is being applied by the City Council to the owners/operators of these vehicles, if the operators of same are involved in road traffic accident, what onus is on the rickshaw operators in terms of liability etc and if he will make a statement on the matter?

CHIEF EXECUTIVE'S REPLY:

Dublin City Council drafted bye-laws to regulate rickshaw operations in 2013. We then received legal advice that indicated the Council does not have adequate statutory powers to regulate the operation of rickshaws and that primary legislation would be required. Since then we have been engaging with the National Transport Authority to develop a framework for the regulation of rickshaw operations. The issue of regulation of these operations is quite complex due to variations in the types of rickshaws being used. The issue of seizure of rickshaws has also to be addressed. It is hoped that a regulatory framework can be drawn up once certain technical issues can be clarified. The NTA recently sought a full legal opinion on all legislative implications surrounding the regulation of rickshaws. The Senior Counsel's advice is now to hand and is being examined with a view to progressing a joint approach. The Gardaí have confirmed that the recently introduced fixed penalty notices for cyclists

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also apply to pedal powered rickshaws. These penalties cover issues such as rickshaws operating in pedestrian areas and cycling without reasonable consideration. It is hoped that a full report will be brought before the Transportation Strategic Policy Committee shortly.

Q.65 COUNCILLOR PADDY MCCARTAN

To ask the Chief Executive to make a statement on the Poolbeg Waste to Energy Project that addresses the following issues:

- a) When will the Chief Executive give us his response in detail to the findings of Mr Justice McKechnie and the Panda Case?
- b) Will the Chief Executive publish a comprehensive business case for this project?
- c) Can the Chief Executive provide a value for money analysis of the € 100 million plus spent to date by the council?
- d) Will the Chief Executive confirm that the capital cost of the incinerator is now €500 million as stated by him to the Council and to the Oireachtas Committee and as reported in Covanta filings to the SEC?
- e) How much money was spent on defending the Panda case?
- f) How much was paid to lawyers?
- g) How much was paid to consultants, to Dr O'Toole and to RPS?
- h) How much did the discontinued appeal to the Supreme Court cost in lawyers' fees and in consultants' fees?
- i) From what budget have these costs been paid?
- j) What reply has the Council given to the local authority auditor regarding the excess cost of relocating Hibernian Molasses?
- k) Covanta has stated in their SEC filings that their contingent obligation of revenue support for the project is € 75 million. Will the Chief Executive confirm that the DLA Contingent Obligation based on the 42% / 58% split in the contract is therefore € 103.6 million?

CHIEF EXECUTIVE'S REPLY:

In relation to the Dublin Waste to Energy Project (a-d & j-k), please find response below:

- a) The decision of Mr Justice McKechnie was issued in December 2009, Dublin City Council have decided not to appeal the decision based on developments in the waste market, government policy and our legal advice. The findings of Mr Justice McKechnie were issued almost six years ago and were discussed at the time, the Chief Executive will not be issuing a further response in relation to the findings.
- b) The appropriate business case for the Project was issued to the Council within a series of reports in September 2014. The reports also set out; that following a detailed assessment, the National Development Finance Agency issued a 'value for money' letter in respect of the Project on 4 September 2014 and that the European Commission in its determination of the State aid complaint confirmed that the Dublin Local Authorities participation in the Project is on terms that would be acceptable to a private investor operating in a market economy.
- c) As per b) above, the Council were issued with a series of reports in September 2014, which examined the options facing the Chief Executives in relation to the DWtE Project expenditure that had already been incurred, which is set out in report reference 265/2014.

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- d) The estimated construction costs are €346m and the overall project costs are approximately €500m. DCC notes that our application to An Bord Pleanála quantified the capital cost in terms of the construction cost of the facility.
- j) The response to the Local Government Audit is contained within the Local Government Auditors report.
- k) As set out to the Council in the report '*Cost Benefit Analysis of the Dublin Waste to Energy Project*' prepared by PwC in August 2014, payments from the Dublin Local Authorities to the operator only occur in case of significant deterioration of waste market circumstances. The report further highlights that the potential financial returns to the Dublin Local Authorities are likely to be significant. The Dublin Local Authorities thus expect a commercial return from the Project and do not anticipate any net payments associated with the contingent obligation. Covanta's contingent obligation set out in their SEC filings is a term of the funding agreement for the Project and is not directly linked with the Authority Contingent Obligation.

In relation to the 'Panda Case', which concern the variation to the Waste Management Plan for the Dublin Region 2005-2010 (e-i), please find response below:

- e) The total cost to the Dublin Local Authorities arising from the proceedings taken by Nurendale Ltd t/a Panda Waste and Greenstar in relation to the variation to the Waste Management Plan for the Dublin Region 2005-2010 was €3.2 million. The cost was apportioned between the four Dublin Local Authorities with Dublin City Councils liability amounting to €1.4m.
- f) & g) The total cost of the legal fees to the Dublin Local Authorities was €3.2m. The costs of expert witnesses were included as part of the legal fees charged with the cost component relating to Dr O'Toole and RPS being €23k and €45k respectively.
- h) The fees associated with the Supreme Court appeal totalled approximately €97k.
- i) The City Council costs were paid from the Waste Management Revenue Budget.

Q.66 COUNCILLOR PADDY MCCARTAN

Has the Chief Executive sought an apology from Mr Matt Twomey for his established bias as found by Mr Justice Liam McKechnie? Does the Chief Executive now stand over the statement made to RTE by his Client Representative (Elizabeth Arnett) that the entire judgment is wrong? What steps has the Chief Executive taken to guard against a "rigidity of mind" in the Engineering Department of his council?

Mr Justice McKechnie said the following about Mr Matt Twomey:

"However, in my opinion, the actions of the respondents in this case, and particularly Mr. Twomey, go far beyond this. They indicate a rigidity of mind, so that from the start there could have been no other outcome. This is particularly serious; notwithstanding any subsequent public consultation. It is clear that such consultation not only did not have, but could not have had, any effect on the outcome of the Variation process. It was a given from the start."

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CHIEF EXECUTIVE'S REPLY:

The Chief Executive has not sought an apology from Mr Matt Twomey and he does not stand over the statement made by a representative of RPS in relation to the Panda judgement.

Q.67 COUNCILLOR PADDY MCCARTAN

When will the Chief Executive honour the commitment he made to the Oireachtas to have an independent investigation of the Proposed Incinerator at Poolbeg when he appeared before the Joint Committee on Environment, Culture and the Gaeltacht on 22nd January 2014? The following is an exchange between the Chief Executive and Deputy Mick Wallace.

Mr. Owen Keegan: Deputy Mick Wallace mentioned some comments made by Judge McKechnie. That is water under the bridge and went by some time ago. The fundamental issue is that that judgment was unhelpful to the local authority and we have had to deal with it in a number of ways.

Deputy Mick Wallace: When I asked Mr. Keegan if he had an appetite for an investigation into how matters were mismanaged, he said it was water under the bridge. Does accepting such events as water under the bridge help our efforts to achieve accountability and transparency?

Mr. Owen Keegan: My comments were made in regard to certain criticisms in Mr. Justice McKechnie's judgment. I do not see great merit in dealing with that issue but when this waste energy facility project is brought to fruition, I would certainly welcome an independent investigation of all aspects, including the factors that gave rise to delays. It would be entirely appropriate to conduct such an investigation.

CHIEF EXECUTIVE'S REPLY:

The Chief Executive stated that he would welcome an independent investigation of all aspects of the DWtE project including the factors that gave rise to delays when the project has been brought to fruition. That is still his position.

Q.68 COUNCILLOR SÉAMAS MCGRATTAN

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.69 COUNCILLOR SÉAMAS MCGRATTAN

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.70 COUNCILLOR SÉAMAS MCGRATTAN

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.71 COUNCILLOR SÉAMAS MCGRATTAN

To ask the Chief Executive (**details supplied**).

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CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.72 COUNCILLOR EMMA MURPHY

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.73 COUNCILLOR EMMA MURPHY

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.74 COUNCILLOR EMMA MURPHY

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.75 COUNCILLOR EMMA MURPHY

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.76 AN tARDMHEARA CRIONA NÍ DHÁLAIGH

To ask the Chief Executive if consideration has been given to (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.77 AN tARDMHEARA CRIONA NÍ DHÁLAIGH

To ask the Chief Executive what is being done to address the illegal dumping at (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.78 COUNCILLOR PAUL MCAULIFFE

Can the Chief Executive outline the schedule for (**details supplied?**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.79 COUNCILLOR CATHERINE ARDAGH

To ask that the Chief Executive look into the progress of the Children's Hospital and how it is affecting local residents and parking issues in the environs.

CHIEF EXECUTIVE'S REPLY:

The planning application for the new National Children's Hospital was submitted to An Bord Pleanála on 10th August 2015. It was submitted to the board rather than the Local Planning Authority because it is a strategic infrastructure development.

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The board has forwarded copies of the application to the Civic Offices where it is available for inspection by members of the public. Submissions must be made in writing direct to the board.

The Planning Authority is required to submit a planning report on the proposed Children's Hospital by the 19th October 2015. This planning report, which will address matters such as parking, residential amenity, development plan policy, conservation, environmental impact, etc., will be brought to the October meeting of the City Council and any further views of the City Council will be attached to the planning report for submission to An Bord Pleanála for its assessment. The final decision lies with An Bord Pleanála.

A mobility management review committee has been established. This review group includes Dublin City Council Environment and Transportation Department, the Gardaí and members of the HSE Planning group.

The committee is currently reviewing the on-street parking infrastructure that is currently in place with a view to determining the likely implications for parking in the area that the development and presence that the Children's Hospital will bring. An outcome of this committee will be the development of potential options to best manage parking in the vicinity of the Children's hospital so as to minimise impact on parking for the local residents and businesses in the area.

The committee will continue to work with all Resident Groups and other affected groups and interested parties. The outcomes of this committee and its review of the Children's Hospital and its environs will be communicated to Elected Representatives and directly to the residents in the affected areas in due course.

Q.80 COUNCILLOR CATHERINE ARDAGH

That the Chief Executive looks into the illegal parking situation on Lower Kimmage Road where an accident is due to happen unless it is properly policed and addressed

CHIEF EXECUTIVE'S REPLY:

Parking Enforcement has sought clarification on the exact nature and location of the issue to enable it to investigate and reply.

Q.81 COUNCILLOR ÁINE CLANCY

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.82 COUNCILLOR DERMOT LACEY

To ask the Chief Executive if he will issue a comprehensive reply to this planning enforcement matter, **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

Planning permission was refused in March 2001 for the provision of off-street parking at the property concerned. Despite this refusal of permission, in August 2001, the Area Planner, while examining a separate application, noted that the plinth and railings had been removed. In granting permission for the later development proposal, a condition was included requiring:

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“The front garden layout and pedestrian gateway, railings and plinth wall shall be landscaped and reinstated prior to the occupation of the building. The front boundary plinth wall shall match that of adjoining properties in material and height.

Reason: In order to protect the integrity of this important protected structure.”

The Council's records do not show if the boundary was re-instated at that time. However, in February 2004, a further complaint was received that the boundary had been removed and a warning letter pursuant to section 152 of the Planning and Development Act, 2000 was sent to the owners. The boundary was not re-instated and an Enforcement Notice pursuant was served on 28 June 2005 requiring its reinstatement. This Notice was not complied with and legal proceedings were initiated.

The Council was unable to proceed with the legal proceedings at that time as the owners were resident abroad.

A further Notice requiring the reinstatement of the granite plinth and railings was served on the property owners on their return to this country. The Notice was not complied with resulting in the institution of legal proceedings. On foot of these proceedings, a Court Order was granted in July 2009 directing compliance with the Enforcement Notice.

However, the property owners again left the country to work abroad without complying with the Court Order. Since 2009, occasional reports have been received that the owners have returned but we have been unable to confirm these reports. As a result, we have been unable to re-enter this matter in the Courts.

Q.83 COUNCILLOR DERMOT LACEY

To ask the Chief Executive for a response to the issue raised in the following email **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.84 COUNCILLOR DERMOT LACEY

To ask the Chief Executive if he could respond to the suggestion/request from a resident in relation to the BBQ Festival in Herbert Park **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.85 COUNCILLOR ALISON GILLILAND

To ask the Chief Executive to open the fenced in green area bordered by the Malahide Rd, Churchwell Avenue and Churchwell Drive to the local Belmayne residents on a temporary basis as per the motion passed by the North Central Area meeting on 17th November 2014. This area is owned and maintained by Dublin City Council, is flat and very visible to residents. There are no open green spaces in the immediate area to allow for ball kicking after school or running around, particularly by older children, or for local residents to organise team games. Opening this area on a temporary basis is cost neutral to DCC but would be invaluable to local residents until permanent local amenities are developed in the area.

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CHIEF EXECUTIVE'S REPLY:

As previously advised these lands form part of the City Council's strategic landbank and it is still the objective of the City Council to develop the lands in conjunction with the adjoining landholding.

Unfortunately it is not intended to use these lands in the short term as a green space for recreational activity.

There are open spaces and two playgrounds in the vicinity and nearby is the excellent Fr. Collins Park with a range of facilities.

Q.86 COUNCILLOR ALISON GILLILAND

To ask the Chief Executive to provide an update on the development of

- a) master-plans for the DCC lands to be developed for housing as per Report 225/2014 and as recommended in the Land Initiative Report presented to the joint Housing and Planning SPCs meeting on 22nd July
- b) the conducting of a traffic and public transport audit on the impact of the housing development on the Laurence Lands (junction of Oscar Traynor Rd and M1 as detailed in Report 225/14) as agreed by the Housing SPC at its meeting on 23rd February 2015

CHIEF EXECUTIVE'S REPLY:

Most of the lands in question already have existing plans in place. The Planning Authority will now review and update as necessary existing Masterplans keeping to the basic principles already agreed following extensive consultations. In reviewing existing plans the infrastructure, open space, density and layouts will be considered and the lands split into lots that will facilitate and allow development to occur with as little delay as possible including development for social housing by the Council, by Approved Housing Bodies but also by private investors for mixed tenure which would include owner occupation, market and below market private rental and social rental.

A traffic and public transport audit will be a requirement of any future planning application.

Q.87 COUNCILLOR ALISON GILLILAND

To ask the Chief Executive to provide a detailed interpretation of the Drawing No 851 Issue P1 (to be read in conjunction with drawing no 850-P) with regard to **(details supplied)** and a comparative detailed description of the work carried out to date relevant to the drawings and therefore present an evaluation on the fidelity of the works to the drawings.

CHIEF EXECUTIVE'S REPLY:

The Environment & Transportation Department will provide the above requested information when further clarification is provided by the constituent to the Councillor and forwarded to this Department.

Q.88 COUNCILLOR CLAIRE BYRNE

To ask the Chief Executive if he can please answer the following questions regarding the Poolbeg Incinerator:

- Given that the EPA Oral Hearing for the incinerator waste licence found the air quality in the Poolbeg to be in breach of standards what is the current position with regard to PM10s and PM2.5s?

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- What steps have management taken steps to bring the air quality in the Dublin 4 area into line with the standards and will the Chief Executive publish the original readings from the air monitors?
- What quantities of hazardous chemicals will be stored in the vicinity of the incinerator?
- Is there an evacuation plan for the Poolbeg peninsula given that there is only one road into it?
- Where exactly will the waste be sourced for the incinerator?
- How and where will the bottom ash be disposed?
- Does the Council plan to burn sludge from the waste water works in the incinerator?

CHIEF EXECUTIVE'S REPLY:

- During the period between February 2009 and March 2012, the EPA undertook air quality monitoring at Ringsend, Dublin 4. The result are presented in their report titled, '*Ambient Air Monitoring Report at Ringsend, Dublin 4 for the period 5 February 2009 – 14 March 2012*', which is available for download at <http://www.epa.ie/air/quality/data/rs/>

This monitoring followed the Dublin Waste to Energy EPA oral hearing. The report shows a breach of the lower assessment threshold for PM in Ringsend. This is not a breach of the Air Quality Standards, it just relates to the necessity for fixed monitoring, which is the responsibility of the EPA.

It should be noted that the expected contribution of the Dublin Waste to Energy facility to the ambient air quality was fully considered by An Bord Pleanála and the EPA during the application processes associated with obtaining the planning permission and Waste Licence respectively. Planning permission was granted by An Board Pleanala in November 2007. The EPA subsequently granted a Waste Licence for the facility in December 2008.

- No specific steps have been taken to improve air quality in the Dublin 4 area, however an Air Quality Management Plan is in effect for the whole of Dublin City and the three other Dublin Local Authorities.
- As outlined in the Dublin Waste to Energy Project Environment Impact Statement
 - Ammonium Hydroxide – 200m³
 - Fly Ash (APC residue) – 700m³
 - Oxygen – in compressed gas cylinders, approximately 8 – 50kg cylinders
 - Diesel Oil – 150m³
- All operators located on the Poolbeg Peninsula are required to develop project specific accident prevention and emergency response plans for submission to the HSA.
- Waste for the Dublin Waste to Energy Facility will predominately be sourced from the Dublin Region.
- Bottom ash from the facility will be exported for recovery in mainland Europe.
- The thermal treatment of sludge from the Ringsend Waste Water Treatment works would potentially be subject to planning approval, as the original planning application did not consider the treatment of sludge at the facility. Dublin City Council would note that the Waste Water Treatment works are now operated by Irish Water.

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Q.89 COUNCILLOR CLAIRE BYRNE

To ask the Chief Executive to make a statement on the proposal by The Dublin Port Company to dredge 10 million tons of sand and contaminated silt from the port entrance and dump it the Burford Bank, what alternative measures are proposed to minimise any re-distribution of the dumped spoil back onto our beaches, further silting up our estuaries and/or destroying the ecological balance of the sea bed and to explain how such a proposal is feasible given the recent designation of Dublin Bay as a UNESCO Biosphere

CHIEF EXECUTIVE'S REPLY:

An Bord Pleanála granted permission to the Dublin Port Authority for the redevelopment of Alexander Basin under Section 37E (Strategic Infrastructure Development) of the Planning and Development Act, 2000 as amended on July 7th 2015.

The proposed development comprises the reconfiguration of Alexandra Basin West, the infilling of Berths 52 and 53, the installation of new quay walls in the W and E sections of Dublin Port and the construction of a protection wall at Poolbeg Marina, along with extensive channel dredging and associated site and heritage works.

The project will entail substantial dredging of Alexandra Basin West, the Liffey Channel, the berthing pockets and the shipping channel for a distance of c.10km to within the vicinity of the Dublin Bay Buoy. Some of this dredge material (i.e. non-contaminated material or material with slight to moderate contamination levels) will be disposed at sea in the licenced dump site to the West of the Burford Bank. The sediments will be capped by gravel to prevent the re-dispersion of contaminated material in a similar manner to previous maintenance dredging campaigns.

In relation to dredging and dredge disposal at the dump site, it should be noted that the Dublin Port Company will have to apply for Foreshore Consent (under the Foreshore and Dumping at Sea (Amendment Act) 2009) from the DoEC&LG and a Dumping at Sea Permit from the EPA, the relevant consent authority. The EPA will be required to assess the environmental ecological impacts of the proposed disposal works and set appropriate conditions.

Q.90 COUNCILLOR CLAIRE BYRNE

To ask the Chief Executive what procedures are in place to address the issue of Japanese Knotweed growing on council property, to outline the associated costs in dealing with this, what type of chemical solution is used for spraying, and whether the Council is liaising with Waterways Ireland and other relevant bodies to address the growth along the canals and other waterways in the City.

CHIEF EXECUTIVE'S REPLY:

The procedures in place for the treatment of Japanese Knotweed on council property follow best practice guidance, and involve the chemical treatment of this invasive plant. The herbicides being used are Round-up Biactive and Glyphos 360. Both of these chemicals are approved for use near water. The estimated cost of control is €10,000 per annum. Due to the invasive nature of Japanese Knotweed, effective control may take several years to achieve. Dublin City Council continually liaises with Waterways Ireland and other relevant bodies to control Japanese Knotweed and to ensure best practice management.

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Q.91 COUNCILLOR CLAIRE BYRNE

To ask the Chief Executive to provide exact figures on how many individual units, properties, and pieces of land Dublin City Council has acquired from NAMA to date, to outline how each property has been or will be put to purpose in terms of each of the following uses:

- Housing
- Health Care facilities
- Community facilities
- Cultural space
- Sites for schools

and to ask the Chief Executive to make a statement as to whether he is satisfied that NAMA is realising a social dividend and contributing to the social and economic development of Dublin City, as outlined in Section 2, B (VIII) in the NAMA Act.

CHIEF EXECUTIVE'S REPLY:

363 housing units have been made available by NAMA for social housing in the Dublin City Council area. 8 of these have been acquired by Dublin City Council and the rest by Approved Housing Bodies. There are further units still in negotiation. All the allocations would have come from the Dublin City Housing List. Dublin City Council has also acquired land from NAMA for a fire station. Land disposed of by NAMA in Dublin for health and education uses would have been acquired by other organisations.

Dublin City Council, on behalf of Dublin Fire Brigade, acquired a site at East Wall Road from the National Asset Property Management Company Ltd. (a subsidiary of NAMA). This site adjoins the North Strand Fire Station.

DCC also acquired for redevelopment purposes an interest in Ballymun Shopping Centre from receivers appointed by NAMA.

NAMA is a statutory body corporate and its powers, functions and governance arrangements derive from the National Asset Management Agency Act 2009.

Q.92 COUNCILLOR MANNIX FLYNN

Can the Chief Executive issue a full report on all legal matters/cases that are before the court that involve Dublin City Council and the cost of these matters to date.

CHIEF EXECUTIVE'S REPLY:

The City Council is involved in 4,113 sets of proceedings before the Courts at present.

In some of these proceedings the Council is either acting in the capacity of Defendant or Plaintiff and in other cases it acts as a Prosecutor particularly in the District Court under Planning Prosecutions which are 107 in total. It also acts under the Waste Management Legislation where there are currently 63 proceedings in being.

Also the City Council takes prosecutions under the Dangerous Building & Derelict Sites Legislation.

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There are 278 Licensing applications involving the Council before the Court and 757 Housing Ejectment proceedings including anti social and illegal occupier cases.

Commercial Rates and Debt Collections amount to 41 set of proceedings.

Under the heading of Litigation General the Council is involved in 1,154 different types of proceedings as both Plaintiff and Defendant ranging from actions for defamation, nuisance, and negligence, breach of contract, negligent misrepresentation, and trespass and debt collection.

Judicial Review and Injunctions are also taken and defended by the City Council with 56 Judicial Reviews ongoing at present.

There are 1,095 Personal Injury Claims involving the Council as a Defendant before the Courts in relation to slips, trips and falls, employer liability claims and property damage cases.

With regard to the second aspect of Councillor Flynn's query it is not possible to furnish this information as the legal cost in the above mentioned proceedings have not been determined to date.

Q.93 COUNCILLOR MANNIX FLYNN

Can the Chief Executive issue a full report regarding all aspects and legal matters with regards to No 3 and No 14 Henrietta Street. Also, that the legal file be made available for all Councillors to view.

CHIEF EXECUTIVE'S REPLY:

The Legal File relating to Nos. 3 and 14 Henrietta Street has already been made available to Councillor Mannix Flynn.

The legal file remains available for any of the city councillors to view on the same basis that it was viewed by Councillor Mannix Flynn: under supervision and without permission to reproduce any file content.

In 2001 Dublin City Council implemented Compulsory Purchase Order proceedings on No.3 and 14 Henrietta Street under the Planning and Development Act 2000. In 2002 Dublin City Council invited expressions of interest for the conservation and reuse of the two properties. The closing date for receipt of tenders was 19th June 2002.

High Court Judicial Review (ref327/2002) proceedings challenging the CPO process was initiated by the Underwoods. The aforementioned tender process was discontinued.

In 2006 Dublin City Council published a conservation plan for Henrietta Street which prioritises the urgency for action relating to Nos. 3 and 14.

In 2007 inspection of the structural condition of Nos. 3 and 14 identified them to be in a derelict and dangerous stage.

In 2008 Settlement Terms were agreed between Dublin City Council and the Underwoods.

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Under the Settlement Terms Dublin City Council undertook emergency stabilisation works to Nos. 3 and 14 Henrietta Street. On completion of the works No.3 had to be transferred back to the Underwoods. This emergency stabilisation works were completed in 2009. The cost of works was recouped from Marie Underwood. Under Section 183 of the Local Government Act the transfer of No.3 back to the Marie Underwood approved by Council in July 2015. The transfer of this property to the Underwoods was completed by the Law Department on 24th July last.

Dublin City Council and the Underwoods agreed that No.14 Henrietta Street would be retained by the City Council and that it would be opened to the public as a townhouse museum exploring Georgian and Tenement Dublin. Part VIII permission has been received for this use and a grant-in-aid of €1.5m has been made available from the Department of Arts Heritage and the Gaeltacht.

The Underwoods received compensation of €225,000.00 for No.14.

Q.94 COUNCILLOR MANNIX FLYNN

Can the Chief Executive Officer examine the possibility along with the OPW, of Dublin City Council Parks Department, taking in charge Stephens Green. Almost all of the parks within the city are managed by Dublin City Council with the exception of St Stephens Green. Recently the OPW gave in charge to DCC the Croppy Acre; however, St Stephens Green would be an excellent asset and would complete the family of parks that DCC exceptionally manages. This would also be in keeping with DCC's greening policy and also would make common sense and reduce duplication of park management within the central city area.

CHIEF EXECUTIVE'S REPLY:

The Councillor's suggestion has been noted and it is proposed that an approach be made to the Commissioner at the Office of Public Works to explore this matter.

Q.95 COUNCILLOR MANNIX FLYNN

Can the Chief Executive initiate a process whereby a sub committee of Dublin City Councillors and executives would be set up to deal with DCC acquisitions. These acquisitions would take the form of housing, buildings etc and would be mainly centered around the acquisition of property and lands. City Councillors only have a statutory role to play in disposals but as yet, we do not have a role or even a sub-committee that deals with acquisitions.

CHIEF EXECUTIVE'S REPLY:

The Council only acquire housing properties that are in compliance with the guidelines set down by the DOECLG as funder and the policies set down by the Council from time to time in relation to location. In general acquisitions are either the purchase of second hand property or acquisitions from developers in compliance with Part V planning requirements.

The criteria for the acquisition of second hand properties (generally referred to as "Buy Backs") was agreed with the Housing Strategic Policy Committee - the main criteria agreed when the policy was last reviewed was as follow:

- House purchases are spread throughout the city as far as possible.
- On roads with 40 houses or less, no more than 20% will be purchased and on roads with more than 40 houses no more than 15% will be purchased by Dublin City Council.
- Generally the City Council does not purchase adjoining houses.

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- Dublin City Council does not purchase at all in areas where to do so would exacerbate existing social imbalance.
- Dublin City Council does not purchase houses that require excessive repairs or with unauthorised or substandard extensions.

The criteria for the acquisition of housing units under Part V of the Planning Acts is determined by legislation. The current position is that the Council is seeking 10% of all units in new private schemes.

Where apartment blocks are offered for sale to the Council their purchase is subject to location, suitability and funding approval from the Department of the Environment, Community & Local Government.

The acquisition of non residential property including land is undertaken by the Development Department, who also agree valuations for housing acquisitions.

The process by which properties are identified for purchase, inspected, valued and approved for purchase takes between 4 and 6 weeks before an offer is made, even so a number of sales are lost each year because another purchaser is able to complete the sale more quickly.

The last time the Council's policy for the acquisition of housing was reviewed was in 2005. The policy can be reviewed and amended if necessary by the Council at its Housing SPC meeting and then ratified by the full Council.

The acquisition of property to enable Local Authorities to discharge any of its statutory functions is an executive function and any change would require legislation at national level.

Q.96 COUNCILLOR JIM O'CALLAGHAN

To ask the Chief Executive if works on the snag list provided by the Herbert Park Bowling Club to the Parks Department in respect of Herbert Park can be undertaken as soon as possible

CHIEF EXECUTIVE'S REPLY:

If the club sends the snag list to the undersigned the issues will be taken up with the contractor.

Q.97 COUNCILLOR JIM O'CALLAGHAN

To ask the Chief Executive for an explanation as to why Mount Pleasant Square has been designated as a GoCar base when parking is already extremely tight for residents.

CHIEF EXECUTIVE'S REPLY:

The Parking Policy & Enforcement Section is responsible for the designation of locations for car club bases. Designation of bases in residential parking areas is only permitted where there is a low occupancy rate by residential permit holders. Mount Pleasant Square was not designated as a car club base and GoCar have been instructed to remove their vehicles and relocate them in a nearby street where there is available capacity for parking.

Q.98 COUNCILLOR JIM O'CALLAGHAN

To ask the Chief Executive whether litter bins can be placed on the Shelley Banks along the pier as there are a lot of visitors to the area and no public bins available.

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CHIEF EXECUTIVE'S REPLY:

This is a matter for Dublin Port and may be raised directly with that company at Dublin Port Company, Port Centre, Alexandra Road, Dublin 1, Ireland
Phone 353-1-8876000,
email: info@dublinport.ie.

Q.99 COUNCILLOR JIM O'CALLAGHAN

To ask the Chief Executive whether a system can be put in place whereby any individual who purchases a new vehicle can be given a temporary residents parking permit until such time as their insurance disc and licence are in place (providing they are able to provide proof of same) so as to avoid their vehicle being clamped.

CHIEF EXECUTIVE'S REPLY:

Dublin City Council introduces Permit Parking, only upon request by and agreement with the majority of residents. This is most usually in response to difficulties residents experience when trying to park at locations where there is significant on-going parking by non-residents. It is therefore essential that any individual making an application for and receiving a Residents' Parking Permit is in fact entitled to such a permit.

The Dublin City Council Parking Control Bye-Laws 2014 regulate entitlement and eligibility with regard to Resident Parking Permits including the conditions and supporting documentation which are required in order to reliably establish an applicant's eligibility and entitlement.

It would not be practical nor would it be feasible for the City Council to permit any individual to park within any scheme, essentially 'free of charge' prior to the submission of the required documentation indicated in the bye-laws establishing that they are indeed a resident of the road concerned, the owner of the vehicle to which the permit will apply and that it is ordinarily kept at the address.

Nevertheless, the Council is fully aware that residents do, on occasion, encounter some difficulty when seeking to obtain the relevant supporting documentation in order to satisfy these requirements and does make considerable allowances in such circumstances whenever possible.

With regard to the specific requirements referred to by the Councillor I can advise as follows,

In the case of a resident who has yet to receive a drivers or provisional licence the Council will accept a receipt issued by the NDLS issued upon application as evidence that the applicant has sought same.

A copy of the applicants current insurance certificate is required in order to ensure, in so far as is possible that the vehicle is normally kept at the residents' address. It is the Council's experience that residents, generally, do not encounter significant delay with regard to this requirement.

Where a resident provides sufficient reassurance that they are a resident on the road concerned and the vehicle is normally kept on that road they can, in the majority of cases, be temporarily facilitated by the City Council. In the relatively minor number of instances where this is not the case residents are advised to make use of Visitor Parking Permits on a temporary basis as it is sufficient that an applicant provide proof of residence only in order to obtain such permits.

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Q.100 **COUNCILLOR ÉILIS RYAN**

In relation to the Rental Accommodation Scheme (RAS), as used by Dublin City Council, can the Chief Executive provide information on?

- the numbers using the scheme in the years 2012, 2013, 2014, 2015;
- the average rent paid per 1-bed, 2-bed, 3-bed etc. property in each year;
- the process entered into to negotiate rents with landlords in these instances;
- the number of applicants to the scheme who were successful and unsuccessful in each year, and the breakdown of reasons given for unsuccessful applications;
- the criteria taken into account when deciding the amount of rent payable to a landlord in a negotiation between the council and a landlord - i.e. under what circumstances the council takes a decision that a particular property is too expensive."

CHIEF EXECUTIVE'S REPLY:

1. The numbers of households housed by RAS in Dublin City were as follows

2012	1496
2013	1508
2014	1479
2015	1438

2. The rent paid were in the following ranges depending on area of the city

	1 bedroom €	2 bedroom €	3 bedroom €
2012	650 - 750	800 - 850	900 – 1,000
2013	650 - 750	800 - 850	900 – 1,000
2014	700 - 800	850 - 950	1,000 – 1,200
2015	750 - 900	1,000 – 1,150	1,200 – 1,300

3. Rents are negotiated having regard to the latest Daft report and the PRTB rent index to a maximum of 92% of market rate where properties offer value for money.
4. Figures on landlord enquiries are not kept. The reasons why properties may not be taken on include – the property not passing inspection; failure to submit necessary documents including tax clearance certification, rental amount cannot be agreed or the sitting tenant is not eligible for RAS.

Q.101 **COUNCILLOR PAUL HAND**

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.102 **COUNCILLOR PAUL HAND**

To ask the Chief Executive if there are any plans being put in place to capitalise on Dublin co-hosting Euro 2020 and potentially the Rugby World Cup in 2023 in terms of additional revenue to the city, an improvement in tourism and an improvement on public sporting facilities.

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CHIEF EXECUTIVE'S REPLY:

Dublin City Council will be working with the FAI and the various other stakeholders involved in the successful European Football Championship Bid for 2020 and likewise on the potential Rugby World Cup Bid for 2023, in trying to maximise their economic benefit to the City.

There are no specific plans yet in place.

Q.103 COUNCILLOR PADDY SMYTH

How are the on-street parking charges set for the various zones in the city? I.e. how was the price of 2.90euro/hr in the yellow zone arrived at?

CHIEF EXECUTIVE'S REPLY:

On street parking charges and the different tariffs are set at rates designed to discourage commuter parking, to facilitate short term parking for shopping, business and leisure purposes, and to influence modal choice. The last review of tariffs for on street parking was carried out in 2008 and the same rates are still applicable today. The yellow zone is a very high demand zone with a very high level of occupancy at that time - in excess of 90%. In order to reduce congestion arising from motorists cruising for parking the rate in the yellow zone was increased in 2008 from €2.70 per hour to €2.90 per hour.

17 city centre private car parks were surveyed at the time with 14 dearer than the then rate of €2.70 per hour and three equal. Currently a survey of the 16 remaining out of the original 17 car parks shows 4 cheaper, 1 equal and 11 dearer than the current €2.90 yellow zone tariff. The average rate charged is currently €3.13 per hour.

The rates in the other zones, Red – high demand €2.40 p.h., Green – medium demand €1.60 p.h., Orange – low demand €1.00 p.h. and Blue – suburban villages 60c p.h. are set decrementally in comparison to the yellow zone. The Consumer Price Index (Transport) is currently on the rise and has risen 7.4% to date this year.

Q.104 COUNCILLOR DAVID COSTELLO

That the Chief Executive puts in place;

- i) a timeline to inspect the structure and
- ii) a plan to replace **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

The wall in question is private and thus the responsibility of the property owners.

Q.105 COUNCILLOR DAVID COSTELLO

Can the Chief Executive provide me with figures in relation **(details supplied)**?

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.106 COUNCILLOR DAVID COSTELLO

Can the Chief Executive Outline all monies requested from the DOE following the 2015 budgetary process for housing and homelessness that is still outstanding. Please state if a written commitment has been made in writing in relation to this funding. If these funding targets are not met by the DOE what is the potential short fall faced by the City Council?

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CHIEF EXECUTIVE'S REPLY:

Expenditure incurred by the Council on Housing Capital Projects is recouped from the DECLG subject to approved budgets and annual funding allocations.

The DOECLG has informed the Council that it's Capital Housing Allocation for 2015 in respect of construction and acquisitions is €35,976,113 with an additional amount of €4,378,468 for voids. €25.01m of this funding is to be sourced from the Local Property Tax Allocation with the balance payable from exchequer funding. Funding is provided by the DOECLG after works start on site and to date €1,117,000 has been received and approval has been given to off-set a further €19,719,200 from the Local Property Tax.

Budget for Homeless Services 2015:

Total expenditure for homeless services in the Dublin region in 2014	€56.1m
DECLG allocation for homeless service provision in 2014	€35.3m
Total estimated expenditure for 2015 submitted to DECLG by DCC in April 2015	c.€68m of which DECLG were requested to fund/ grant c.€55m
Actual 2015 budget allocated by DECLG for the Dublin region as notified to DCC in June 2015	c.€37.1m
Projected budget deficit for homeless services based on DECLG allocation	c.€18.5m

The Department of Environment, Community and Local Government has indicated that they will examine and consider the reported estimated deficit with Dublin City Council in September 2015 having regard to "actual spend on homeless" at that point in time. Therefore, DCC will engage with the department as per this request made.

Q.107 COUNCILLOR CATHLEEN CARNEY BOUD

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.108 COUNCILLOR CATHLEEN CARNEY BOUD

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.109 COUNCILLOR CATHLEEN CARNEY BOUD

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.110 COUNCILLOR CATHLEEN CARNEY BOUD

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

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Q.111 COUNCILLOR CIERAN PERRY

Can the Chief Executive confirm the number of NAMA properties, by type, per year acquired by Dublin City Council over the last 5 years? Can he also confirm the number of properties currently under discussion with NAMA?

CHIEF EXECUTIVE'S REPLY:

Property	Year
Site at East Wall Road on behalf of Dublin Fire Brigade (directly from NAMA)	2014
Ballymun Shopping Centre (indirectly, from receivers appointed by NAMA)	2014

There are no acquisitions currently under discussion with NAMA.

Q.112 COUNCILLOR CIERAN PERRY

To ask the Chief Executive to provide an update on the situation in relation to the public taxi rank at Beaumont Hospital (See Q.153 July Council Meeting)?

CHIEF EXECUTIVE'S REPLY:

Following the issue of a letter to the hospital authorities requesting the cessation of the unauthorised taxi rank, a response was received from representatives of the hospital to state that they were considering all their options in this matter.

Advice has been received that consultants have been engaged to carry out a feasibility study on a number of options. Following completion of the study, the hospital authorities have confirmed that planning permission will be sought to relocate the rank.

Q.113 COUNCILLOR CIERAN PERRY

In relation to the current Irish Water program of installing water meters can the Chief Executive answer the following questions relating to Dublin City Council?

- a) How many incidents of damaged water infrastructure have been reported by Irish Water to Dublin City Council by month since Irish Water began the project?
- b) What percentage of the workload of DCC water repairs has this additional work accounted for?
- c) Has this extra workload had an impact on the resources allocated to DCC water repairs?

CHIEF EXECUTIVE'S REPLY:

Since October 2013 a total of 573 leaks were reported by Irish Water to Dublin City Council in accordance with an agreed protocol with Irish Water where contractors were installing meters on service connections. These, in turn, were repaired by Dublin City Council at various locations throughout the City. A large proportion of these repairs were carried out on "pre existing leaks", that is, leaks that already existed and not necessarily damaged water infrastructure. This category of leak repair did not result in additional work or impact on the resources allocated to Dublin City Council.

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Q.114 COUNCILLOR CIERAN PERRY

To ask the Chief Executive to provide a breakdown of the development levies which are currently owed to Dublin City Council including the developer, the site and the year due? Have any of the developers owning levies resumed business?

CHIEF EXECUTIVE'S REPLY:

Dublin City Council has 300 active accounts with outstanding balances and 100 of those have phased payment agreements in place.

The outstanding balance on these accounts at 31st August 2015 is €11,175,561.

Details of amounts owed by individual developers cannot be supplied as this is considered to be financially sensitive information which could adversely impact on a developer's credit rating and trading conditions.

The following are the steps taken to recover unpaid development levies.

1. Invoice issued for full amount of contribution on receipt of commencement notice. In some cases Dublin City Council becomes aware that development has commenced as a result of site inspections.
2. In some cases applicant may request a phasing agreement. Dublin City Council will facilitate a reasonable payment schedule but in principle we endeavour to ensure that the full payment has been received on completion of the development.
3. If the applicant does not engage with Dublin City Council within 6 weeks of the initial invoice being issued a Warning Letter is issued.
4. If there is no response to the Warning letter an Enforcement Notice pursuant to section 154 of the Local Government [Planning and Development] Acts 2000 – 2010 may issue.
5. If the terms of the Enforcement Notice served are found not to have been complied with after the specified time allowed, the Planning Authority may proceed with legal action.
6. Section 48(15) c of the Planning Development Act 2000 as amended states that
“(c) A planning authority may recover, as a simple contract debt in a court of competent jurisdiction, any contribution or interest due to the planning authority under this section.”

While these are the formal steps available to Dublin City Council every effort is made at all stages in the process to come to a mutually acceptable agreement for the payment of the contribution.

It is only in exception cases where every reasonable effort has been unsuccessful that we resort to referring the file to our legal time for recovery of the outstanding amount as a simple contract debt in court.

Q.115 COUNCILLOR DAITHÍ DE RÓISTE

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.116 COUNCILLOR DAITHÍ DE RÓISTE

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

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Q.117 COUNCILLOR DAITHÍ DE RÓISTE

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.118 COUNCILLOR DAITHÍ DE RÓISTE

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.119 COUNCILLOR GREG KELLY

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.120 COUNCILLOR GREG KELLY

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.121 COUNCILLOR GREG KELLY

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.122 COUNCILLOR GREG KELLY

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.123 COUNCILLOR VINCENT JACKSON

To ask the Chief Executive to please ensure as a matter of urgency the various worn/non-existent lines on Ballyfermot Road from Cherry Orchard Hospital Entrance to the Junction of Cold Cut / Kennelsfort Road are replaced without it is impossible to get proper position on the Road way & it's an accident waiting to happen.

CHIEF EXECUTIVE'S REPLY:

This location will be inspected in the coming weeks. Where lines need to be reinstated, the work will be listed and tasked for reinstatement. (Please note; it is not possible to state a time frame of reinstatement as the weather has been so inclement this summer there is a considerable backlog of works).

Q.124 COUNCILLOR VINCENT JACKSON

To ask the Chief Executive that the various potholes outside of the Main entrance of Kylemore College Kylemore Road Ballyfermot Dublin 10 are repaired as a matter of urgency. Prior to the summer I saw an elderly person have a very bad fall at this location due to the condition of the Road surface.

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CHIEF EXECUTIVE'S REPLY:

Road Maintenance carried out an inspection of the carriageway outside the main entrance of Kylemore College on Kylemore Road. The lay-by at this section of Kylemore Road is badly potholed. The potholes have been temporarily filled and made safe. We have prioritised these potholes for permanent repairs as soon as possible.

Q.125 COUNCILLOR VINCENT JACKSON

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.126 COUNCILLOR VINCENT JACKSON

To ask the Chief Executive to investigate the following waste management issues (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

Litter Wardens have inspected the laneway to the rear of the (**details supplied**) during the day and again in the evening. They were detailed to speak to the owners of the restaurant to advise them of their responsibilities under the Waste Management Bye-laws and the Bye-Laws for the Prevention & Control of Litter. The laneway referred to is a private laneway with a sign "no unauthorised persons beyond this sign". The Litter Wardens did not speak to anyone in (**details supplied**) as the Manager was not available. The laneway to the rear of (**details supplied**) is not a public place and is not visible from a public place and therefore does not come within the remit of the Litter Pollution Acts. I have referred the matter to the Waste Enforcement Officers to inspect under the Waste Management Acts.

The laneway next to (**details supplied**) which leads on to the rear of (**details supplied**) is also a private laneway but part of it is visible from a public place. The Litter Warden inspected the laneway on two occasions and reported that on both occasions, the laneway was being cleaned. As no oil drums or bags of rubbish were causing litter, no fines were issued.

Public Domain Unit have reported these potential offences under the Litter Acts to the Litter Warden Service for investigation. The incorrect storage of commercial waste in a private laneway has been reported to Waste Enforcement for investigation.

Q.127 COUNCILLOR DENISE MITCHELL

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.128 COUNCILLOR DENISE MITCHELL

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.129 COUNCILLOR DENISE MITCHELL

To ask the Chief Executive (**details supplied**).

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CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.130 COUNCILLOR DENISE MITCHELL

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.131 COUNCILLOR DAITHÍ DOOLAN

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.132 COUNCILLOR DAITHÍ DOOLAN

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.133 COUNCILLOR DAITHÍ DOOLAN

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.134 COUNCILLOR DAITHÍ DOOLAN

To ask the Chief Executive (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.135 COUNCILLOR PAT DUNNE

Can the Chief Executive request that our Parks Section remove the tree outside (**details supplied**) and that our Roads Maintenance Section repair the cracked footpath at this location? The roots of this tree have damaged the butt wall of the garden and are appearing on the surface in the garden. The tree is also too close to the street light and is blocking light. There is also a trip hazard on the footpath where the tree roots have cracked the footpath and kerb.

CHIEF EXECUTIVE'S REPLY:

Road Maintenance Services carried out an inspection of the footpath outside (**details supplied**). The footpath has been fractured / damaged as a result of tree root movement associated with the tree located here. In addition to the footpath damage there are also signs of tree root movement damage to the front wall of (**details supplied**).

The tree root damage to the private wall is a matter for the Parks Department to rectify with the owner of (**details supplied**). Road Maintenance have no involvement with this matter.

The issue relating to the street light is a matter for the Parks Department.

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Road Maintenance will repair the damaged kerb. The footpath will be repaired but the extent of the repair will be limited if the Parks Department don't address the damage to the private wall.

The footpath repairs will be carried out as soon as a concrete crew is available.

An inspection has ascertained that this tree was planted too close to the street light and will have to be removed. The removal work will be carried out within the next three months.

Q.136 COUNCILLOR PAT DUNNE

Can the Chief Executive ask our Roads Maintenance Section to repair the broken footpath at **(details supplied)**.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.137 COUNCILLOR PAT DUNNE

Can the Chief Executive ask our House Maintenance Section to carry out the following repairs **(details supplied)**.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.138 COUNCILLOR PAT DUNNE

Can the Chief Executive ask our House Maintenance Section to carry out the following repairs **(details supplied)**.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.139 COUNCILLOR ANDREW MONTAGUE

The banks of the Royal canal between Binn's Bridge and Jones' Road, are closed on the days when there is big events on in Croke Park. Can the Chief Executive investigate if it is possible to keep this section of the canal open to allow access for pedestrians and cyclists?

CHIEF EXECUTIVE'S REPLY:

An Garda Síochána have advised this office that the banks of the Royal Canal are not closed off when there are big events on in Croke Park, but Gardai do stop match day patrons and advise them of the official routes to the Stadium.

Q.140 COUNCILLOR ANDREW MONTAGUE

To ask the Chief Executive to review the pedestrian crossing at Larkhill/Swords Road/Shantalla bridge/Shanvarna Road? If someone wants to cross from the outside 221 Swords Road across the Swords Road, they have to cross at the pedestrian crossing across Larkhill Junction, then cross Swords Road on to Shantalla Bridge, then cross Shantalla bridge and then cross Shanvarna Road. This is a very hostile, anti-pedestrian system and should be changed as soon as possible.

CHIEF EXECUTIVE'S REPLY:

The National Transport Authority is currently designing the proposed *Swiftway* Bus Rapid Transit scheme for the Swords / Airport to City Centre corridor.

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The junction of Larkhill / Swords Road / Shantalla Bridge is one of the junctions currently under review / design as part of the National Transport Authority *Swiftway* Swords Bus Rapid Transit scheme and this will have implications for the long term layout of this junction.

As a result, Dublin City Council are not currently recommending alterations to the junction layout at this time, but are awaiting the detail design drawing for the junction to be published by the National Transport Authority *Swiftway* Swords Bus Rapid Transit scheme.

Q.141 COUNCILLOR ANDREW MONTAGUE

Will the Chief Executive consider introducing a 30kph scheme to Walsh Road, Ferguson Road and the side roads between, following consultations with the local community?

CHIEF EXECUTIVE'S REPLY:

The above request has been added to the list of Engineer's queries for the North West Area. A report and recommendation will issue to the Councillor following examination of the matter.

Q.142 COUNCILLOR ANDREW MONTAGUE

Will the Chief Executive fix the footpath between Achill Road and Beaucourt Apartments?

CHIEF EXECUTIVE'S REPLY:

Road Maintenance will carry out the repairs within the following month subject to available resources.

Q.143 COUNCILLOR CIARÁN CUFFE

To ask the Chief Executive to state the number of traffic wardens currently employed by Dublin City Council; the numbers employed in 2010, and to list their responsibilities and to make a statement on the matter.

CHIEF EXECUTIVE'S REPLY:

Dublin City Council does not employ any Traffic Wardens. Traffic Wardens were transferred to the Department of Justice with the introduction of clamping in 1998. The remaining Traffic Wardens operate mainly in suburban villages under the auspices of An Garda Síochána.

The following reply from the Garda Press Office was received in relation to a similar Council Question;

"As of Friday 29th August 2014, 12.5 (whole-time equivalent) traffic wardens remain in the employment of An Garda Síochána.

In the main, traffic wardens monitor breaches of the Road Traffic Regulations, in so far as, illegal parking on clearways / double yellow lines / footpaths with the exception of Pay and Display breaches which are the responsibility of Dublin Street Parking Services.

Garda Press & Public Relations Office".

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Q.144 **COUNCILLOR CIARÁN CUFFE**

To ask the Chief Executive to state how much was spent on weed control contracts in the last year for which financial figures are available and how much and what type of weed killer was used.

CHIEF EXECUTIVE'S REPLY:

The following table sets out the overall use of glyphosphate herbicides by individual departments of Dublin City Council.

Dublin City Council Department	Glyphosphate Herbicides Used	Quantity Used
Culture, Recreation & Amenity	Roundup Biactive, Nomix Dual, Nomix Hilite, Glyphos, Pistol, Destrol Amenity, and Rifle	1933 Litres
Environment & Transportation	Roundup Gold	400 Litres
Housing & Residential Services	Roundup Biactive	1125 Litres
Total		3458 Litres

The breakdown of costs will be forwarded as soon as they have been extracted from our accounts.

A more detailed breakdown of the annual use of herbicides by operation by Dublin City Council and its contractors is set out in the attached report, and is based on information from 2014.

Q.145 **COUNCILLOR CIARÁN CUFFE**

To ask the Chief Executive to list the ten largest ratepayers in the city and give their name, and the annual rates paid by them.

CHIEF EXECUTIVE'S REPLY:

The ten highest ratepayers in the city are listed below:

Charge 2015	Company
€13,928,550.14	ELECTRICITY SUPPLY BOARD
€13,378,048.00	IRISH WATER
€6,460,416.00	DUBLIN CITY COUNCIL
€4,518,400.00	DUBLIN PORT COMPANY
€4,359,079.42	BORD GAIS EIREANN
€3,251,200.00	SYNERGEN LIMITED
€3,208,994.56	EIRCOM LIMITED
€2,635,776.00	ALLIED IRISH BANKS LTD
€2,170,099.20	VODAFONE IRELAND LIMITED
€1,820,066.82	THREE IRELAND (HUTCHISON) LIMITED

Q.146 **COUNCILLOR CIARÁN CUFFE**

To ask the Chief Executive to identify what steps he intends taking to protect the wildlife in St. Ann's Park given recent media reports suggesting that badgers and foxes have been pursued by organised hunts using dogs in the park.

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CHIEF EXECUTIVE'S REPLY:

Following the article in the Star newspaper about badger baiting in St. Anne's Park contact was made with the District Parks Officer based in the area. He confirmed he was not aware that such cruelty was occurring in St. Anne's Park.

However, to make sure of this, contact was made with The Parks and Wildlife Services who visited the park and together inspected all the well known badger sets and lesser known sets and there was no evidence of any disturbance that could be linked to baiting. There has been no proof forwarded to substantiate any of these reports.

Contact was then made with the Garda in Raheny to see if any reports were lodged with them about badgers or foxes being mistreated and so far nothing has been reported from anyone let alone any newspaper.

No evidence supporting the newspaper allegations can be found, also the newspaper never contacted the local Garda so as to help protect the animals it was so concerned about.

The Garda have been informed but up to date there appears to be no evidence of any animal cruelty in the park that can be found.

Q.147 COUNCILLOR PAUL MCAULIFFE

To ask the Chief Executive to provide me with a breakdown of the €55m which is expected to be spent on homeless services. Can he outline what services this includes, the amount paid to external agencies and the amount spent by the City Council.

CHIEF EXECUTIVE'S REPLY:

The required allocation of €55m expected to be spent on homeless services is for the provision of the following core services:

- Homeless prevention
- Tenancy sustainment and resettlement supports
- Emergency accommodation
- Long-term supported accommodation
- Day services
- Domestic violence/refuges
- Housing authority homeless services provision including administration

Attached documentation includes the financial expenditure in the Dublin region for Q1 and Q2 2015.

Q.148 COUNCILLOR PAUL MCAULIFFE

To ask the Chief Executive to provide me with the total number of traffic and litter fines issued by each area. Can he outline if as he previously committed to doing, will increase the number of authorised officers for these fines.

CHIEF EXECUTIVE'S REPLY:

See attached details of litter fines issued, paid, appealed, prosecutions initiated and convictions obtained in court from 1st January to 31st July 2015. As a result of the introduction of the bye-laws for the Storage, presentation and collection of Household and Commercial Waste the number of Authorised Persons was increased by 20 to

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include Public Domain Enforcement Officer, Environmental Liaison Officer and Inspectors in Waste Management Services.

Dublin City Council does not issue traffic fines. Parking offences are dealt with by way of immobilisation of vehicles (clamping). Approx. 56,000 vehicles were clamped in Dublin City in 2014. The Gardaí issue parking and traffic fines.

Q.149 COUNCILLOR NAOISE Ó MUIRÍ

To ask the Chief Executive to answer the following **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.150 COUNCILLOR NAOISE Ó MUIRÍ

To ask the Chief Executive to answer the following **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.151 COUNCILLOR NAOISE Ó MUIRÍ

To ask the Chief Executive to answer the following **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.152 COUNCILLOR NAOISE Ó MUIRÍ

To ask the Chief Executive to answer the following **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

Q.153 COUNCILLOR ALISON GILLILAND

To ask the Chief Executive to provide an update on **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor

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