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**NOTIFICATION TO ATTEND SPECIAL MEETING OF COUNCIL TO BE  
HELD IN THE COUNCIL CHAMBER, CITY HALL, DUBLIN 2,  
ON MONDAY, 10<sup>th</sup> NOVEMBER 2014 AT **6 PM****

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**FÓGRA FREASTAIL DO CHRUINNIÚ SPEISIALTA NA COMHAIRLE**

**Ag 6 I.N.**

**SEOMRA NA COMHAIRLE, HALLA NA CATHRACH, CNOC CHORCAÍ,  
DÉ LUAIN, AR 10 SAMHAIN 2014**

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Do Gach Ball den Chomhairle.

A Chara,

Iarrtar ort a bheith I láthair ag an Cruinniú Speisialta de Chomhairle Cathrach Bhaile Átha Cliath a thionólfar i **Seomra na Comhairle, Halla na Cathrach, Cnoc Chorcaí, ar 10 Samhain 2014 ag 6 i.n.** chun an ghnó seo leanas a phlé agus gach is gá i dtaca leis a dhéanamh, nó a chur a dhéanamh, nó a ordú a dhéanamh:-

Silent Prayer/Reflection

- 16 Report No. 332/2014 of the Chairperson of the Transportation Strategic Policy Committee (*Councillor Ciarán Cuffe*) – Dublin City Council Parking Control Bye-laws 2014. **217**
- 17 Report No. 333/2014 of the Chief Executive, Dublin City Council – Amended Dublin City Council Strategic Policy Committees Scheme 2014 – 2019. **241**
- 18 Report No. 296/2014 of Executive Manager (*D. Dinnigan*) – Proposal to declare the roads and footpaths at Clonshaugh Court, Clonshaugh, Dublin 17 to be public roads. **251**

- 19 Proposed disposals of property:
- a) Report No. 322/2014 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 10 premises. **253**
  - b) Taken on the 3<sup>rd</sup> November **255**
  - c) Report No. 316/2014 of the Assistant Chief Executive (*P. Maguire*) – With reference to the proposed disposal of a 20 year Lease of a plot adjacent to No. 31 Croftwood Drive, Dublin 10. **271**
  - d) Report No. 317/2014 of the Assistant Chief Executive (*P. Maguire*) – With reference to the Wayleave at Clonsaugh Business Park, Dublin 17 to Vodafone Ireland Limited. **275**
  - e) Report No. 318/2014 of the Assistant Chief Executive (*P. Maguire*) - With reference to the proposed grant of a lease of a site at Derrynane Gardens, Bath Avenue, Dublin 4. **279**
  - f) Report No. 319/2014 of the Assistant Chief Executive (*P. Maguire*) – With reference to the proposed disposal of Mountview House, Shelerin Road, Blanchardstown, Dublin 15 to the Health Service Executive (HSE) **281**
  - g) Report No. 320/2014 of the Assistant Chief Executive (*P. Maguire*) – With further reference to the proposed disposal of the fee simple in a site for an ESB substation at Peadar Kearney House, Railway Street, Dublin 1 **285**
  - h) Report No. 321/2014 of the Assistant Chief Executive (*P. Maguire*) – With further reference to the proposed disposal of St. Helena's House, St. Helena's Road, Dublin 11 to the Health Service Executive (HSE). **287**

In compliance with Section 183 of the Local Government Act 2001 copies of Report No.'s 322, 258, 316, 317, 318, 319, 320 and 321/2014 were circulated to every Member of Council on 22<sup>nd</sup> October 2014).

### **PART III – POLICY AND BRIEVATES**

- 20 Report No. 309/2014 of the Chairperson of the Housing Strategic Policy Committee (*Councillor Críona Ní Dhálaigh*) – Breviate of meeting held on 16<sup>th</sup> October 2014. **291**
- 21 Report No. 311/2014 of the Chairperson of the Arts, Culture, Recreation and Community Strategic Policy Committee (*Councillor Mary Freehill*) – Breviate of meeting held on 13<sup>th</sup> October 2014. **295**
- 22 Report No. 331/2014 of Chairperson of the Transportation Strategic Policy Committee (*Councillor Ciarán Cuffe*) – Breviate of meeting held on 22<sup>nd</sup> October 2014. **299**
- 23 Report No. 324/2014 of the North West Area Committee – Breviate for the month of October 2014 – *Councillor Anthony Connaghan, Chairperson.* **303**
- 24 Report No. 305/2014 of the North Central Area Committee – Breviate of the Special Meeting held on 15<sup>th</sup> October 2014 – *Councillor Ciarán O'Moore, Chairperson.* **305**

- 25 Report No. 330/2014 of the North Central Area Committee – Breviate for the month of October 2014 – *Councillor Ciarán O’Moore, Chairperson.* **307**
- 26 Report No. 329/2014 of the Central Area Committee – Breviate for the month of October 2014 – *Councillor Janice Boylan, Chairperson.* **309**
- 27 Report No. 308/2014 of the South Central Area Committee – Breviate for the month of October 2014 – *Councillor Vincent Jackson, Chairperson.* **311**
- 28 Report No. 298/2014 of the South East Area Committee – Breviate for the month of October 2014 – *Councillor Mannix Flynn, Chairperson.* **313**
- 29 Report No. 297/2014 of the Protocol Committee – Breviate of the meeting held on 2<sup>nd</sup> October 2014 – *Councillor Dermot Lacey, Chairperson.* **315**

### **Motions on Notice**

- 31 **COUNCILLOR SONYA STAPLETON** **Received: 18/06/2014**

That this Council opens an ‘Unused Properties Register’. The owners of private properties that have been unused/empty for a period of more than six months (as per CSO Census 2011 and other official statistics) will be required to register their intention for use with Council. Where these properties remain idle for a period exceeding three months of registration date or where Council is not satisfied with intended use, by the powers granted to it under Section 213 (2) (A) of the Planning and Development Act (2000), this Council will immediately requisition these properties for immediate use as emergency housing, paying no more than a nominal transaction fee to the owner.

- 32 **LORD MAYOR CHRISTY BURKE** **Received: 19/06/2014**  
**Replaced: 23/09/2014**

That the Chief Executive states if a suitable premises can be found for the Children & Youth Working Group NWIC. (A group is made up of representatives from various projects/services in the NWIC, who work with children, young people and families - (i.e. Aosog Child & Family Project, Step By Step Child & Family Project, Bradog Youth Service, MOST Youth Project, Schools Completion Programme, An Siol Project, JLO, Child & Family Agency, Education Welfare Service). They are badly in need of a premises for their various projects.

- 33 **COUNCILLORS NIAL RING & CIERAN PERRY** **Received: 28/05/2014**  
**(Swapped with Motion 28 on 14<sup>th</sup> July 2014)**  
**Replaced: 23/10/2014**

That the Members call on the Minister for Arts Culture and the Gaeltacht to recognise and act now to ensure that suitable, dignified and celebratory events take place to commemorate the centenary of the 1916 rising by:

- o Immediately publicising, for public debate and input, the proposed event schedule.
- o Recognising that the Commemorations Committee of Dublin City Council has, through the area office structure in DCC, the ability and facilities to engage with groups at a local level in Dublin on their planned events.
- o Allocating a substantial part of the recently announced €4 million which has been provided in the budget for the forthcoming Easter 1916 centenary commemorations to Dublin City Council to assist in funding its

- own planned events and local groups planned events.
- Formally recognising the 1916 Relatives Association and liaise with that group to ensure that all relatives of 1916 participants are facilitated in all relevant events programme.
- Committing to further funding in the 2015 budget towards 1916 centenary events given the level of interest emerging as we approach the centenary.

**34. COUNCILLOR LARRY O'TOOLE** **Received: 26/06/2014**

That this Council agrees that the Chief Executive accepts responsibility for the decision to grant permission (2626/11) for the road constructed between Beaumont Hospital and Ardmore Drive/Montrose Drive, which Dublin City Council admitted was granted in error and that it puts in place a plan to have the road removed as a matter of urgency.

**35. COUNCILLOR FRANK KENNEDY** **Received: 26/06/2014**

The Council recognises that the ongoing and continually increasing risk of flooding, be it from the sea, the City's rivers or the drainage system, is one of the great infrastructural issues facing Dublin in the 21<sup>st</sup> Century and resolves to put in place a plan which will scientifically identify the flood risks likely to be faced by every part of Dublin in 2100, and construct defences accordingly.

**36. COUNCILLOR PAUL HAND** **Received: 27/06/2014**  
**Replaced: 22/08/2014**

That Dublin City Council supports the establishment of the website [livingwage.ie](http://livingwage.ie) and the work of the Living Wage Technical Group in establishing the rates of pay necessary for a decent standard of living. Additionally, this Council calls for Dublin City Council to become a Living Wage employer with all staff members, including those who are not on direct Council contracts and that any procurement of goods and services carried out by the Council be purchased from Living Wage employers.

**37. COUNCILLOR CHRIS ANDREWS** **Received: 18/06/2014**  
**Replaced: 03/09/2014**

That Dublin City Council installs WIFI in all Dublin City Council Flat Complexes and pilots the scheme firstly in all Senior Citizen Complexes.

**38. COUNCILLOR BRÍD SMITH** **Received: 27/06/2014**

In light of the statement by the National Museum that the Moore Street area is the most important historical site in modern Irish history and in light of the recommendations of the DCC Moore Street Advisory Committee, this Council will commission an expert advisory group on the future of the Moore Street battlefield site with representations from the following groups: The National Museum, An Taisce, The Georgian Society, Battlefield Experts and Historians.

**39. COUNCILLOR KATE O'CONNELL** **Received: 27/06/2014**

That this Council calls on the Chief Executive to ensure a level playing field for businesses by withdrawing financial support for advertising for local markets, which hurt rates-paying, nearby, competing businesses and by ensuring the market traders are held to the same food-preparation standards as traders in fixed premises. Further to this, when market operators are being granted permission to erect stalls, that stalls that are in direct competition with existing rate-paying businesses are prohibited from being part of the market in question.

40. **COUNCILLORS BRENDAN CARR & DERMOT LACEY** **Received: 27/06/2014**  
That the City Council take all necessary measures, including legal advice, to ensure that the Government does not reduce local government funding to Dublin City Council as a result of the collection of the Local Property Tax in Dublin.
41. **COUNCILLOR EMMA MURPHY** **Received: 27/06/2014**  
That DCC calls on the Minister of Education to provide a plan to facilitate the ever increasing school age population of Royal Canal Park & Pelletstown with a school. The presence of a school plays a very important role in sustainable development. The absence of a school has a negative impact on local relations in the area with children having to travel to Blanchardstown, Finglas & Cabra, where there is already a high demand on places.
42. **COUNCILLOR SEÁN HAUGHEY** **Received: 27/06/2014**  
This City Council calls for a comprehensive review of the cleansing service in the city and the suburbs having regard to on-going complaints in this regard.
43. **COUNCILLOR CATHERINE ARDAGH** **Received: 27/06/2014**  
That the Chief Executive includes in the 2015 estimates provision for a swimming pool in the Cork Street area.
44. **COUNCILLOR NOEL ROCK** **Received: 27/06/2014**  
**Replaced: 24/10/2014**  
That Dublin City Council welcomes Circular RSD 01/2014 on the control of Vehicle Speeds in Housing Estates, issued by Paschal Donohoe TD, Minister for Transport, Tourism & Sport, to all Local Authorities (following his meeting with the 'Jake's Legacy Campaign') requiring an examination of speed limits in residential areas and housing estates to improve road safety for cyclists and pedestrians, especially children; and requests the Chief Executive, in line with the circular, to initiate consultation with residents across Dublin City with a view to determine the need for new bye-laws for 30 km/h limits for residential estates and additional selected safety zones.
45. **COUNCILLOR CIARÁN CUFFE** **Received: 27/06/2014**  
That this Council prepares a new Climate Change Plan to replace the strategy that expired in 2012, and that the Plan contains a target of reducing carbon emissions under the control of the city by 3% per year; working with the City of Dublin Energy Management Agency and other bodies; and that this plan encourages low carbon housing and transport solutions, and provides new blue and green layers to the city to reduce flood risk and encourage biodiversity.
46. **COUNCILLOR DAMIAN O'FARRELL** **Received: 27/06/2014**  
This Council is concerned that too many public litter bins are being decommissioned and not replaced. Councillors understand there is often a problem with illegal dumping at public litter bins. Nonetheless, citizens who want to use them for the disposal of dog litter are being unfairly penalised and among other things there is now a proliferation of bagged dog litter on our streets, parks and beaches. Dublin City Council should be supporting citizens who wish to dispose of their rubbish legally and not penalising them for the actions of a minority who abuse the public litter bins and environs.

47. **COUNCILLOR NOELEEN REILLY** **Received: 25/07/2014**
- That the Chief Executive looks at using the LM3 Tool in its criteria for awarding any public contract and the full impact of the local economy is taken into consideration.
48. **COUNCILLOR RAY McHUGH** **Received: 25/07/2014**  
**Replaced: 04/09/2014**
- With the government's decision to close St Patrick's Institution, NCR, and the historical context of the building, this City Council requests that the building be renamed after one of the Cumann na mBan members who were imprisoned here from 1916 -1923, these woman played a very important part in Ireland's fight for freedom.
49. **COUNCILLOR MANNIX FLYNN** **Received: 22/08/2014**
- That this City Council calls on the Chief Executive of DCC to initiate a full independent forensic audit of Dublin City BIDS company – also known as Dublin Town. This review and assessment to include effectiveness measures, all financial dealings and incomes, salary and payment levels for the staff and executive officers, all service contractual arrangements. Also, that DCC carry out an evaluation survey within the BID area and within the BID membership regarding the satisfaction rating, effectiveness and performance of BIDS within the City area. This report also to include compliances to corporate governance and accountancy practices. The BIDs company was inaugurated under legal act of the Council and it is the duty of Dublin City Council to carry out such an assessment and overview in keeping with best practice.
50. **COUNCILLOR DAITHÍ DE RÓISTE** **Received: 22/08/2014**  
**Replaced: 23/10/2014**
- That Dublin City County Council supports The Carers Association call on the Minister for Social Protection to amend the Social Welfare Bill to make provision for the restoration of the Respite Care Grant.
51. **COUNCILLOR MICHAEL O'BRIEN** **Received: 22/08/2014**
- Noting the recent reported case of a migrant woman who became pregnant arising from a rape and who, despite suicidal ideation, was unable to secure a timely abortion and endured horrific physical and mental suffering, this Council calls on the government to hold a referendum during the remainder of its term so that the Eighth amendment to the Constitution can be repealed.
52. **COUNCILLOR KIERAN BINCHY** **Received: 02/09/2014**
- That this Council agrees to commemorate with due dignity, as an integral part of the proposed Moore Street Museum, all lives lost in the 1916 uprising, including the 256 Irish civilians and 153 soldiers in British uniform, 52 of whom were Irish, who died during the uprising, in the interests of respect, tolerance and understanding.
53. **COUNCILLOR RUAIRÍ MCGINLEY** **Received: 18/09/2014**
- That this City Council supports measures for a Noise Control Act and seeks a report from the DOECLG on the matter.

54. **COUNCILLOR CRÍONA NÍ DHÁLAIGH** **Received: 25/09/2014**
- Dublin City Council notes:  
That the Better Apartment Living Standards adopted by this council were a progressive step and will lead to a better quality of life for families who choose to live in apartments, with concern recent media articles that have called for the reduction in our standards quoting the chief executive of the Governments Housing Agency stating that he expects the next Dublin City Development Plan to see reductions in the minimum sized apartments. Any attempt to reduce the apartment guidelines as a retrograde step. Dublin City Council will reject any attempt to lower the standards contained in these apartment guidelines.
55. **COUNCILLOR DAITHÍ DOOLAN** **Received: 26/09/2014**
- That Dublin City Council proceeds with seeking Part 8 Planning Permission for housing on council land zoned for housing.
56. **COUNCILLOR JOHN LYONS** **Received: 26/09/2014**
- That this Council calls on the Minister for the Environment, Community and Local Government, Alan Kelly, to make a formal statement to this Council as to how, given that over the course of the past twenty years successive Councils have voted against the development of the Poolbeg Incinerator and, given that international best practice points to smaller, more localised models, and given that in this Council there was cross party unanimity in opposition to the proposals how, flying in the face of local democracy, this decision remains an executive function of the Chief Executive and is now set to proceed. We call on the Minister to do everything within his power immediately put a stop to this.
57. **COUNCILLOR VINCENT JACKSON** **Received: 20/10/2014**
- 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.
58. **COUNCILLOR SÉAMAS McGRATTAN** **Received: 22/10/2014**
- Dublin City Council supports The Carers Association call on the Minister for Social Protection to amend the Social Welfare Bill to make provision for the restoration of the Respite Care Grant.
59. **COUNCILLORS D. COSTELLO & T. BRABAZON** **Received: 23/10/2014**
- That this Council supports the cause of the 500 members of the Irish Defence Forces (Óglaigh na hEireann), who entered in to service after 1997, to have their service contracts extended beyond 21 years based on an assessment of ability to serve.
60. **COUNCILLOR ALISON GILLILAND** **Received: 23/10/2014**
- That this Council commits to give effect, without delay and with regard to all Dublin City Council public procurement contracts, the following principles established by the reformed EU Public Procurement Directives. These three Directives have been signed by the Irish Government and are required to be transposed into national law by April 2016. Member States, however, do not have to wait and can implement the terms of the Directive at any stage prior to April 2016.
- It applies the following principles:
- **Most economically advantageous tender (M.E.A.T.)** so formulated to

always include social considerations such as the impact on local employment. Under this DIRECTIVE it is essential that social considerations are given a suitable weighting.

- **Compliance with Labour Law:** *'Member States shall take appropriate measures to ensure that in the performance of public contracts economic operators comply with applicable obligations in the fields of environmental, social and labour law established by Union law, national law, collective agreements or by the international environmental, social and labour law provisions'* Article 18
- **Inclusion of Social Clauses:** to detail specific criteria to require as a condition of the contract, respect for employment rights, including respect for right to collective bargaining and compliance with relevant JLCs (and EROs/REOs and REAs) and/or relevant Minimum/Living Wages (ILO Convention 94 on Labour Clauses in Public Contracts).
- **Selection and Exclusion Grounds for Tendering:** including the exclusion of abnormally low tenders, having regard for economic and financial standing of tenders and previous behaviour compliance behaviour with legal/employment rights obligations
- **Joint and Several Liability in Contracting Chains:** that the tenderer be asked to indicate in its tender any share of the contract it may intend to subcontract to third parties and to name and have oversight of any proposed subcontractors.

61. **COUNCILLOR GREG KELLY** **Received: 23/10/2014**

Following the vote by the British Parliament to back the recognition of the Palestinian state, this council calls on the Irish Government to now debate and vote on Ireland recognising Palestine as a sovereign state and upgrade the status of the Palestinian Mission in Ireland to that of an Embassy.

62. **COUNCILLOR JIM O'CALLAGHAN** **Received: 23/10/2014**

This Council agrees that the Centenary of the 1916 Easter Rising is an occasion of such importance that an adequate line of finance should urgently be created by management for the development in 2015 of appropriate cultural, community and civic projects to commemorate this anniversary in Dublin. Furthermore, this Council agrees that this line of finance should be allocated from Council funds, and not be dependent on whatever additional amount can be obtained by DCC from the Government's €4 million fund for the 2015 development of centenary projects for the Somme as well as the Rising by other Local Authorities, the National Cultural Institutes and other Government agencies.

63. **COUNCILLOR TINA MACVEIGH** **Received: 23/10/2014**

That this Council calls on the Minister for the Environment, Alan Kelly, to make a formal statement to this Council as to how, given that over the course of the past twenty years successive councils have voted against the development of the Poolbeg Incinerator and, given that international best practice points to smaller, more localised models, and given that in this Council there was cross party unanimity in opposition to the proposals how, flying in the face of local democracy, this decision remains an executive function of the Chief Executive and is now set to proceed. We call on the Minister to immediately put a stop to this.



64. **COUNCILLOR JONATHAN DOWDALL** **Received: 23/10/2014**

Over the past number of years, the 'Lower Dorset Community Group' have been involved in community projects ranging from youth clubs, knitting, cooking classes and much more. However, they are hampered by the lack of a community centre in their local area. Can the Council provide provisions in the budget, to accommodate a community facility, to meet the needs of the residence, to enhance a sense of community and provide them with a safe place to gather? I feel this is hugely important for the development, discipline and character building for the young and to nurture a strong sense of community pride.

65. **COUNCILLOR DEIRDRE HENEY** **Received: 23/10/2014**

That the Chief Executive gives a detailed report on emergency plans for winter, storms, floods, frost etc.

66. **COUNCILLORS C. BYRNE & P. COSTELLO** **Received: 23/10/2014**

As the former provider of public water services in Dublin City, this Council calls for the amendment of the Constitution in order to prohibit the privatisation of water provision and waste-water services.

67. **COUNCILLOR PAUL MCAULIFFE** **Received: 23/10/2014**

In light of numerous complaints from residents, Dublin City Council calls on the Executive to review its current policy and approach towards street cleaning and litter removal in the City.

Vincent Norton  
Bainisteoir Feidhmiúcháin  
An Ché Adhmaid  
Baile Átha Cliath 8  
**4 Samhain 2014**

