



**NOTIFICATION TO ATTEND MEETING OF THE PROTOCOL COMMITTEE**

**TO BE HELD IN THE RICHARD O'CARROLL ROOM - CITY HALL,**

**ON THURSDAY, 1 DECEMBER 2016 AT 8.00 AM**

**AGENDA**

**THURSDAY, 1 DECEMBER 2016**

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2	Mansion House Engagements	
	a) Lord Mayor Receptions	<b>5 - 6</b>
	b) Deputy Lord Mayor Functions	<b>7 - 8</b>
3	Conferences	
	a) Conferences Attended by Councillors:	
	➤ Cllr. Declan Flanagan, Cllr. Sean Paul Mahon & Cllr. Paddy Bourke. AILG Module 5, "National and Local Authority Emergency Planning". Raddison Hotel, Rosses Point Road, County Sligo. 21 <sup>st</sup> – 22 <sup>nd</sup> October 2016.	
	➤ Cllr. Dermot Lacey. AILG Autumn Seminar, "Housing and Regional Assemblies." Morans Hotel, Red Cow, County Dublin. 19 <sup>th</sup> November 2016.	
	b) Conference Reports Received from Councillors	
	➤ Cllr. Declan Flanagan, Cllr. Sean Paul Mahon & Cllr. Paddy Bourke. AILG Module 5, "National and Local Authority Emergency Planning". 21 <sup>st</sup> – 22 <sup>nd</sup> October 2016.	
	➤ Cllr. Declan Flanagan. AILG Autumn Training Seminar. 13 <sup>th</sup> -14 <sup>th</sup> October 2016.	
	➤ Cllr. Dermot Lacey. AILG Autumn Training Seminar. 19 <sup>th</sup> November 2016.	

- 4 Motion in the Name of Councillor Patrick Costello
- "That Dublin City Council shall do its utmost to facilitate councillors with young children who bring their children to meetings, and shall have particular regard to facilitate councillors who are breast-feeding."*
- 5 Report on Leases and Licences **9 - 14**
- 6 Review of Standing Orders 2016 **15 - 36**
- 7 Correspondence from the Department of Transport, Tourism and Sport in response to the Protocol Committee motion calling for the appointment of a DCC Elected Representative to the Board of Fáilte Ireland **37 - 38**
- 8 Protocol Meeting Dates for 2017
- 5<sup>th</sup> January
  - 2<sup>nd</sup> February
  - 2<sup>nd</sup> March
  - 30<sup>th</sup> March
  - 4<sup>th</sup> May
  - 8<sup>th</sup> June
  - 29<sup>th</sup> June
  - **31<sup>st</sup> August – To Be Confirmed**
  - 28<sup>th</sup> September
  - 2<sup>nd</sup> November
  - 30<sup>th</sup> November
- 9 Managers Report
- 10 A.O.B. **39 - 40**
- Councillor Access to Civic Office Administrative Areas
- 11 Proposed date for next Protocol Meeting: Thursday, 5th January 2017, 8am, Richard O'Carroll Room, City Hall.

**Deirdre Ní Raghallaigh**  
**Senior Executive Officer,**  
**Chief Executives Department**

**25<sup>th</sup> December 2016**



## MINUTES OF THE PROTOCOL COMMITTEE MEETING

HELD ON THURSDAY, 3 NOVEMBER 2016

- 1 Minutes of Protocol Meeting held on the 29th September 2016 and matters arising.

The Chair requested that the Committee consider item number 6 on the minutes - a motion from Councillor Paul McAuliffe:

***“That the flag of the EU join the City Flag and the National Flag in the Rotunda of City Hall. “***

The Members agreed to adopt the motion.

**Order: Minutes Agreed.**

- 2 Receptions notified by the Lord Mayor

Date	Function	Nos
08.10.16	Reception for Jacinta Stewart CDETB	50
20.10.16	SIPTU NEC event	36
21.10.16	Cross Community Theatre Group	31
24.10.16	Discussion on Directly Elected Mayor	20
24.10.16	Cabra Senior Citizens Group	25
30.10.16	Dublin Marathon Breakfast for VIP's	80

**Order: Agreed**

- 3 Conferences:

- a Conferences Attended by Councillors
- Cllr. Dermot Lacey & Cllr. Declan Flanagan. LAMA Autumn Seminar, “Brexit and Ireland”. West Lodge Hotel, Bantry, County Cork. 30<sup>th</sup> September – 1<sup>st</sup> October 2016
  - Cllr. Dermot Lacey & Cllr. Paddy Bourke. AILG Autumn Seminar. Amber Springs Hotel, Gorey, County Wexford. 13<sup>th</sup> – 14<sup>th</sup> October 2016.

**Oder: Agreed & Recommend to Council**

- b Conference Reports Received from Councillors
- Cllr. Dermot Lacey & Cllr Declan Flanagan. LAMA Autumn Seminar, “Brexit and Ireland”. 30<sup>th</sup> September – 1<sup>st</sup> October 2016
  - Cllr. Dermot Lacey & Cllr. Paddy Bourke. AILG Autumn Seminar. 13<sup>th</sup> - 14<sup>th</sup> October 2016

**Oder: Noted**

4 Motion in the name of Councillor Tom Brabazon:

*“That all meetings outside of Regular Statutory meetings called by either colleague Councillors or Council Management would be called giving no less than seven clear days notice except in case of demonstrated emergency. “*

**Oder: Motion Agreed and recommended to Council**

5 Request for Retrospective approval of Councillor attendance at The ICSH Housing Finance Conference in the Newpark Hotel, Castlecomer, Kilkenny on 20-21 October 2016.

**Oder: Agreed**

6 Date of January 2017 Monthly Council Meeting & Deadlines

The Manager proposed the 9<sup>th</sup> of January 2017 as the date for the January Monthly Council Meeting and 12 noon on Tuesday 20<sup>th</sup> December 2016 as the deadline for receipt of Questions, Motions and Reports to that meeting.

**Order: Agreed and recommend to Council**

7 Procedures for dealing with Complaints against elected Members

Cllr. D Lacey explained that he had requested that this item be placed on the agenda because a motion had been submitted to the Protocol Committee by Cllr. M Flynn, which in his opinion constituted a complaint against a fellow Councillor. As there is an existing procedure for dealing with complaints through the Ethics Registrar he felt that it was not appropriate to accept the motion as it would have set a precedent without the Committee being consulted.

The Members were of the opinion that the existing procedure for dealing with complaints should be maintained as it was operating effectively. However, they felt that it was not the role of the Chair to rule a motion out of order before it was considered by the Committee.

The Manager informed the Members that the agenda has traditionally been agreed by the meetings administrator in consultation with the Chair of the Committee. However, this is not stipulated in standing orders. Furthermore, standing orders does not make any provision for the scope of motions. The Manager suggested that these issues could be considered by the Standing Orders working group.

The Chair acknowledged the views of the Members and said that in the event that Cllr Flynn resubmitted his motion he would consider it in light of their comments.

8 Manager's Report

- The Manager reported that the Planning and Property Development SPC had responded to the Protocol Committee motion on Development Plan Timelines as agreed at its meeting on 1<sup>st</sup> September.

*“The Chair mentioned that the timelines also created significant difficulties for the staff that worked very long hours, and thanked all the staff for their work on behalf of the Councillors and members of this Committee. The ACE agreed that the timeline limitations are challenging given the complexity of the issues being addressed. The August holiday period for*

*the Elected Members should be included in any new Regulations providing for breaks allowed during the statutory process. It is intended to make a submission along these lines for a suspension of the statutory period for what are deemed to be holiday periods in line with Development Management timelines.”*

**Order: Noted**

- The Manager requested that Members approve the publication of their meeting attendance to the Dublin City Council website on a monthly basis.

**Order: Agreed**

- The Standing Orders Working Group will meet in November to conclude its review.

**Order: Noted**

- The Manager informed Members that the Modern.gov Application would go live in January 2017 for all statutory meetings and proposed that any Member that accepts an iPad is committed to going paperless from that date.

**Order: Agreed and Recommend to Council**

9 A.O.B.

- Cllr. Flynn requested details of events where Councillors were asked to deputise for the Lord Mayor.

**Order: Agreed**

- Cllr. O'Farrell enquired about progress on the proposed Public Rep system.

**Order: The Manager reported that Oliver Douglas had met with counterparts in South Dublin, Fingal and Dun Laoghaire-Rathdown County Council's to discuss the scope and requirements for the new system. Members would continue to be updated on any new developments.**

- Cllr. Paddy Bourke enquired as to when the new pocket diaries for 2017 would be available.

**Order: The Manager to investigate and report back to the Committee.**

10 Proposed date for next Protocol Meeting: Thursday, 1st December, 2016, 8am, Richard O'Carroll Room, City Hall.

**Order: Agreed**

**Councillor Dermot Lacey**  
**Chairperson**  
**Thursday, 3 November 2016**

**Attendance:**

**Members:**

Paddy Bourke  
Ray McAdam  
Naoise Muiri  
Sonya Stapleton

Deirdre Heney  
Ray McHugh  
Damian O'Farrell

Micheal Mac Donncha  
Michael Mullooly  
Ciaran O'Moore

**Officers:**

Oonagh Casey

Michael Gallagher

**Apologies:**

Cllr John Lyons  
Lord Mayor Brendan Carr

**Non-Members:**

Cllr Mannix Flynn

**Lord Mayor Receptions – November 2016**

<b>Date</b>	<b>Function</b>	<b>Nos</b>
03.11.16	Princeton Roaring Twenties Accapello Group	21
04.11.16	Night for Terry Fagan	65
08.11.16	Transition Year students from Coláiste de hÍde, Tallaght	37
16.11.16	Interfaith Fourm meeting	22
17.11.16	Adult Educational Group from Ballymun	43
17.11.16	Press Photographers & Video Cameramen	30



## **Deputies for Lord Mayor's Functions – November 2016**

<b>Date:</b>	<b>Function:</b>	<b>DLM/Cllr:</b>
01.11.16	Launch of "Looking at the Stars" Anthology	Deputy Lord Mayor Councillor Rebecca Moynihan
02.11.16	Study Group Delegation from Denmark	Cllr. Paul McAuliffe
02.11.16	Mass for Deceased Member of Dublin City Council Retired Association	Cllr. Dermot Lacey
03.11.16	Princeton Roaring Twenties Accapello Group (MH)	Cllr. Alison Gilliland
04.11.16	Opening of the Inauguration Ceremony of the Nrithanjali & Kalolsavam festival	Cllr. Noeleen Reilly
05.11.16	Óglaigh Náisiúnta na hÉireann 56th Annual Niemba Cermonies 2016	Cllr. Ruairí McGinley
06.11.16	Irish Daily Mail FAI Cup Final - Cork City vs Dundalk	Cllr. Larry O'Toole
08.11.16	Transition Year students from Coláiste de hÍde, Tallaght (MH tour as Gaelige)	Cllr. Micheál MacDonncha
08.11.16	Launch of Women War and Peace resource booklet	Deputy Lord Mayor Councillor Rebecca Moynihan
09.11.16	Afterschool Project Group based in Usher Street (MH tour)	Cllr. Dermot Lacey
12.11.16	Rugby 2016 Guinness Series Ireland vs Canada	Cllr. Dermot Lacey
16.11.16	Public Consultation Workshop on College Green	Cllr. Ciarán Cuffe
17.11.16	Adult Educational Group from Ballymun (MH tour)	Cllr. Micheál MacDonncha
18.11.16	DCC Comhairle na nÓg AGM	Cllr. Dermot Lacey
18.11.16	Gender and Transgender Identity Ceremony of Remembrance.	Deputy Lord Mayor Councillor Rebecca Moynihan
19.11.16	Donnycarney West Community Association small ceremony celebrating erection of new clock	Cllr. Deirdre Heney
19.11.16	Legion of Mary 36th Anniversary Mass	Cllr. Vincent Jackson
19.11.16	Cathedral Youth Club The Fountain from Derry/Londonderry (MH tour)	Cllr. Vincent Jackson
21.11.16	Geansaí Nollag Photocall	Deputy Lord Mayor Councillor Rebecca Moynihan
21.11.16	Switching on of Christmas Tree Lights in Bluebell	Cllr. Daithí Doolan
22.11.16	Switching on of Christmas Tree Lights in Merrion Square	Cllr. Dermot Lacey
22.11.16	Formally accepting donation of documents relating to the Orchestra of St. Cecilia	Deputy Lord Mayor Councillor Rebecca Moynihan
23.11.16	Meet & Greet Delegation from the Velo City 2019 bid	Cllr. Andrew Montague
23.11.16	Launch of the New Communities Partnership photographic exhibition "New Shades of Green"	Cllr. Mary Freehill
23.11.16	DCC Retirement Function	Cllr. Vincent Jackson
24.11.16	UEFA Euro 2020 Championship Launch	Cllr. Dermot Lacey
24.11.16	Switching on Christmas Tree Lights in Cows Lane, Temple Bar Cultural Trust	Cllr. Dermot Lacey
24.11.16	Conferring Ceremony for LM's Certificates in Local History & Oral History (MH)	Cllr. Micheál MacDonncha
24.11.16	Switching on Christmas Tree Lights in Smithfield	Cllr. Dermot Lacey
25.11.16	Switching on Christmas Tree Lights in Donnybrook	Cllr. Paddy McCarten
27.11.16	Switching on Christmas Tree Lights in Harold's Cross	Cllr. Mary Freehill
28.11.16	Switching on Christmas Tree Lights in Dolphin's Barn	Deputy Lord Mayor Councillor Rebecca Moynihan
29.11.16	Switching on Christmas Tree Lights in Inchicore	Cllr. Greg Kelly
29.11.16	Switching on Christmas Tree Lights in Rathmines	Cllr. Ruairí McGinley
30.11.16	Switching on Christmas Tree Lights in Cornmarket	Deputy Lord Mayor Councillor Rebecca Moynihan



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## Report to the Protocol Committee on Licences and Leases

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Report No 86 was brought to the Protocol & Selection Committee in 2011 which detailed the reasons as to why a lease would be chosen over a licence when disposing of a City Council Property depending on the individual circumstances of each case.

The report at 1 below is an extract of the brief from the meeting containing the Order.

1. Report on Draft Policy on Leases/Licences of Community/Sporting Facilities  
**Order: The Manager's report was noted by the Committee. It was agreed, that in future, all disposals of buildings and lands be done by way of licence. In cases, where other than a licence is being proposed, the reasons should be included in the report on the proposed disposal to the Area Committee. Recommend to Council.**

The Internal Audit Unit carried out a Review of Dublin City Council Properties Leased/Licensed to Community Groups in the Central Area and the final report issued in December 2014 (Internal Audit Report R06/14) which recommended that the 'Development Department should liaise with the Council to update the policy on the use of Leases versus Licences (including the use of Renunciation of Renewal document').

The Law Agent was asked for advice on this matter and a copy of this advice is attached. It is now proposed that the following policy in relation to issuing of leases / licences should be adopted for future lettings:

### **The Council will grant licences in the following cases**

- To all new successful applicants
- In all buildings with multiple occupants, such as Community Centres.
- When the applicant group is not a legally constituted entity capable of taking a lease.
- When the Council is giving a short term permission to use the premises while redevelopment or alternative use is pending.

### **The Council will grant leases in the following cases**

- Where a commercial rent is being charged and the property is being used exclusively
- In cases where the proposed lessee has either financed the building of the premises on Council land or contributed a majority portion of the building cost
- Where certain funding agencies require the applicant to have at minimum a lease of the premises to qualify, then a short term lease shall be granted to include a renunciation clause by the lessee in relation to the right to renew.
- When it is in the Council's interest to have the group responsible for the entire building and its maintenance.
- When it has been advised by the Law Department that the applicant is entitled to a lease.

**Jim Keogan**  
**Assistant Chief Executive**  
**15<sup>th</sup> November 2016**



# OPINION ON COUNCIL LEASES AND LICENCES

## Introduction

I have been asked to comment on the updated legal position on leases and licences and to comment on the reasoning as to why it is more appropriate to grant leases in certain circumstances.

## The Nature of leases and licences

A lease gives the occupier (tenant/lessee) exclusive possession of premises for a defined period subject to certain conditions.

A licence is a contractual arrangement of a temporary nature. It is not meant to confer any property rights to the licensee but merely formalizes the arrangement by which the licensee occupies or uses the licensor's property. It does not give the occupier exclusive possession and, in many cases, gives the occupier limited use of the premises e.g. a sports club hiring a pitch between 6-8pm Mondays and Wednesdays.

## Landlord and tenant statutory provisions

Section 16 of the Landlord and Tenant (Amendment) Act, 1980 ("the 1980 Act") provides that, where Part II of the 1980 Act applies, the tenant shall be entitled to a new tenancy commencing on the termination of the previous one subject to proving any one of the following :

- Business equity under Section 13 (1) (a) as amended by Section 3 of the Landlord and Tenant Amendment Act 1994 ("the 1994 Act") if the tenant has continuously occupied the premises for five years.
- Long possession equity under Section 13(1) (b) that tenant is required to be twenty years in possession and
- Improvements equity under Section 13(1) (c) – if the tenant is entitled to compensation for improvements and the said improvements amount to half or more than half of the letting value of the tenement when the notice of intention to claim relief is served, then the tenant has an improvements equity.

Section 85 of the 1980 Act did not permit the contracting out of one's rights under Section 13 of the 1980 Act.

## Changes to Contracting Out Provisions

Section 4 of the 1994 Act allowed the tenant of an *office* premises to contract out of his/her right to a new tenancy subject to the following conditions;

- The premises must be business premises
- The premises must be wholly and exclusively free for office use
- The tenant must validly renounce in writing his/her entitlement to a new tenancy before the term of the new tenancy commences; and
- The tenant must receive independent legal advice in respect of the renunciation.

Section 47 of the Civil Law (Miscellaneous Provisions) Act 2008 (“the 2008 Act”) amended Section 4 of the 1994 Act.

**The 2008 Act (which came into operation on the 1<sup>st</sup> July 2008) permits all business tenants, regardless of user, to contract out of their entitlement to renew their tenancy after five years.**

It should be emphasised that for this provision to apply, the tenant must renounce his/her right to a new tenancy, *in writing*, and must receive *independent legal advice* in respect of the implications of the renunciation.

Accordingly, it is good practice for a landlord to issue a renunciation, or indeed for the renunciation to form part of a lease in *all* cases.

Also, as Section 47 of the 2008 Act only applies to leases of twenty years or less, it has become common practice to issue modern day commercial leases for periods of fifteen years or less.

A Deed of Renunciation is now signed as a matter of form in all leases.

The contracting out provisions provided for in the 2008 Act is not only restricted to office lettings but *also apply to general rentals* including industrial, retail and other business uses.

‘Business’ means non-residential and therefore would apply to all Council owned non-residential premises.

## The Nature of Council lettings and licences

The majority of leases and licences granted by the Council are to community groups or voluntary organizations occupying a part of a Council building or Council lands.

It should be necessary that *all* occupiers of Council premises enter into a contractual arrangement with the Council which sets out the conditions of that occupation. No matter how ‘urgent’ it may seem at the time of initial occupation, it is recommended that no group or individual should be permitted to occupy Council premises without first signing an occupational agreement.

A licence should *initially* be granted to all occupiers of Council premises, particularly community occupiers.

A licence is a *temporary* occupational arrangement.

Previously, many occupiers of Council buildings were community groups or local residents associations with ad hoc governance. Within the past few years these organizations have become more formalized and, in most cases, have incorporated as companies limited by guarantee so they can avail of government grants. As a result these types of organizations now occupy Council buildings for a number of years.

If it is anticipated that a particular group or individual will be in occupation of a Council owned premises for a period exceeding one year *it is recommended* that the occupier should enter in to a lease/ short term letting with the Council.

In these circumstances it will be necessary for the occupier to sign a renunciation under Section 47 of the Civil Law (Miscellaneous Provisions) Act 2008.

## Council Statutory restrictions

The Council is obliged to receive the statutory approval of the Councillors under Section 183 of the Local Government Act, 2001 for all licences and leases exceeding a period of one year.

All lettings for a period exceeding one year will require Council approval. Such lettings should be *strictly subject* to the lessee signing a deed of renunciation prior to entering in to the lease.

*Máiréad Cashman*

Senior Solicitor  
Commercial and Property Section  
Law Department  
01/09/2016





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## Review of Standing Orders 2016

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A full review of Standing Orders was undertaken in 2015 and many amendments were made to the existing Standing Orders at the time and adopted by the City Council in April 2015. A Working Group comprising Councillors and officials had been set up to conduct this review. It was agreed at that time that a Member from each political grouping would be nominated to sit on the Working Group. All Group Leaders were requested to forward nomination to the Chief Executive's Office. The following Councillors were nominated to the Working Group :- Michael Mac Donncha, Naoise O Muiir, Dermot Lacey, Paul McAuliffe, Cieran Cuffe and Damian O'Farrell.

Following the election of the Lord Mayor in June, it was agreed that the 2015 Standing Orders Review Group would meet to do an up-to-date assessment of Standing Orders and make any necessary recommendations to the city Council. The Lord Mayor and Councillor John Lyons joined the group.

The Working Group met on a number of occasions and again reviewed each Standing Order. Amendments and/or additions were made as required and several drafts were considered in succession. It was agreed at the last meeting of the group on the 14<sup>th</sup> November that the final draft would be listed on both the Protocol and City Council Agendae in December for consideration and approval.

Accordingly, the attached Revised Standing Orders are presented to the City Council for its adoption. The revised Standing Orders will become effective immediately on adoption by the City Council.

**Deirdre Ni Raghallaigh**  
Senior Executive Officer

**Dated : 23<sup>rd</sup> November 2016**



## **STANDING ORDERS 2016 (Final Version)**

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## **DUBLIN CITY COUNCIL : STANDING ORDERS 2016 (Version 1)**

### **SECTION 1: MEETINGS OF THE CITY COUNCIL**

1. Monthly Meetings of the Council shall be convened for the first Monday in each month provided that no meeting of the Council shall be convened for a day which is a Public Holiday. Where the first Monday of the month is a Public Holiday, the Monthly Meeting of the Council shall be convened for the following Monday. No meeting of the Council shall be convened during the month of August.
2. In an election year, the local authority shall publish a notice of its Annual Meeting on the Dublin City Council website and in at least one newspaper circulating in its administrative area. The notice shall state the date of the annual meeting and, where appropriate, that the first business of the meeting will be the election of the Lord Mayor, and specify the joint bodies and other bodies to which the local authority is entitled to make appointments at that meeting or subsequently. The notice shall be in a form and published within the period prescribed by regulations.
3. In every year in which a local election is held, the Annual Meeting of Dublin City Council shall be held on the **fourteenth day** after the date of the poll. Where the **fourteenth day** is an excluded day, the meeting shall be held on the next following day which is not an excluded day. In every other year, the annual Meeting shall be held on such day in the month of May or June as Dublin City Council shall, by resolution, appoint or fix by Standing Orders.”

**(Dublin City Council at a Special Meeting of Dublin City Council held on the 23rd June 2014 adopted the following resolution ‘That the Annual Meeting of Dublin City Council for the Years 2015 – 2018 inclusive be held on the last Monday of June’)**

4. In the case of an Annual Meeting in an election year and until the election of the Lord Mayor at such meeting, the Chair for this period shall be taken by the outgoing Lord Mayor (even if he/she is not a Member of the Council at that time) or in the absence of the Lord Mayor the Chair to be taken by a Member or an employee selected by the meeting for this purpose. Any Member selected to chair an annual meeting under this subparagraph shall not have a second or casting vote and any employee of the local authority if so selected in accordance with this subparagraph shall not have any vote.
5. A Local Authority Budget Meeting shall be held during the period prescribed by regulations for that purpose.
6. A Special Meeting of the Council may be convened at any time by the Lord Mayor of his/her own Motion or upon a requisition addressed to him/her and signed by at least **five** Members of the Council. The provisions of paragraph 6 Schedule 10 of the Local Government Act, 2001 shall apply in relation to calling of such meeting.

**Excerpt from LG Act 2001, Schedule 10 - Special meetings.**

- 6.—(1) A requisition to have a special meeting of a local authority convened (in this paragraph referred to as a “requisition”) may be made—  
(a) by the Cathaoirleach,

*(b) if the office of Cathaoirleach is vacant, or the Cathaoirleach is unable to act, by the Leas-Chathaoirleach, or*

*(c) by the Cathaoirleach on foot of a request presented to him or her by any 5 members.*

- (2) Where the Cathaoirleach refuses or neglects to act on foot of a request referred to in subparagraph (1)(c) within 7 days of it being presented to him or her, the members making the request may convene the meeting in accordance with this paragraph.*
- (3) A requisition shall be made in writing and be delivered by the Cathaoirleach, the Leas-Chathaoirleach or in a case where subparagraph (2) applies by the members making the requisition, as the case may be, to the meetings administrator.*
- (4) A requisition shall be signed by the person or persons making it, as the case may be, and shall—*
- (a) contain as an agenda a statement of the business which it is proposed to transact at the meeting, and*
  - (b) specify a day, (other than an excluded day), which is not less than 3 clear days after the day on which it is received [2001.] Local Government Act, 2001. [No. 37.] by the meetings administrator, for the holding of the meeting.*
- (5) On receipt of a requisition, the meetings administrator shall, unless it is a case to which subparagraph (6) applies, issue a notification under paragraph 7 and give public notice under paragraph 8 for the special meeting required by the requisition.*
- (6) Where—*
- (a) a requisition under subparagraph (1)(c) specifies a day for the holding of a special meeting, and*
  - (b) an ordinary meeting of the local authority is to be held on a day within the period of 10 days after the day on which the meetings administrator receives the requisition, the business stated in the requisition shall be considered at that ordinary meeting and the special meeting shall not be convened.*

“excluded day” means a day which is a Saturday, Sunday or public holiday (within the meaning given by the Organisation of Working Time Act, 1997) or any other day on which the principal offices of the local authority concerned are closed;

7. Should the Lord Mayor refuse to act upon a requisition (referred to in Standing Order No. 6) or neglect to do so within a week, a Special Meeting for the purpose defined in it may be convened by **five** or more Members of the Council. The provisions of paragraph 6 Schedule 10 of the Local Government Act, 2001 shall apply in relation to calling of such meeting.

### **Hour of Meeting**

8. The hour of the Monthly Meeting of the Council shall be at 6.15 p.m. unless upon any occasion when it is otherwise fixed by Statute or by Resolution of the Council or an Order of the Lord Mayor. The Council shall rise not later than 9.30 p.m. No later than 9.15pm, the Lord Mayor or any Member of the City Council may ask the meeting to approve an extension of the meeting for a length of time to be specified by him/her. A majority of those present may approve this request but only business on the Agenda not requiring approval of a specific number of Councillors can be put unless that specified number is present. When the whole of the business set down for a meeting of the Council has been transacted, the Meeting thereupon ends without any question from the Chair.

## Summoning of Meetings

9. A notification to attend a meeting, other than a local authority budget meeting shall (a) be circulated (either hard copy or electronic) to each member of the Council, (b) specify the place, date and time of the meeting, and (c) give not less than three clear days notice. The 3 clear days shall only exclude (i) normal day for receipt of the notice, and (ii) the day of the meeting. A notification shall include or be accompanied by an Agenda listing the business to be transacted at the meeting. The Agenda should also be published on Dublin City Council's website prior to the meeting. Subject to Standing Order 34, no business shall be transacted at a meeting other than that specified in the Agenda, which relates to the meeting or business required by the Act, or otherwise by law to be transacted at the meeting.

An Agenda which has been sent or delivered for this purpose may be altered (whether by way of addition, deletion or otherwise) if an Agenda specifying the alteration is circulated (either hard copy or electronic) to each member not less than three clear days before the day on which the meeting is to be held. In the case of a Special Meeting convened by requisition under Standing Order 6, a copy of the requisition shall be sent with the notification.

A copy of the Agenda shall be sent to the media and Members of the Oireachtas one day (24 hours) after the release of the Agenda to City Council Members

## Constitution of Meetings

10. The Chair shall be taken at a Meeting of the Council within twenty minutes after the time appointed for such Meeting by the Lord Mayor, or in his/her absence by the Deputy Lord Mayor or otherwise by a Member called thereto by general agreement or chosen by vote of the members present.
11. The Chair being taken, the Roll of Members shall be called or recorded electronically and the names of those present recorded and when it appears that not fewer than seventeen Members are in attendance, the Council shall proceed with the business of the day. Whenever a meeting of the local authority is abandoned owing to failure to obtain a quorum, the names of those present at the time and place appointed for such meeting shall be recorded by the meetings administrator and they shall for all purposes be deemed to have attended a duly constituted meeting.
12. When, for any reason, the Lord Mayor has occasion to vacate the Chair at a meeting of the Council, the Chair shall be taken by the Deputy Lord Mayor or in his/her absence, by a Member called thereto by the Lord Mayor with the leave of the Council.

## Order of Business

13. The Order of Business at all meetings other than Annual Meetings, Budget Meetings or Special Meetings shall be as follows:

**Part 1 - Introductory** : consisting of: (1) Lord Mayor's Business; (2) Questions to the Chief Executive; (3) Correspondence

**Part 2 - Governance Issues** : (1) Confirmation of Minutes; (2) Monthly Financial Statement; (3) Statutory Business in relation to Planning Matters, making of Byelaws, Road Closures and Disposals of Property.

**Part 3 - Breviates and Policy :** In addition to listing of Breviates of Area, SPC and Protocol Committee meetings, this Section shall deal with the monitoring/oversight role of Dublin City Council in relation to Strategic Policy matters and matters of citywide importance and interest.

**Part 4 - Topical Issue :** Discussion under this item to be of 35 minutes duration maximum and cannot be extended under any other Standing Order. Members and Committees of the Council are permitted to submit items for consideration. Items must be submitted to the Meetings Administrator by 3.30pm on the day of the monthly meeting and listed in the order they are received. Each item to be a heading only (a word or phrase consisting of not more than 6 words). No item to be listed more than once. List to be circulated to all Members by 4pm. Names of the submitting Member(s) will not be included on the List..

When this Item is reached on the Agenda, a vote must be taken, starting at Item 1 on the List. A two-thirds majority of the Members present in the Chamber at the time of voting must vote in favour for an Item to be approved for discussion. Each Item will be voted on until one achieves the required majority. All other Items on the list will then fall. If no item secures the two-thirds majority, then the meeting reverts to the business of the Agenda and no discussion takes place.

If an Item is approved for discussion, the Lord Mayor will call on each Group Leader in order of their representation on the Council to speak for a maximum of 2 minutes each. A Group Leader may nominate another member of their Group to speak or may waive their time slot in favour of another Group. A Group must consist of a minimum of three councillors. For the purposes of this Standing Order, all independent councillors or those who are the sole representatives on the Council of a political party should indicate to the Chief Executive's Office which Group Leader (if any) represents them.

When all Group Leaders who wish to have spoken, then the discussion will be thrown open to the floor, with one minute speaking time being allotted to each Speaker taken in the order they had indicated to the Lord Mayor. No speaker may speak more than once.

### **Part 5 - Motions**

#### **Confirmation of Minutes**

14. Minutes of the proceedings of a meeting of the local authority shall be drawn up by the meetings administrator.

The Minutes shall include –

- a) the date, place and time of the meeting,
- b) the names of the members present at the meeting,
- c) the names of the senior employees of the local authority present at the meeting,
- d) reference to any report submitted to the members at the meeting,
- e) where there is a roll call vote, the number and names of members voting for and against the motion and of those abstaining **or absent**,
- f) particulars of all resolutions passed at the meeting,
- g) such other matters considered appropriate by the meetings administrator.

A copy of the minutes of a meeting shall be circulated (either hard copy or electronic by the meetings administrator to each member of the local authority and published on the City Council's website.

Minutes of a meeting shall be submitted for confirmation as an accurate record at the next following ordinary meeting, where practicable, or where not, at the next following meeting and recorded in the minutes of that meeting.

When confirmed with or without amendment, the minutes of a meeting shall be signed by the person chairing the meeting they were submitted to for confirmation and any minutes claiming to be so signed shall be received in evidence without proof. When the question that they be confirmed is put from the Chair, a Member may object to any part thereof as not being an accurate record and upon a motion any question of altering the record shall be determined by the Council by majority vote of those members who were present at the appropriate meeting; provided that no entry shall be made in the Minutes of any protest other than a record of dissent, save in the form of a motion or an amendment.

A copy of the minutes when confirmed in accordance with this Standing Order shall be open to inspection at the principal offices of the local authority and any person may inspect and make a copy of, or abstract from, the minutes during the usual office hours of the authority. A copy of the minutes shall be provided to any person applying for them on payment of such reasonable sum, being a sum not exceeding the reasonable cost of supplying the copy, as may be fixed by the authority.

### **Lord Mayor's Business**

15. The Lord Mayor of the day may bring up items under Lord Mayor's Business as (s)he deems appropriate.

### **Questions**

16. Questions to the Dublin Chief Executive must be forwarded electronically and must reach him/her or his/her authorised officer not later than eleven clear working days (including Saturdays, the day of the meeting & Public Holidays but not Sundays) preceding that on which they are to be asked. Additional information may be handed in to the Meetings Administrator in hard copy if it cannot be submitted in soft form for any reason. No member shall be entitled to table more than four questions at any one meeting. Questions must relate to matters of administration of the City Council for which the Dublin City Chief Executive is responsible, must have the purpose of eliciting information, elucidating matters of fact or of policy, be brief and contain no argument or personal imputation. Questions cannot be put and answered unless the Council has previously approved by motion without debate. The questions shall be answered without debate and supplementary questions shall not be put.

Questions submitted to the monthly City Council meeting may relate to a citywide or a local issue. Questions submitted to an Area Committee Meeting may relate to a citywide or a local issue of that administrative area only.

### **Reports to Council**

17. A copy of every Report to be submitted to the Council shall, before the submission of the Report, be transmitted at the same time to every Member of the Council. Reports shall be made available to the editor of every daily, evening and Sunday newspaper published in Dublin, and also to the radio and television authorities on request, and published on the web 24 hours after being transmitted to the Members.

18. The consideration of each Report shall be the subject of a motion - the number and a brief summary to identify the content of each Report shall be read from the Notice Paper. Reports when dealt with shall not be copied into the Minutes but shall be identified in the Minutes by reference to the number, title and subject of the Report; and the Lord Mayor, or other Chairperson, when confirming such Minutes, shall sign a printed copy of every such Report, and these signed copies shall be bound in volumes corresponding to the printed volumes of Minutes, and shall be indexed with the Minutes, and be deemed to form part of them.

### **Notices of Motion**

19. Subject to the provisions of Standing Order Number 92, a Member wishing to have business considered at the monthly meeting of the City Council shall do so by way of Motion.

The motion must be submitted be forwarded electronically and must reach the Chief Executive or his/her authorised officer not later than eleven clear days (including Saturdays, the day of the meeting & Public Holidays but not Sundays) preceding the meeting at which it is to be proposed. Such Notice of Motion shall be recorded in a Register in the strict order of receipt and shall appear on the Notice Paper in that order. The Register shall be open for inspection by any Member of the Council. No Member shall be permitted to have more than one Motion on the Agenda for any one meeting. (with the exception of motions in relation to submissions for Local Area Plans, **Strategic Development Zones or City Development Plans** when no limit will apply to the number of possible motions).

When a Member has submitted a motion which has appeared on a Notice Paper for a monthly meeting and that motion has not been reached, that Member shall be entitled to substitute the motion with another to appear in the same order on the Notice Paper for the next monthly meeting. (N.B. The time frame within which a Councillor may avail of this provision is immediately following the meeting at which the motion wasn't reached, and the deadline for the receipt of motions for the next monthly meeting of the Council)

When a Member has submitted a motion which appears on a Notice Paper for a monthly meeting and that Member wishes to defer that motion to the following Month's Notice Paper without loss of place/position on the Notice Paper, the Member must notify the Lord Mayor in writing or by email either before or during the meeting at which the motion is due to be taken, whether the Member is present at the meeting or not. The Lord Mayor will inform the meeting when the motion is reached on the Notice Paper that the motion is deferred. A motion may be deferred only once, except in exceptional circumstances (e.g. illness, bereavement etc).

20. A Member who has submitted a motion for consideration by a Committee shall not be entitled to table a motion in similar terms for consideration by the City Council and the converse shall also apply except in exceptional circumstances.
21. A Notice of Motion recommending or involving expenditure shall not be considered by the Council unless the Council has before it at the same time a certificate from the appropriate officer setting out the estimated expenditure which would be involved by the adoption of the Motion.

## **Adjournment of Council**

22. A Motion for adjournment of a Council meeting may be made by any Member at any time and shall be determined without amendment and without debate, except that the mover of the Motion of adjournment and the mover of a Motion immediately affected by it, may each address the Council for not more than five minutes on the question of adjournment; and when the Motion for adjournment is adopted, the Meeting will stand adjourned to a day then named. Attendance at an ordinary meeting when adjourned is accounted only once for expenses purposes. When an Ordinary Meeting or Annual Meeting is adjourned sine die, the uncompleted business shall be set down for the next occurring Ordinary Meeting.
23. A Special Meeting may be adjourned from time to time until its business is concluded.

## **Quorum**

24. The number of Members constituting a quorum shall be seventeen. When during any Meeting it is drawn to the attention of the Chair that less than seventeen Members of the Council are present, the attendance bell shall be rung and after an interval of five minutes, the Roll shall be called and the names of the Members in attendance recorded, and if the number of Members present is less than seventeen, the Council, if the meeting be an Ordinary Meeting or an Annual Meeting, immediately and automatically adjourns the uncompleted business to the next Meeting of the Council but, if the meeting be a Special one, the business before it automatically drops. The names of the Members in attendance when the Roll is called/recorded, shall be recorded in the Minutes of the Council.

## **SECTION II : PROCEDURE IN COUNCIL**

### **Motions and Amendments**

25. The proposer of a Motion or an Amendment not printed in the Notice Paper, and not in common form, shall, upon moving the same, deliver a signed copy to the Chair and to every Member present on an agreed standard form.
26. A Motion, notice of which stands in the Notice Paper and which has been proposed and seconded, may be withdrawn only on leave obtained from a majority of the Council present at the Meeting. A Motion may be proposed either by the Member in whose name it stands, or, if he/she be absent, by any Member authorised by him/her in writing to propose it on his/her behalf; but, unless so proposed it drops, (**unless it has been deferred under Standing Order No 19**), and shall not again be set down in the Notice Paper except upon fresh notice.
27. A Motion or an Amendment, when not seconded, drops.
28. An Amendment, which has been proposed and seconded, may be withdrawn only on leave obtained from a majority of the Council present at the meeting.
29. Each amendment shall be put separately to the Council in the order in which they have been handed to the Lord Mayor. When an amendment(s) is agreed/approved by the City Council, the original motion as amended shall then

be put by the Chair as a substantive Motion. An Amendment shall not be in order if it is equivalent to a direct negative or if it is not in fact an Amendment of the substantive motion it purports to amend.

30. A Motion to rescind or amend a Resolution of the Council can only be made on notice, inserted in the Notice Paper, and such notice shall specify the Resolution to be rescinded or amended, and furnish the terms of the Motion to be made; but no Motion to rescind any Resolution of the Council within six months of the date of its adoption, shall be in order unless the notice is signed by not less than twelve Members of the Council and at least not less than one half of the total number of members of the Council vote in favour.
31. A Motion to adopt a Report of a Committee or to sanction any proceeding or recommendation of a Committee may be proposed by the Chairperson of such Committee, or, in his/her stead, by any Member of the Council.
32. A Member who has not contributed to the debate on a Motion or proposed Amendments thereto may move "that the Council proceed to the next business". Such a Motion may be made only after the Motion under discussion has been proposed and seconded. When made it shall be determined without Amendment or debate; and if it be affirmed, the business interrupted by such Motion shall not be proceeded with further at that Meeting. The Motion to proceed to next business shall not be made more than once during the debate on any question.
33. Unless the Council is exercising a Reserved Function, after a debate on a Motion has continued for twenty (20) minutes a Member who has not contributed to the debate may ask leave to move "that the question be now put," and if such leave be given by the assent of not fewer than five Members the Motion "that the question be now put" shall be forthwith put to the Council for decision, and if it be affirmed, the mover of the original Motion may speak for not more than five minutes after which any question or questions then before the Meeting shall be forthwith put to the Council. A Motion "that the question be now put" shall not be moved more than once during the debate on any question unless that debate has continued for at least half-an-hour since a previous similar Motion was moved.

A motion which is still under discussion and has not been put by 9.30pm (or at the end of any meeting which has been extended by agreement), that motion shall be re-listed for the next meeting in the same order/position on the agenda

### **Emergency Motions**

34. Notwithstanding any other provisions of these Standing Orders, a motion may be proposed without notice for the purpose of dealing with urgent business related to a function of the local authority, subject to the requirement that not less than three-quarters of the members present (being at least one-half of the total number of members of the authority) vote in favour.
  - An Emergency Motion is one that due to its seriousness gives rise to an unexpected, urgent and/or potentially dangerous situation requiring immediate action of Council. The proposer of such a motion must in submitting the motion outline clearly why an emergency situation exists and why the motion cannot be dealt with by way of motion to the City Council or to an Area Committee as already provided for.

- A motion which is deemed not to be an emergency motion will be listed for the next City Council Meeting or Area Committee as deemed appropriate at the request of the submitting Councillor, subject to the proviso that the agreed quotas under Standing Orders Nos 19, 63 & 67 are not exceeded.
- Emergency Motions must be submitted to the Chief Executive's Secretariat by 3pm on the day of the monthly City Council meeting, unless related to an issue that has arisen after 3pm on the day in question.
- The Council may appoint a Committee representative of the Council to adjudicate on emergency motions submitted and determine in conjunction with the Lord Mayor as to whether or not they will be put before the City Council for consideration. In the absence of such Committee representative, the Lord Mayor will make such determination in accordance with Standing Orders.
- Emergency Motions which have been passed by the Lord Mayor to be put before the City Council will be circulated to all Councillors by email prior to the City Council meeting.
- The City Chief Executive may give a brief report to the Members on the motion being taken with or without debate before it is put for decision. Where the Manager does so, the proposer (or where there is more than one proposer, one of the proposers) will be allowed an opportunity to respond.

35. Emergency Motions will be dealt with at 8.30pm or the earliest possible time thereafter following completion of the business underway at that time. If the section of the Agenda for the City Council meeting dealing with motions has not been reached by 8.30pm, the order of business shall be suspended at 8.30pm or the earliest possible time thereafter, to enable the Lord Mayor to ascertain the City Council's decision in relation to the suspension of Standing Orders to take/not to take Emergency motions with or without debate.

When the Emergency Motions have been dealt with (or at 8.30pm if there are no Emergency Motions), the 1<sup>st</sup> and 2<sup>nd</sup> motions on the Agenda shall be taken. When the first two motions on the agenda have been dealt with, the City Council will, unless it decides otherwise, revert to the agenda items in the order in which they are listed. At 9pm, if the motions have not been dealt with, the City Council shall revert back to the Agenda, and continue the agenda business in the order in which the items are listed.

### **Rules of Debate**

36. The mover of a Motion shall address the Council for no more than three minutes. The Lord Mayor will then call on each Group Leader in order of their representation on the Council to speak for a maximum of 2 minutes each. A Group Leader may nominate another member of their Group to speak or may waive their time slot in favour of another Group. Other speakers including the mover of an Amendment shall be limited to two minutes. A Member may speak once upon any Motion except a Motion which is to be put without debate. The proposer of a Motion has the right to speak for a period not exceeding two minutes in reply to the debate and when he/she replies, the debate on the Motion is closed.

37. A Member, while speaking, shall address himself/herself only to the Chair.
38. A Member speaking shall not be interrupted, except upon a question of order, but he/she may give way to a Member desiring to make a personal explanation.
39. While a meeting is in progress, a Member may stand to make a point of order and should address the Chair once called upon; Other Members should remain seated unless he/she rises to address the Chair upon the question of order.
40. The Lord Mayor is the sole judge of order and conduct in the Council, and has authority to suppress disorder and enforce prompt obedience to his/her ruling.
41. Whenever any Member's conduct is considered by the Lord Mayor to be disorderly, he/she is named by the Lord Mayor immediately after the commission of the offence of disregarding the authority of the Chair.

Then the Lord Mayor shall forthwith put the question on his/her own Motion - no Amendment, adjournment or debate being allowed - "That .....(naming the Member) shall withdraw from the Council for the remainder of the meeting." The motion, if seconded, shall be put to the Members and if agreed, the named Member shall withdraw from the Chamber for the remainder of the meeting. The motion shall be recorded in the minutes of that meeting. If the motion is not seconded, it falls. If the motion is seconded but not agreed by a majority of the Members present, then the motion falls and the named Member may remain in the Chamber unless the Lord Mayor invokes Standing Order No 43.

42. The Lord Mayor may order a Member whose conduct is disorderly to immediately withdraw from the Council Chamber for up to half an hour. The said Member may resume his/her seat at the expiration of that time. Members ordered to withdraw in pursuance of this Standing Order shall forthwith withdraw from the Council Chamber.
43. In the case of serious disorder as determined by the Lord Mayor, he/she may, without a motion/question being put, adjourn or suspend the Meeting for a time to be decided by him/her. If a Member is suspended under this Standing Order, financial sanctions under Part 7 of the Local Government Act 2014 may be invoked by resolution of the Council.
44. A Member referring by name to any Member shall speak of him/her by his/her municipal title.
45. No Member shall address the Chair unless from his/her place at one of the seats reserved to the use of Members.
46. Any employee of the Dublin City Council in attendance at a Meeting of the Council shall answer any question put to him/her by the Chairperson, arising out of business then before the Council unless he/she claims the right to refuse to answer the question on the grounds that the answer might incriminate him/her, might be a breach of confidence or might involve him/her as a defendant in Court Proceedings.
47. The Council may by resolution decide to receive a deputation. Subject to the direction of the chair, two persons may speak on behalf of the deputation for not more than ten minutes, unless permitted by the Chair.

Request for a deputation to be heard by the Council shall not be considered unless the subject matter to be raised be notified in writing on the motion of a member of the Council, or direct application by the body concerned, sent to the meetings administrator at least nine clear days before the date of the meeting.

The deputation may only be questioned by members of the Council but shall not be entitled to ask questions. When the members of a deputation have addressed the meeting, they shall withdraw from the meeting.

## Visitors and Press

48. The right of the public and representatives of the media to attend Council meetings is subject to the following:

Where the Council is of opinion that the absence of members of the public and representatives of the media from the whole or part of a particular meeting is desirable because of the special nature of the meeting or of an item of business to be or about to be considered at the meeting or for other special reasons, the Council may, by resolution in respect of which, at least one-half of the total number of members vote in favour, decide to meet in committee for the whole or part of the meeting concerned. The resolution in this instance shall indicate in a general way the reasons for the resolution and those reasons shall be recorded in the minutes of the meeting.

Members of the public and representatives of the media will occupy the parts of the Meeting Room allotted to their use. The public shall be admitted subject to the following arrangements:

Visitors shall be admitted only upon authorisation issued by the Members and subject to accommodation being available. Every Member is entitled to issue **two** passes for the admission of **two** visitors to any Meeting of the Council at which visitors are permitted to be present. **Two** such passes shall be left in City Hall for each Member of the Council-in advance of the meeting.

Where, upon the expiration of a quarter of an hour after the time for which any Council Meeting is convened, accommodation for visitors is not fully occupied, further visitors, not exceeding the number for which accommodation is available may be admitted upon cards from Members of the Council. Each Member will then be entitled to receive from the Chief Executive or his/her authorised Officer not more than two additional cards. If, after the issue of these additional cards, there is still accommodation available in the public gallery, further cards may be issued to Members if the Lord Mayor or Chairperson of the day approves.

49. Members of the public shall be seated and maintain silence and observe any directions given by the Chair or by any employee in attendance upon the Council. Such employees of Dublin City Council are responsible for the execution of all measures necessary for the maintenance of order and decorum in and about the Chamber. The display of flags, posters, placards and slogans is not allowed in City Hall during meetings of the City Council.
50. If a member of the public interrupts a meeting at any time or endeavours, without the permission of the Council, to address a Meeting, the Chair shall warn him/her and if the interruption continues shall order that person's removal.
51. In the case of a general disturbance in any part of the Meeting Room open to the public, the Chair shall order that part to be cleared.

## **Questions, Votes and Divisions**

52. Every question shall be determined by a show of hands or recorded electronically on the Electronic Voting System. If recorded electronically, the result shall be declared immediately upon completion of the vote and the details to be retained and released upon request. If five members request a division/Roll-call Vote, the names for and against the motion or amendment shall be taken down in writing or recorded electronically on the Electronic Voting System and inserted in or attached to the Minutes. The names of those abstaining (if any) to be also recorded in the Minutes.
53. Where the Chair has not formally declared the result of a vote, or is in doubt as to whether his/her declaration is right or wrong, he/she is entitled if he/she thinks fit to take a second vote on the matter, especially if he/she considers that through some misunderstanding the first vote did not properly represent the sense of the meeting at that time
54. Each member present at a meeting of the Council shall have a vote unless prohibited by any enactment.
55. Without prejudice to any enactment or other provisions of these Standing Orders requiring either the presence of a specified number or proportion of the members or that a specified number or proportion should vote in favour for the doing of any particular act, all acts of the Council which are reserved functions or questions duly coming or arising before a meeting of the Council shall be determined – (a) by a majority of the members present and voting or (b) where there is an equality of votes, by a second or casting vote of the person chairing the meeting (which person shall have and may choose to exercise such a vote)

## **SECTION III : COMMITTEES**

### **Committees of the Whole House**

56. The Committee of the Whole House shall be composed of all the Members of the Council, seventeen constituting a quorum, and it shall transact such business as is from time to time committed to it by the Cathaoirleach/Lord Mayor or by Order of the Council.
57. In the absence of the Cathaoirleach/Lord Mayor or Deputy Lord Mayor, the Member upon whose Motion any business is referred by the Council to the Committee of the Whole House, shall act as Chairperson of the Committee while such business is under its consideration, but any other Member may be called to the Chair by Motion.
58. The first meeting of a Committee of the Whole House to deal with any matter, shall be convened at the instance of the Lord Mayor, and the Committee itself shall determine adjournments and further meetings.

## Strategic Policy Committees

The title and total membership each Strategic Policy Committee of the council shall be:

Arts, Culture and Recreation	- 21 Members
Economic Development & Enterprise	- 15 Members
Environment	- 15 Members
Finance	- 18 Members
Housing	- 24 Members
Planning & Property Development	- 15 Members
Transportation	- 18 Members

The Strategic Policy Committees shall be appointed as soon as possible after a municipal election and the members shall hold office for the period of the life of the Council appointing them. One third of the total membership of each SPC shall constitute a quorum, the majority of whom shall be members of the City Council. In the case of the Housing SPC, seven members shall constitute a quorum, four of whom shall be Members of the City Council.

**Conflict of Interest** : Each Sectoral Member of a Strategic Policy Committee must complete and return a Declaration of Interests form upon being nominated to the SPC.

59. The Council shall appoint a Chairperson to each of the Strategic Policy Committees from among the members of the Council to hold office for a minimum period of three years which may be renewed by the Council and subsequent Chairpersons shall be appointed from among the existing Councillor Members of the Strategic Policy Committee.

The Chairpersons and Council Members of the Strategic Policy Committees shall reflect the proportionality and the distribution of elected representation on the City Council; in default of agreement, the Chairpersons and Council Members of the Strategic Policy Committees shall be appointed by the formation of groups pursuant to paragraph 18 of Schedule. 10 of the Local Government Act, 2001.

60. Any member of the Council may attend and speak at a meeting of a Strategic Policy Committee. The right to vote upon any item of business at a Strategic Policy Committee meeting is confined to members of that Strategic Policy Committee. With regards the issuing of Agenda and Reports the following procedure should be adhered to:

- A hard/soft copy of the Agenda and Reports to be issued to the members of each SPC three (3) clear days in advance of its meeting.
- A soft copy **only** of the Agenda and Reports to be issued Councillors who are not Members of the SPC
- A copy of the Agenda shall be available to the media and Members of the Oireachtas one day (24 hours) after the release of the Agenda to City Council Members/SPC Members.

61. Every Member of the Council shall be a member of one of the Strategic Policy Committees, but shall not be a member of any more than two. Members of SPCs shall not be entitled to nominate a voting substitute to attend meetings in their place.

## **Functions/areas of responsibility of each Strategic Policy Committee.**

### **(1) ARTS, CULTURE, LESIURE AND COMMUNITY SPC**

Archives, Arts, Control of Horses & Dogs, Culture , Events & Festivals, Galleries, Higher Education Grants, Libraries, Museums, Music, Parks and Open Spaces, Natural Environment, School Meals, Sports and Recreation Centres, Sports Development,

### **(2) ECONOMIC DEVELOPMENT AND ENTERPRISE SPC**

Casual Trading, Economic Development & Enterprise Support, Tourism & Markets, International Relations

### **(3) ENVIRONMENT SPC**

Air/ Water (Raw) Quality, Environmental Protection, Environmental Sustainability, Waste Management, Surface water Drainage, Flood Protection Litter Management,

### **(4) HOUSING SPC**

Architecture & Housing Issues – General, Supply, Refugees, Travellers, Welfare, Disability, Homeless, Standards

### **(5) FINANCE SPC**

Finance , Motor Tax, Rates, Procurement, Risk Management, Audit Committee, Corporate Governance, Annual Financial Statement, Budget – Capital & Revenue & Local Property Tax

### **( 6) PLANNING AND PROPERTY DEVELOPMENT SPC**

Property Management, Strategic Projects, Forward Planning, Planning Services, Development Management, Regional Planning Guidelines, Urban Renewal, Heritage, Conservation, Archaeology & Building Control

### **(7) TRANSPORTATION SPC**

Cycling, Environmental Traffic Planning, Parking Control and Enforcement, Pedestrian Facilities, Public Transport, Road Safety, Roads, School Wardens, Taxi Ranks, Traffic Control and Management, Public Lighting, Fleet Management & Commercial / Goods Movement

62. Each Strategic Policy Committee shall meet as often as required, and at least **four times** a year, to deal with the business assigned to it. Attendance at meetings of Strategic Policy Committee is required by each member of that Committee. An external member will cease to be a member of the Committee being absent from three consecutive committee meetings. An absence which has been excused by the Committee for a valid reason will not count in determining three consecutive meetings.
63. Each Member of a Strategic Policy Committee or any member of the City Council not a member of that Strategic Policy Committee may submit one Motion eleven clear days (including Saturdays, the day of the meeting & Public Holidays but not Sundays) in advance of an SPC Meeting. The motion must be strategic and not refer to individual cases or operational issues. Any Motion submitted must refer to an issue of significant importance or relevance to the work of the Strategic Policy Committee. The use of “details supplied” is not allowed in Motions. Any motions submitted to be agreed by the Chair of that Strategic Policy Committee before inclusion on the Agenda. Questions for reply may not be submitted to Strategic Policy Committees Meetings.

The Chair of the SPC will rule on the admissibility of emergency motions to the SPC. Any Member of the Council may attend a meeting of an SPC. Non-members of an SPC may speak at a meeting at the discretion of the Chairperson

### **Corporate Policy Group**

64. The Cathaoirleach/Lord Mayor and the Chairpersons of the Strategic Policy Committees shall form the Corporate Policy Group, which shall meet as often as required under the Chairpersonship of the Cathaoirleach/Lord Mayor and shall provide a forum for discussion of policy affecting the whole Council and shall report to Council.

Each member of the Corporate Policy Group is required to attend 80% (rounded down to the nearest whole number) of the Corporate Policy Group meetings, which they were eligible to attend, from September to July of the following year. Each September, the Executive Manager will submit a report to the Protocol Committee, which will include the attendance record of the Corporate Policy Group for the preceding year.

Should the attendance record of any member of the Corporate Policy Group fail to meet the required number of meetings attended, the Protocol Committee will decide on appropriate action to be taken.

This action may include a recommendation to Council for the removal of a councillor as chair of their respective Strategic Policy Committee. Upon request, the Corporate Policy Group may excuse absences by one of their members. Such excused absences to be treated as attendance for the purposes of calculation of the attendance rate of the individual.

### **SECTION IV : AREA COMMITTEES**

65. The City of Dublin shall be divided into five Area Committees as follows:
- South Central Area comprising the LEAs of Ballyfermot-Drumragh & Crumlin- Kimmage
  - South East Area comprising the LEAs of Pembroke-South Dock and Rathgar-Rathmines
  - Central Area comprising North Inner City LEA
  - North Central Area comprising the LEAs of Beaumont-Donaghmede & Clontarf
  - North West Area comprising the LEAs of Ballymun and Cabra-Finglas

The members of the Council for each of the local electoral areas contained in each of the areas 1 to 5 set out above shall be the members of the Area Committee for that area.

66. Each Area Committee shall at the first meeting held after the 1<sup>st</sup> day of July in each year, appoint a Chairperson and Vice-Chairperson to hold office until the first meeting held after the 1<sup>st</sup> day of July in the following year. In years other than municipal election years, only Members of Area Committees who have attended 60 per cent of the Area Committee meetings in the previous 12 -month period which they were eligible to attend, may be appointed as Chairperson or Vice-Chairperson of that committee. This standing order shall not apply to the absence of a member where such absence has been excused for valid reason by the committee.

67. Any Member of the Council may attend and speak at a meeting of an Area Committee. The right to vote upon any questions arising at an Area Committee meeting or to move a Motion thereat is confined to Members of that Area Committee, with the following exception - a Member of the Council who is not a Member of the Area Committee may put down and move one Motion only but not propose a Motion other than his own. No Member of an Area Committee shall be permitted to have more than 5 Motions (including adjourned Motions) on the Agenda for any one meeting. However, subject to Area Manager's agreement, Members may substitute motions for questions, subject to a maximum of 11 between the two. The use of 'details supplied' is permitted in questions at the request of the submitting Councillor but is not allowed in motions.
68. The quorum for an Area Committee Meeting shall be the membership of that committee divided by four, rounded up and add one, subject to such quorum being not less than three members.
69. Issue of agenda for Area Committee Meetings
- A hard/soft copy of the Agenda and Reports to be issued to the members of each Area Committee not less than three (3) clear days in advance of its meeting.
  - A soft copy **only** of the Agenda and Reports to be issued Councillors who are not Members of the Area Committee not less than three (3) clear days in advance of its meeting.
  - A copy of the Agenda shall be available to the media and Members of the Oireachtas one day (24 hours) after the release of the Agenda to City Council Members.

#### **SECTION V : SPECIAL COMMITTEES**

70. The Council may appoint a Special Committee for a specific purpose. When appointing such a committee. it shall at the same time determine the number and names of members to constitute such a Special Committee and shall also fix the quorum. The term of office of a Special Committee shall not exceed one year or such lesser period as the Council may determine when appointing the Special Committee.
71. Every Special Committee at its first meeting shall appoint a Chairperson and Vice-Chairperson from its members and, where practical, fix the day and the hour of future meetings.

#### **SECTION VI : GENERAL PROVISIONS RELATING TO COMMITTEES**

72. In general, provisions relating to the conduct of business at City Council meetings applies to meetings of all other committees of the council unless regulated by a Standing Order specific to that committee - the title 'Chairperson' being substituted for the title 'Lord Mayor'
73. The proceedings of every committee shall be recorded. Draft minutes of each committee meeting shall be prepared and submitted for confirmation at the next meeting of the committee. Copies of the draft minutes shall be circulated to every member of the committee and shall be taken as read. When the question

that they be confirmed is put from the Chair, a member may object to any part thereof as not being an accurate record and any question of altering the draft minutes on the grounds of inaccuracy shall be determined by the committee by majority vote of those who were present at the relevant meeting.

74. A brief of proceedings shall be submitted to the City Council by each committee. Such brief shall contain an accurate report of the proceedings of that committee in relation to its recommendations to the City Council, particularly with reference to reserved functions of the Council and to matters of strategic importance for the city. The Audit Committee is exempted from this requirement - its minutes are to be submitted to the Finance & Emergency Planning SPC, therefore no brief is submitted to the City Council.
75. Every report of a Committee of the Council shall bear the date of its adoption by the Committee; shall be signed by the Chairperson of the Committee, or by the Member in the Chair when the Report is adopted, and when printed shall show upon the first page the subject of the Report, and its number, and at the end of the Report the name of the Member by whom it has been signed. A Report in pursuance of an Order of the Council shall cite at the outset the terms of such Order. A Report in continuation of a previous Report shall refer to such previous Report by number and title. A Report recommending or involving expenditure shall not be considered by the Council unless it shall contain or be accompanied by a statement setting out the estimated expenditure which would be involved by the adoption of the Report.
76. Representatives of the press, radio and television may be present at meetings of committees of the City Council. When confidential matters are under discussion the City Council may decide to exclude such representatives for the relevant portion of the meeting in accordance with Section 45 of the Local Government Act, 2001
77. Every Committee is authorised to furnish to the press reports of any of its proceedings.
78. Meetings of Committees shall be convened by the meetings administrator. No meetings shall be convened for a day which is a Public Holiday. When the Council or Committee of the Whole House is sitting, no Committee shall sit except by leave of the Council or the Committee of the Whole House as the case may be.

Similarly to the provisions contained in Standing Orders No. 1 in relation to meetings of Council, no meeting of a Committee shall be convened during the month of August, except for a planning meeting which may be held with the agreement of the Area Committee Chair.

79. The Cathaoirleach/Lord Mayor shall be entitled to attend and vote at every Committee of the Council.
80. In the absence of the Chairperson and Vice-Chairperson of a Committee, the Chair shall be taken by any Member of the Committee called thereto by agreement.
81. Whenever a vacancy occurs in the membership of any Committee of the Council, by reason of the death, resignation or disqualification (as a Member of the Council) of a member, such vacancy shall be filled as soon as circumstances permit, by the Council where the vacancy arises in a Committee after due notice.

82. No Committee of the Council shall directly exercise any of the reserved functions of the Council.
83. In a Committee, a motion or amendment may be proposed without a seconder, and a member may speak more than once to any question, but otherwise the Rules of Order on the Council, so far as they are conveniently applicable, shall govern all proceedings of Committees, and the Member in the Chair at any meeting of a Committee shall determine questions of order.
84. Every Committee in the whole of its proceedings shall be governed by the Bye-Laws, Standing Orders, or Resolutions of the Council affecting such Committee.

## **SECTION VII : MISCELLANEOUS**

85. It is expected by the Council that Members will appear in their robes at the inauguration of the Lord Mayor, civic occasions and on any occasion when the Cathaoirleach/Lord Mayor so requests.
86. Whenever a vacancy shall occur in the membership of the Council such vacancy shall be filled by the Council after due notice at the next meeting of the Council after the expiration of 14 days from the occurrence of such vacancy or as soon after that meeting as circumstances will permit in accordance with provisions of Section 19 of the Local Government Act 2001.  

Where a casual vacancy is caused by the resignation of a non-party member, the vacancy shall in the case of such vacancy being caused by the resignation of such non-party member, by a person nominated by such member; in the case of such vacancy being caused by the death of such non-party member the vacancy shall be filled by a nominee selected by the former councillor and notified to the Chief Executive's Office to be held in confidence by that office. In the event that no nomination has been made or the nominee pre-deceases the Councillor, then the filling of the vacancy shall fall to the full Council.
87. In the computation of time for purposes of any of these Standing Orders, Sundays and Holidays, shall, except when otherwise expressly stated, be reckoned as included.
88. Smoking shall not be permitted at meetings of the City Council or Committees.
89. The use of mobile phones shall not be permitted at meetings of the City Council or Committees.
90. Subject to such conditions as may be determined by the City Council from time to time representatives of the press, radio and television may use cameras and broadcasting or recording equipment at meetings of the Council or its Committees at which such representatives are permitted to be present. Otherwise no cameras of any kind or sound recording/communicating equipment may be used at meetings of the Council or its Committees without the prior approval of the City Council or the relevant Committee.
91. At the first Annual Meeting held after a local election or at the earliest meeting at which it is permitted by statute to do so, the Council shall appoint representatives to the various statutory committees and boards and to bodies on which they are otherwise entitled to representation.

92. A member or members appointed by the City Council to outside bodies and boards may from time to time submit reports to the City Council or the relevant Committee on matters arising in such bodies or boards which have relevance for the City Council and shall in any event do so in accordance with the requirements of Section 141, Local Government Act, 2001.
93. Any Standing Order other than Standing Order 30 may at any time by consent of not less than three-fourths of the Members present at a meeting of the Council, be suspended, on a motion proposed without notice for the purpose of enabling any specific business defined in the suspensory motion to be considered and dealt with by the Council as a matter of urgency or expediency provided that at all times not less than one half of the total membership of the City Council is present.
94. If the Council agrees to suspend standing orders such emergency business shall be deferred until that section of the agenda containing the motions on notice is reached and at that stage the emergency motions shall be considered by the Council unless it is agreed to take such motion or motions without debate in which case the motions may be taken on the agreement to suspend standing orders.



**An Roinn Iompair  
Turasóireachta agus Spóirt**

**Department of Transport,  
Tourism and Sport**



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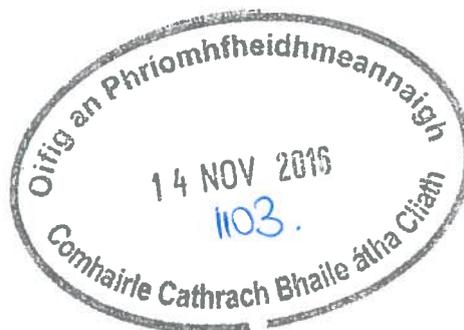
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Date: 11-11-2016

Our Ref: SR/16/13510

Ms Deirdre Ní Raghallaigh  
A/Executive Manager  
Chief Executive Office  
Dublin City Council  
Civic Offices  
Wood Quay, Dublin 8



Dear Ms Ní Raghallaigh

I refer to your letter of the 17th of August 2016 in relation to appointments to the board of the National Tourism Development Authority, Fáilte Ireland.

Under new procedures now in place, Board appointments are generally made in accordance with the Department of Public Expenditure and Reform guidelines on State Board Appointments. Under these Guidelines, the Public Appointments Service (PAS) advertise vacancies on the State Board portal, [www.stateboards.ie](http://www.stateboards.ie), is responsible for establishing assessment panels to assess all applications and in turn notifies my Department of all candidates that meet the advertised criteria.

I hope this information is of assistance to you.

Yours sincerely,

Minister Shane Ross  
Minister for Transport Tourism and Sport

*The Minister is a Designated Public Official under the Regulation of Lobbying Act, 2015  
(details available on [www.lobbying.ie](http://www.lobbying.ie))*



Dear Councillor Freehill,

I am coming back to you in relation to your access to office areas of the Civic Offices complex.

I am advised that apart from the Chief Executive's Office, Councillors do not have access to other office areas of the Civic Offices without prior arrangements having been made and there is a need to access the officer area (i.e. to meet specific officials, attend meetings etc.)

It is important to point out that while access to the office area is restricted the Planning Department always endeavours to provide a prompt, efficient service to Councillors and to meet their requirements for information, documentation etc. so there should be no need for you to have to come in to the office area. A phone call to a senior staff member is all that is required to ensure your request is dealt with.

I think this restriction is reasonable and in the interests of proper office management. If you are unhappy with the continuation of the restriction you can of course raise the matter at the Protocol Committee.

Regards

Owen

