



NOTIFICATION TO ATTEND MEETING OF THE PROTOCOL COMMITTEE

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

ON THURSDAY 27 SEPTEMBER 2018 AT 8.00 AM

AGENDA

THURSDAY 27 SEPTEMBER 2018

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	➤ Councillors Dermot Lacey and Mary Freehill: MacGill Summer School, <i>"The Future of Ireland in a New Europe: The Challenges Ahead"</i> . Glenties, County Donegal. 22 nd – 27 th July 2018.	
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	➤ Councillors Dermot Lacey and Mary Freehill: MacGill Summer School, <i>"The Future of Ireland in a New Europe: The Challenges Ahead"</i> . 22 nd – 27 th July 2018.	
6	Motion in the Name of Councillor Mannix Flynn referred by the South East Area Committee: (Managers Report Attached)	15 - 16

"That this area committee calls on Dublin City Council (DCC) management to have City Hall reopened on Sundays. Thousands of tourists and citizens wish to visit this unique building. Sunday is the busiest day for tourists in the city. City Hall was closed during the downturn in the economy and the cutbacks in DCC. City Hall is now back making a profit from its many activities such as civil marriage ceremonies and corporate receptions and promotions.

There should be just one day set aside, Sunday, for sole public and visitor use without any interference from private bookings or receptions etc. It also gives Councillors an opportunity to use the facility on this potentially quiet day."

7 Motion in the name of Councillor Greg Kelly:

“This committee calls on the Chief Executive to ensure that Dublin City Council through its Councillors keep their respective positions on the boards of outside bodies as they have in the past.

As some Boards are dissolved from outside bodies to form new boards, DCC have been left off the formation. An example of this is the new Children’s Hospital Board who will have no DCC member even though DCC Councillors hold board positions on the current boards of Temple Street and Our Lady’s Hospital Crumlin. This is further devaluing the role of a local councillor.”

8 Motion in the name of Councillors Dermot Lacey and Mary Freehill:

“DCC regrets the decision of government to renege on promoting a directly elected mayor for Dublin. We are conscious of the seriously weak local government system in Ireland which is very much out of kilter with the rest of the EU and runs contrary to the principals of subsidiarity as stated in the Nice Treaty.

This Council is concerned about the many areas where the City Council is prevented from running the city effectively because of the lack of LA powers and we are disproportionately dependent on central government and very often the Courts to adjudicate on issues that should be within the normal power of the Council to resolve. Because the Government of the day is over burdened with their own agenda, despite several requests to amend legislation, nothing happens. Examples of where we are seriously hampered are noise, housing tenancy, traffic. There are many other areas where as a Local Authority, we are prevented from carrying out our normal functions in the interest of the city’s wellbeing.

We propose therefore that the DCC CEO prepares a list of areas where minor amendments to legislation would free up the Council and allow it function more effectively. When we have a completed list of possible amendments, we can approach Government and suggest that the Senate be given a lead role in dealing with this piece of work. This approach could go some way to strengthen local government”

9 Proposal to amend Standing Order Number 1:

Monthly Meetings of the Council shall be convened for the first Monday in each Month ***unless it is otherwise fixed by Resolution of the Council or in exceptional circumstances by an Order of the Lord Mayor.*** No meeting 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.

10 Kathleen Clarke Portrait Selection Panel

11 Web casting in Area offices

12 Procedure for the Changing of Street Names

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13 Approval for Councillor Attendance at the National Tourism Forum, "Let's Talk Tourism" Conference on 9th November 2018 in County Kerry.

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- 14 Request from the Irish Institute of Legal Executives to use the Council Chamber to hold a seminar in the Autumn of 2018
- 15 Correspondence from Wexford County Council referred to the Protocol Committee by the City Council at its meeting of 3rd September 2018 **29 - 30**
- 16 Request from the UN High Commissioner for Refugees for Dublin City to sign a Statement of Solidarity #WithRefugees
<http://www.unhcr.org/withrefugees/cities>
- 17 Managers Report
- 18 A.O.B.
- 19 Proposed date of next meeting: 1st November 2018 at 8am in the Richard O'Carroll Room, City Hall

Deirdre Ni Raghallaigh
Senior Executive Officer
21st September 2018



**MINUTES OF THE PROTOCOL COMMITTEE MEETING
HELD ON THURSDAY 28 JUNE 2018**

- 1 Minutes of the meeting held on 7th June and matters arising

Order: Minutes Agreed

- 2 Lord Mayor's Receptions and Engagements of the Deputy Lord Mayor

Order: Receptions Agreed and Recommended to Council

- 3 Conferences:

a) **Conferences Attended:**

Cllr. Paddy Bourke. AILG Joint Policing Boards. Castle Court Hotel, West Port, County Mayo. 18th - 19th May 2018.

Order: Conferences Agreed and Recommended to Council

b) **Conference Reports Received:**

Cllr. Paddy Bourke. AILG Joint Policing Boards. 18th - 19th May 2018

Order: Noted

- 4 Nomination to the Kathleen Clarke Portrait Selection Panel

The Manager informed the Committee that Cllr Mannix Flynn has already been selected for the panel as a Member of the Commemorations Committee. The Members felt that it would be appropriate for a female Councillor to be nominated to the panel.

Order: It was agreed that the Lord Mayor would seek nominations to the panel at the July monthly meeting of Council under Lord Mayors Business.

- 5 Request to use the Council Chamber for Dublin Fringe Festival Event

Order: It was agreed to allow the Dublin Fringe Festival to use the Council Chamber for the theatre event provided that the organisers covered the cost of the additional security required to open City Hall outside of its normal opening hours. It was estimated that these costs would be in the region of €1,800

- 6 Review of the submission and debate of Council Motions

The Members engaged in discussion expressing varying viewpoints on how motions should be dealt with at Council meetings. There was a general consensus that it would not be appropriate to change the process at this stage in the life of the current Council. However, the matter should be referred to Group Leaders for consideration regarding future changes.

The suggestion that motions should be dealt with after the conclusion of any Special Council meeting up until 9.30pm was welcomed.

7 Managers Report

- The Manager reported the Assistant Chief Executive Brendan Kenny would bring a report to Council on the review of the Area Structure as a result of the changes to the Local Electoral Areas contained within the Boundary Commission report.

8 A.O.B.

- Cllr D O'Farrell raised the issue of the availability of webcasting for those Area Committees who hold their meetings in the Local Civic Centres. The lack of webcasting and a transcript service had recently caused problems for constituents with hearing difficulties at a recent meeting of the North Central Area Committee.

Order: It was agreed that report would be brought to the next meeting of the Protocol Committee on the matter.

- Cllr N O Muiri expressed frustration at the difficulty the Environment SPC was experiencing in achieving a quorum for its meetings. The failure of Members of the SPC to attend meetings was impeding the work of the Committee.

Order: The Manager to review the issue and revert back to the Members.

- Cllr N O Muiri asked if it was possible to access the reports on the Council agenda individually through Modern Gov.

Order: The Manager to investigate and revert back to the Members.

9 Proposed Date of Next Meeting: 30th August or 27th September 2018

Order: It was agreed that the next meeting would take place on 27th September 2018 at 8am in the Richard O'Carroll Room, City Hall.

Cllr Ciaran O'Moore

Vice Chairperson

Thursday 28 June 2018

Attendance:

Members:

Brendan Carr
Teresa Keegan
Michael Mullooly
Ciaran O'Moore

Members:

Anne Feeney
Dermot Lacey
Naoise O'Muiri

Members:

Mannix Flynn
Ray McHugh
Damian O'Farrell

Officers

Oonagh Casey

Michael Gallagher

Apologies:

Deirdre Heney

18th September 2018

Ms. Deirdre Ní Raghallaigh
Senior Executive Officer,
Chief Executive's Department

Dear Deirdre,

I would be obliged if you would bring the following receptions for the months of June, July, August and September 2018, to the attention of the Protocol Committee.

Date	Function	Nos
25.06.18	Reception for the Election of the new Lord Mayor	100
31.07.18	Annesley House Group	50
03.08.18	Reception for the Liverpool Legends	30
10.08.18	Reception for Inner City Helping the Homeless Volunteers	100
18.08.18	St. Agatha's Parish Group	70
19.08.18	Mayor of Galway & Guests	25
22.08.18	Reception for the IRIS Project Volunteers	35
23.08.18	VIP Malmo City officials group	27
27.08.18	Reception for Save Kilmainham Mill Campaigners	80
30.08.18	Sheriff Youth Club Volunteers	30
08.09.18	Conference on the North Inner City Development Authority Bill 2018	80
10.09.18	Homeless World Cup Team Reception	80
19.09.18	Trinity College Group of Unions	60
20.09.18	Robert Balagh Book Launch	100
22.09.18	10th Year Anniversary of New Eastwall Bessborough	60
24.09.18	Ballsbridge Lyons Club - Launch	80
27.09.18	Lunch for Chinese Government officials & Bord Bia Delegation	20
27.09.18	Reception for St. Anne, Fairview, Darndale & Popintree parkrun volunteers	80
28.09.18	Family Carers Ireland Group	20
28.09.18	VIP delegation from Pentathlon International	30
28.09.18	Book Launch "Weapons of the Easter Rising"	80

Yours sincerely,

Nial Ring
Lord Mayor of Dublin

18th September 2018

Ms. Deirdre Ní Raghallaigh
Senior Executive Officer,
Chief Executive's Department

Dear Deirdre,

Please see below, list of functions, receptions and events in which I had a Deputy/Representative attend on my behalf during the month of June, July, August and September 2018:

Date:	Function:	DLM/Cllr:
29.06.18	Opening of The Range Northside	Deputy Lord Mayor, Cllr. Cathleen Carney Boud
29.06.18	Bethany Homes Survivors Group Memorial	Deputy Lord Mayor, Cllr. Cathleen Carney Boud
07.07.18	Royal British Legion Annual Commemoration and Wreath Laying Ceremony	Cllr. Ruairí McGinley
14.07.18	French Embassy Remembrance Ceremony	Deputy Lord Mayor, Cllr. Cathleen Carney Boud
18.07.18	Opening Ceremony of the Annual Liberties Festival	Cllr. Críona Ní Dhálaigh
20.07.18	Abbey Group celebrating 40 years in Business	Cllr. Paddy McCartan
21.07.18	Opening of Hanlon's Corner Pub, NCR, Cabra East	Cllr. Cieran Perry
22.07.18	Donaghmede 10th Anniversary Summer Festival Celebrations	Cllr. Mícheál Mac Donncha
24.07.18	Opening of units in Reuben Street by Minister Murphy	Cllr. Sonya Stapleton
27.07.18	Tour de Brown Thomas and Arnotts Spinathon	Cllr. Sonya Stapleton
28.07.18	Grand Dublin Swim	Cllr. Paddy McCartan
28.07.18	Rathayatra 2018 Dublin Festival of Chariots	Cllr. Paddy McCartan
29.07.18	Annual Mass for Camino Society Ireland	Cllr. Críona Ní Dhálaigh
06.08.18	Irish C.N.D. Commemoration for the victims of the Hiroshima Bombing	Cllr. Claire Byrne
10.08.18	Open Day for Sean McDermott Street Swimming Pool	Cllr. Gary Gannon
13.08.18	Photocall Launch for the Great Dublin Bike Ride	Cllr. Dermot Lacey
13.08.18	Presentation of prizes at the Ladies Irish International Snooker Open 2018	Cllr. Deirdre Heney
18.08.18	Dinner & Presentation of Lord Mayor's Cup	Cllr. Damian O'Farrell
22.08.18	Community Confederation Cup event	Cllr. Larry O'Toole
25.08.18	DCC/LAWCO Heritage Week "Camac River Tells a Story"	Cllr. Patrick Costello
26.08.18	St. Patricks Mother and Baby Home Annual Reunion	Deputy Lord Mayor, Cllr. Cathleen Carney Boud

04.09.18	Ballyfermot People's Art Exhibition part of 70th Anniversary Celebrations for Ballyfermot	Cllr. Paul Hand
05.09.18	North West Area City Neighbourhood Awards	Deputy Lord Mayor, Cllr. Cathleen Carney Boud
06.09.18	North Central City Neighbourhood Local Awards Ceremony	Cllr. Damian O'Farrell
09.09.18	All Ireland Camogie Finals	Deputy Lord Mayor, Cllr. Cathleen Carney Boud
17.09.18	Dublin University Mission to Chota Nagpur (DUMCN) reception	Cllr. Ruairí McGinley
18.09.18	Dublin Taxi Drivers Special Children's Outing	Cllr. Christy Burke
18.09.18	Dublin Ladies Senior Football Team Reception	Deputy Lord Mayor, Cllr. Cathleen Carney Boud
18.09.18	FOLD Ireland Reception	Cllr. Dáithí Doolan
19.09.18	Launch of Clontarf office for Coldwell Banker Estates	Cllr. Damian O'Farrell
20.09.18	Ireland's Biggest Coffee Morning for Hospice	Deputy Lord Mayor, Cllr. Cathleen Carney Boud
20.09.18	Launch of Strategic Plan for St. Teresa's Gardens Regeneration Board	Cllr. Críona Ní Dhálaigh
20.09.18	Irish Australian Chamber of Commerce Lunch	Deputy Lord Mayor, Cllr. Cathleen Carney Boud
22.09.18	Ivorian Summer Cultural Festival	Cllr. Janice Boylan
24.09.18	7th Direct Dialogue between EU Capital Mayors and the European Commission	Deputy Lord Mayor, Cllr. Cathleen Carney Boud

Yours sincerely,

Nial Ring
Lord Mayor of Dublin

Report to the Protocol Committee for noting and referral to the City Council

Councillor Name	MAGGILL SUMMER SCHOOL
Conference/Seminar Name	DERMOT LACEY
Conference/Seminar Topic	The Future of Ireland in a new Europe
Venue/Location	Glenties, CO. DONEGAL
Date (s) of Conference	22nd - 27th JULY
Brief Summary	
<p>Conference theme was: The Future of Ireland in a new Europe I attach with this report a Conference Programme.</p>	
Recommendations	
<p>I have an recommendation for Protocol Committee. However I did gain some insight into the various proposals put out with much respect to Council.</p>	
Declaration	
I certify that I attended the above-mentioned Conference/Training Seminar.	
Signed by	Date
Dermot Lacey	28/7/2018

Report to the Protocol & Selection Committee for noting and referral to the City Council

Councillor Name	Mary Freehill
Conference/Seminar Name	MacGill Summer School
Conference/Seminar Topic	The Future of Ireland in a New Europe: The Challenges Ahead?
Venue/Location	Glenties Co Donegal
Date (s) of Conference	22 July to Friday 27 th July. I attended from evening of 24 th to end on 27 th

Brief Summary

I attended the following lectures. 8.30p.m. on 24th regarding **our corporate tax system**- the different conditions for FDI and indigenous workers was emphasized.

Wednesday 25th 11.0a.m. **Cervical Check issue** - lack of transparency and putting the patent first main points 2.30 **General election crystal ball gazing**. 8.30p.m. **health system** mainly same as above

Thursday 26th **Catholic Church in Ireland** Mainly the high age levels of clergy, opposition to women in church leadership. 4.0p.m. **Boom and Bloom again our industrial policy leaves us vulnerable**. This was the most insightful session which highlighted the lack of skill and talent in our indigenous industries which leaves us lagging behind. 8.30p.m. **Infrastructure Key, will planning framework be implemented** DCC came in for criticism over Raheny Housing and vacant sites along the Quays

Friday 27th **Chamber of Commerce Session here** again the vulnerability of our indigenous industries were highlighted 51 of our largest companies are FDI and 10 are Irish. 2.30 **Dark forces undermining our democracy** this session was about how social media can undermine us and the weakness in our cyber security. **4.30 Peter Robinson addressed us**. He very clearly said that he wants an Assembly in NI and talked about the weakening relations in both communities as well as north south because of not having an assembly. Last session 8.30p.m. on **Women in Irish Public life**. Recognised that changes have been made but still have a way to go. One speaker talked about how much more healthy it is to have gender balance in the work place and in decision making.

Recommendations

The only point that is within the competency of the City Council is the point that a greater gender balance makes for a more healthy work place and decision making. The absence of balance of women in senior management in DCC is one that could change.

Declaration	
I certify that I attended the above-mentioned Conference/Training Seminar.	
Signed by <i>Mary Freehill</i>	Date <i>7/8/18</i>

**DUBLIN CITY COUNCIL
SOUTH EAST AREA COMMITTEE
9th July 2018**

Motion 15 from Councillor Mannix Flynn

That this area committee calls on Dublin City Council (DCC) management to have the City Hall reopened on Sundays. Thousands of tourists and citizens wish to visit this unique building. Sunday is the busiest day for tourists in the city. The City Hall was closed during the downturn in the economy and the cutbacks in DCC. The City Hall is now back making profit from its many activities such as civil marriage ceremonies and corporate receptions and promotions.

There should just one day set aside, Sunday, for sole public and visitor use without any interference from private bookings or receptions etc. It also gives us councillors an opportunity to use the facility on this potential quiet day.

Report:

City Hall is open Monday to Saturday and on a number of occasions we opened on Sundays and Bank Holidays (details below for past three years). In 2015 City Hall was opened to the public on four Sundays as a trial initiative. The Sunday openings were well advertised and free tours / talks were on offer but were poorly attended, the average number of visitors was 120 per Sunday during this period.

City Hall has a small team of staff (5) and currently they are stretched to capacity with Monday to Saturday opening and a significant number of events outside normal working hours. During the summer period staff numbers are less to facilitate staff taking their annual leave entitlements.

Therefore it is not currently feasible to commit to opening Sundays without engaging additional staff working non standard hours at an additional cost that may not be covered by income generated.

We are aware that many other exhibitions / museums open on Sundays however many of these close on Mondays.

2015	Event
1 st February	Tradfest
7 th June	Trial Sunday Opening
14 th June	Trial Sunday Opening
21 st June	Trial Sunday Opening
28 th June	Trial Sunday Opening
26 th July	Festival of Curiosity
15 th November	Festival of Curiosity
2016	Event
31 st January	Tradfest
28 th March (Bank Holiday Monday)	1916 Commemoration Celebrations
1 st May	Wolf Tone Concert
20 th November	Benefit Concert – part of VIEW Festival
2017	Event
Sunday 29th Jan 2017	Tradfest children's concert
Sunday 27th May 2018	Corporate Event
Sunday 10th June 2018	Liz Grills Lectures

Contact:

Jackie O'Reilly, Administrative Officer, Culture, Recreation, Community & Amenity Department, tel.: 222 7675, email: jackie.oreilly@dublincity.ie

Advice received
June 2016.

-OPINION-

AGENT: *Yvonne Kelly, Senior Executive Solicitor, Dublin City Council*

CLIENT: *Dublin City Council*

SUBJECT: *Renaming of Streets Legislation*

*Legal
Opinion*

I PRELIMINARY

1. Advices are sought regarding the correct statutory procedure to rename a lane in Donnybrook.

II BACKGROUND

2. An application has been received by Querist to name / rename a lane in Donnybrook. The request originally came from Cllr. Dermot Lacey on behalf of the Belmont Group. There appears to be no record of the laneway having been formally named before but it is commonly known as Belmont Court and is named as such in the Thoms Directory, Voters' Register and Google maps.
3. Querist has consulted with the neighbours who back and front on the lane and are currently receiving submissions from the residents, some of whom agree with the idea and others who do not. Querist has outlined that the procedure for renaming involves getting a plebiscite and then if approved by residents bringing it to the city council, but they are not clear on who should be consulted.
4. Agent has noted that Part 18 of the Local Government Act 2001 concerns "Placenames". Section 48 of the Environment (Miscellaneous Provisions) Act 2011 inserted a brand new "Part 18 – Placenames" into the Local Government Act 2001. SI 446 of 2011 provided for the commencement of some of those provisions. The new Sections 188, 191 and 194(3) have been commenced. However the other sections in Part 18 have not yet been commenced. Agent has also draw attention to the fact that section 78 of the Local Government Act 1946 has been used in the past for the purposes of holding a plebiscite to establish the wishes of residents to decide on

renaming a road. Agent has also noted that section 78 has been amended on a number of occasions – section 53(3) Local Government Act 1955, section 67 Local Government Act 1994. However, it also noted that the 1946 Act is listed for repeal under the Local Government Act 2001 albeit subject to a saver. It is also noted that there are regulations – S.I. 31/1956 Local Government (Changing of Place Names) Regulations, 1956 which do not appear to have been repealed.

5. In the circumstances of the above, advises are therefore sought on the correct procedure for the renaming of a street / laneway. With respect to – S.I. 31/1956 Local Government (Changing of Place Names) Regulations, 1956 the query has been raised regarding the status of the regulations if the parent legislation has been repealed and the effect of the “saver” if any on the use of Section 78 of the 1946 Act. The query has further been raised that if it is not possible to use the legislation outlined, whether there are any other suitable procedures or powers of which the Council may avail to change a place name.

III APPLICABLE LEGISLATION

6. As noted by Agent Part 18 of the Local Government Act 2001 is entitled ‘Changing of Names of Areas and Display of Names of Streets, etc.’ and contains sections 188 to 197. Section 188 is a definitions provision, while sections 189 and 190 of the Local Government Act 2001 contain a procedure for the changing of placenames. Section 191 to 195 concerns changing the name of a townland situated in one local authority or in more than one county or local authority. Section 196 is a general provision, while section 197 concerns the display of the name of a street. However, the only provisions in Part 18 of the 2001 Act which have commenced are section 188 relating to certain definitions and sections 191, 194(3) and 197. Furthermore, Part 18 of the 2001 Act was entirely substituted under section 48 of the Environment (Miscellaneous Provisions) Act 2011 (with sections 195 to 197). However, these substituted provisions have commenced only in relation to sections 188, 191 and 194 (3) of the Local Government Act 2001 (No. 37 of 2001). The upshot of all this is that the procedures for changing placenames under section 189 and 190 have not commenced and so cannot be utilised in the present instance.

7. As regards section 78 of the Local Government Act 1946, the original unamended provision provided that the appropriate authority may, with the consent of not less than four-sevenths of the ratepayers in a street, change the name of the street. However, section 5(1) of the Local Government Act 2001 provides that an Act specified in the first and second columns of Part 1 of Schedule 3 is repealed to the extent specified in the third column of that Part opposite the references in the first and second columns. Part 1 of Schedule 3 of the 2001 includes the entire of the Local Government Act 1964. It may be noted that there are numerous commencement orders with respect to repeals under section 5(1) of the 2001 Act. As regards the 1946 Act, these include:

- S.I. No. 507/2002 - Local Government Act, 2001 (Commencement) (No. 5) Order, 2002 which repealed sections 7 to 9, 15 to 17, 22, 26 and 27, 34, 64 and 65, 80 and 81.
- S.I. No. 65/2002 - Local Government Act, 2001 (Commencement) Order, 2002 which commenced the repeal of sections 62, 63 and 66 of the 1946 Act.
- S.I. No. 588/2001 - Local Government Act, 2001 (Commencement) (No. 3) Order, 2001 which commenced the repeal of section 25, Part III (insofar as it is not already repealed) and Part IV and sections 70, 71, 73, 82, 83, 95 and 98.

However, the above list of sections under the 1946 Act whose repeal has commenced does not include section 78 of the 1946 Act. It therefore follows that section 78 of the 1946 Act remains in force, as indeed does the Local Government (Changing of Place Names) Regulations, 1956.

III PROCEDURE FOR CHANGING OF PLACEMENT

8. It therefore follows from the above that the procedure to be followed for the proposed change of name is that set out in section 78 of the Local Government Act 1946 as amended and also S.I. 31/1956 Local Government (Changing of Place Names) Regulations, 1956. The original section 78 of the 1946 Act states:

"The appropriate authority may, with the consent of not less than four-sevenths of the ratepayers in a street, change the name of the street.

(2) The power conferred by subsection (1) of this section shall be a reserved function.

(3) The Minister may make regulations prescribing the procedure to be followed by the appropriate authority in ascertaining for the purposes of this section whether not less than four-sevenths of the ratepayers in a street consent to the name of the street being changed.

(4) The appropriate authority may cause the name of a street to be displayed on a conspicuous part of any convenient building or other erection.

(5) In this section—

the word "street" includes part of a street and also the whole or part of any road, square, lane or other public place;

the expression "the appropriate authority" means—

(a) as respects a street in a county or other borough, the corporation of the borough,

(b) as respects a street in an urban district, the council of the urban district,

(c) as respects a street in a town, the commissioners of the town, and

(d) as respects any other street, the council of the county in which the street is situate".

9. Section 78 of the 1946 Act was amended by section 55 of the Local Government Act, 1955 which included certain provisions relating to ratepayers and also made certain amendments to the definition of "street" and "appropriate authority". Section 67 of the Local Government Act 1994 further amended section 78 by substituting "qualified electors" for "ratepayers" and providing:

"(a) "the majority of the qualified electors" for "four-sevenths of the ratepayers", and

(b) "qualified electors" for "ratepayers",

wherever the expressions occur in the said sections.

(2) For the purposes of the said sections, "qualified electors" means every person who in relation to the urban district, town, townland, non-municipal town, street or locality, as the case may be—

(a) is registered as a local government elector in the register of local government electors for the time being in force, or

(b) not being so registered is the rated occupier of a hereditament other than a hereditament the valuation of which attracts an allowance equal to full abatement of rates pursuant to section 3 of the Local Government (Financial Provisions) Act, 1978”.

10. Article 5 of the S.I. No. 31/1956 - Local Government (Changing of Place Names) Regulations, 1956 states

“5. The procedure to be followed by the appropriate authority in ascertaining—

(a) for the purposes of sections 76 and 77 of the Act whether not less than four-sevenths of the ratepayers of a district consent to an application being made to the Government for an order changing the name of the district, and

(b) for the purposes of sections 78 and 79 of the Act whether not less than four-sevenths of the ratepayers of an area consent to the name of the area being changed,

shall be the procedure specified in Part I of the Schedule to these Regulations”

Schedule 1 therefore sets out the procedures to be followed.

11. By way of summary the procedure to be followed includes the steps as set out below.

- (1) A list of qualified electors (as defined in section 67 of the 1994 Act) in respect of the street (or in the present instance the lane) must be prepared by the local authority.
- (2) The local authority must by advertisement in one or more than one, newspaper circulating in the functional area of the appropriate authority, and if they think fit, by the display of posters in or near the place, cause notice to be given that the list of qualified electors has been prepared and is open for inspection at the offices of the authority. This notice/advertisement must invite submissions regarding the list of qualified electors.
- (3) The local authority must have regard to any submissions or objections in writing received within three weeks of the publication of the advertisement giving notice of the preparation of the list of qualified electors.
- (4) A plebiscite of the qualified electors in the place shall be held by the local authority and the secretary or clerk of the local authority shall be the returning officer.

- (5) The returning officer shall prepare an electoral roll containing the name of each person who is on the list of qualified electors in the place and the address at which each such person ordinarily resides
 - (6) The returning officer shall send by ordinary post to every person whose name is on the electoral roll at the person's address in that roll a ballot paper and a postage prepaid envelope addressed to the returning officer.
 - (7) The ballot paper must be in the form prescribed under the 1956 Regulations
 - (8) Completed ballot papers may be returned by ordinary post or otherwise to the returning officer who shall place them in a sealed ballot box.
 - (9) The returning officer having counted the valid votes and ascertained the number of votes consenting and the number of votes dissenting to the proposed application or the proposed change, shall declare the result of the plebiscite in the prescribed form.
 - (10) The local authority may with the consent of a majority of the qualified electors as determined under the plebiscite change the name of the street. This decision is a reserved function.
11. The above is a summary of the main steps although there are certain additional details regarding the plebiscite process stated in Schedule 1 of the 1956 Regulation and the same should be followed. This includes where the street or lane falls within the functional area of two local authorities.

CONCLUSION

12. The procedure to be followed for the change of name is that set out in section 78 of the Local Government Act 1946 as amended and under Schedule 1 of S.I. 31/1956 Local Government (Changing of Place Names) Regulations, 1956. Although the 1946 Act is listed for repeal under the Local Government Act 2001, the provision repealing the same has not been commenced and so the 1946 Act and the 1956 Regulations remain in force.

STEPHEN DODD BL

Home > Statutory Instruments > 1956 >

S.I. No. 31/1956 - Local Government (Changing of Place Names) Regulations, 1956.

S.I. No. 31/1956 - Local Government (Changing of Place Names) Regulations, 1956.

S.I. No. 31 of 1956.

LOCAL GOVERNMENT (CHANGING OF PLACE NAMES) REGULATIONS, 1956.

The Minister for Local Government in exercise of the powers conferred on him by sections 4 , 76 , 77 , 78 and 79 of the Local Government Act, 1946 (No. 24 of 1946) as amended by section 53 of the Local Government Act, 1955 (No. 9 of 1955) hereby makes the following Regulations :—

1. These Regulations may be cited as the Local Government (Changing of Place Names) Regulations, 1956.

2. In these Regulations—

" the Act " means the Local Government Act, 1946 ;

" the Act of 1955 " means the Local Government Act, 1955 ;

" appropriate authority " means—

(a) as respects an urban district, the council of the urban district ;

(b) as respects a town, the town commissioners ;

(c) as respects a townland or non-municipal town situate wholly within one county, the council of that county ;

(d) as respects part of a townland or of a non-municipal town situate in a county, the council of that county ;

(e) as respects a street, the authority specified in subsection (6) (added by section 53 of the Act of 1955) of section 78 of the Act ;

(f) as respects a locality, the authority specified in subsection (5) of section 79 of the act ;

" area " means a street or a locality ;

" district " means an urban district, town, townland or non-municipal town ;

" the Minister " means the Minister for Local Government ;

" place " means the district or area in respect of which a local authority propose to hold a plebiscite and

SCHEDULE

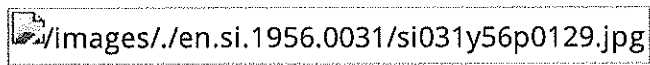
PART I.

1. Before adopting a list of ratepayers in a place under sections 76, 77, 78 and 79 of the Act (as amended by section 53 of the Act of 1955), the appropriate authority shall, by advertisement in one or more than one, newspaper circulating in the functional area of the appropriate authority, and if they think fit, by the display of posters in or near the place, cause notice to be given that the list of ratepayers has been prepared and is open for inspection at the offices of the authority.
2. The appropriate authority shall, in adopting the list of ratepayers, have regard to any objections in writing received within three weeks of the publication of the advertisement giving notice of the preparation of the list of ratepayers.
- 3.—(1) Save where the place is a townland or non-municipal town situate partly in one county and partly in another county, a plebiscite of the ratepayers in the place shall be held by the appropriate authority and the secretary or clerk of the appropriate authority shall be the returning officer.

(2) Where the place is a townland or non-municipal town situate partly in one county and partly in another county, a plebiscite of the ratepayers in the place shall be held by the council of the county which contains the greater number of the ratepayers in the place. In case each county contains an equal number of the said ratepayers, a plebiscite shall be held by the council of such of the counties as may be determined by the Minister. The Secretary of the council holding the plebiscite shall be the returning officer.
4. The returning officer shall prepare an electoral roll containing the name of each person who is on the list of ratepayers in the place and the address at which each such person ordinarily resides or the address at which demand for payment of rates by such person is made. The names on the roll shall be numbered consecutively.
5. The returning officer shall send by ordinary post to every person whose name is on the electoral roll at the person's address in that roll a ballot paper and a postage prepaid envelope addressed to the returning officer. The returning officer shall post the ballot papers in the presence of the chairman or such other member or members of the local authority as may be authorised by that authority to witness such posting.
6. If the place is a district the ballot paper shall be in the form set out in Form I of Part II of this Schedule.
7. If the place is an area the ballot paper shall be in the form set out in Form II of Part II of this Schedule.
8. Every ballot paper shall have a number printed on it and shall have attached a counterfoil with the same number printed on the face thereof.
9. A ratepayer shall have one vote only in a plebiscite notwithstanding that he is rated in respect of more than one hereditament in the place.

The.....at a meeting on the.....passed a resolution proposing that a plebiscite be taken to ascertain whether four-sevenths of the ratepayers in the.....consent to an application being made to the Government for an order changing the name of.....to.....

As a ratepayer concerned in the proposed application you are requested to indicate whether you consent to the application being made. In the presence of a witness to whom you are known personally you should place the mark " X " opposite the word " Yes " below if you consent or opposite the word " No " if you do not consent. This ballot paper must be signed in the presence of the witness who must also sign in the appropriate place. It should be returned so as to reach the address on the enclosed envelope before.....o'clock on the.....



Signature of Ratepayer.....

Address.....

Date.....

The above-named, who is personally known to me, has marked and signed this ballot paper in my presence.

Signature of Witness.....

Address.....

Note : The occupier of a small dwelling within the meaning of the Local Government (Rates on Small Dwellings) Act, 1928 , is, for the purposes of this plebiscite, regarded as the ratepayer.

BALLOT PAPER.

Form II.

No.....

To.....

.....

.....

Counterfoil Number.....(This number should correspond with that on the ballot paper).

The.....at a meeting on the.....passed a resolution proposing that a plebiscite be taken to ascertain whether four-sevenths of the ratepayers in.....consent to a change in the name of.....to.....

I, the undersigned, being the returning officer at the plebiscite held to ascertain whether not less than four-sevenths of the ratepayers in consent to the name of.....being changed to.....hereby declare the result of the said plebiscite as follows :—

Number of ratepayers in place.....

Number of votes in favour of the said change being made.....

Dated this.....

.....

Returning Officer.

GIVEN under the Official Seal of the Minister for Local Government this first day of March, One Thousand Nine Hundred and Fifty-six.

PATRICK O'DONNELL,
Minister for Local Government.



Conference Programme Friday 9th November Day Forum

Great Southern Killarney

Start time: 9am

Finish time: 5.30pm

Programme contents:

- **Strategies for sustainable growth**
 - *Paul Kelly, CEO of Fáilte Ireland*
- **International trends impacting on tourism: What they mean for Ireland**
 - *Mark Henry, Central Marketing Director at Tourism Ireland*
- **Tourism – An industry strategy for growth to 2025**
 - *Eoghan O'Mara Walsh, CEO of Irish Tourism Industry Confederation (ITIC)*
- **Brexit: The potential impact on tourism**
 - *C. Noel Sweeney, MD of Tourism & Transport Consult (TTC)*
 - *Deirdre Wells OBE, CEO of UKinbound*
 - *Peter Bellew, Chief Operations Officer at Ryanair*
 - *John McGrillen, Chief Executive of Tourism Northern Ireland*
- **What the data says; hospitality & tourism in Ireland**
 - *Yvonne Holmes, Head of Business Performance & Analytics at AIB*
- **Titanic Belfast – A case study**
 - *Judith Owens, CEO of TBL International (Titanic Belfast, SS Nomadic, Titanic Exhibition Centre)*

- **Learnings from other markets**
 - *Elizabeth Crabill, CEO of CIE Tours International*
 - *Ines Batz, Director of Northern Europe at DER Touristik*
- **China: an opportunity**
 - *James Kenny, China Country Manager at Tourism Ireland*
- **Closing panel discussion**

Ticket Price: €175.00

Business Networking Dinner
Great Southern Killarney

Start time: 8.00pm

- 3 course meal with wine
- Skål President's award for national contribution to tourism
- After-dinner speaker
- After-dinner entertainment
- Semi-formal / Cocktail attire

Ticket Price: €65.00

Conference and Dinner package – €220

County Secretary

PC/BB

26th June, 2018.

Mr. Eoghan Murphy, TD,
Minister for Housing, Planning & Local Government,
Leinster House,
Dail Eireann,
Dublin 2.

Dear Deputy Murphy,

At the June Meeting of Wexford County Council the Members passed the following motion:

“Given the continued efforts of the Department of Local Government to undermine local authorities and the increased centralisation of power in Ireland, this Council calls on the government to establish an independent convention on the future of local government, that will examine powers, autonomy and funding.

In the event of the failure of government to act, this Council calls on LAMA and the AILG to establish such a convention and to seek cross party support.

This motion to be circulated to all other local authorities in the State and to request that a similar motion be adopted.”

I would appreciate if you could note the view of the Members and I look forward to hearing from you.

Yours sincerely,



Pat Collins,
County Secretary.
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Phone: 053 9196260



