



MINUTES OF THE PROTOCOL COMMITTEE MEETING

HELD ON THURSDAY 18 FEBRUARY 2021

1 Presentation on Mansion House Accessibility Works

The Chair welcomed Lenzie O'Sullivan and Margret Glupker from City Architects to the meeting. Margret proceeded to give an overview of the proposed works to the Mansion House and environs which covered the following aspects:

- The existing accessibility provisions at the Mansion House are insufficient. The original ramp did not meet the required building standards and was dangerous and the lift is slow and cannot facilitate multiple users.
- The proposed works will provide Universal Access via new Landscaping and/or Structure, adding a ramped approach. This involves the redesign of the landscaping of the existing Lord Mayors Garden and of the shared access route to the Round Room, Oak Room and Mansion House.
- The design response is to be a contemporary solution that will highlight the social and civic inclusiveness that is part of the history of the Mansion House.
- Two proposals emerged as the preferred options from discussions with the Mansion House & the Steering Group members. Both concepts are based on the recreation of the historic embankment to the south side of the garden, which facilitates a gentle change of level between the Mansion House and the Lord Mayor's Garden while integrating universal access, planting and seating.
- The next stage is consultation with all the relevant stakeholders and then the design team will develop and merge the options with a view to improve the overall concept. These will form the basis of a Part 8 Planning application.

The Members thanked Margret and Lenzie for the presentation and the detailed work they had done on the proposals. They were generally favourable towards the plans and were eager to see work progressed as soon as possible considering the length of time that accessibility had been an issue at the Mansion House.

The Manager confirmed that a provision of €500,000 had been made in the capital budget to complete the works which should be concluded by the end of 2022.

Order: Report noted and it was agreed that finalised designs would be brought back to the Committee before the project went to Part 8.

Second Legal Opinion for Council

The Manager reported that following the February City Council meeting it was agreed that the Protocol Committee would agree the process for obtaining a second legal opinion on the terms of the emergency motion that had been agreed at the South Central Area Committee. The emergency motion is as follows:

“This Area Committee, noting that: –

- under section 54 of the Planning and Development Act 2002 the making of an addition to the record of protected structures is a reserved function of the elected council,
- under section 132 of the Local Government Act 2001 as amended, it is the duty of the chief executive to advise and assist the elected council, and to carry into effect its lawful directions, in relation to the exercise and performance of reserved functions,
- section 55 of the Planning and Development Act sets out procedures to be followed by a planning authority which proposes, at any time other than in the course of making its development plan, to make an addition to its record of protected structures,
- in November 2018 Dublin South Central Area Committee resolved that the Player Wills Factory Building be added to the City Council’s record of protected structures,
- in November 2020 this Council passed a motion seeking that councillors be urgently updated on the progress of adding the Player Wills Factory Building to the record of protected structures, and immediately mandating the Executive to begin the process of adding the building to the record,
- the Law Agent has subsequently furnished a legal opinion to the effect that initiating procedures in relation to a proposal to add a building to the record of protected structures is an executive and not a reserved function,”

Directs the Chief Executive, pursuant to section 132 (2) (a) of the 2001 Local Government Act, as amended by section 47 of the Local Government Reform Act 2014, to obtain the opinion of senior counsel as to –:

- 1) the duties if any of the Chief Executive arising from the passing of the resolutions by the Dublin South Central Area Committee in November 2018 and by this Council in November 2020.
- 2) whether the reserved function of the elected council under section 55 of the Act of 2000 in relation to adding buildings to the record of protected structures other than in the course of making the development plan is confined exclusively to considering only such proposals as may be formulated and progressed by the Chief Executive under section 54 of that Act in the performance of his executive functions, and
- 3) such other matters related to these questions as appear to senior counsel to be relevant.

Order: It was agreed that the Law Agent would provide the names of 3 senior counsel and the Chair of Protocol Committee would make the selection in conjunction with Lord Mayor. The Committee Members requested that additional issues be considered relevant as part of the process. The Manager committed to conveying the four issues raised to the Law Agent.

3 Minutes of the meeting held on 7th January and matters arising.

Order: Agreed

4 Protocol Working Groups:

a) Information Technology Working Group

The Manager confirmed that the working group met on 25th January where the terms of reference of the sub-committee were agreed. A presentation was given on the proposed new CRM system which would act as Councillor Hub for online submissions. Members were also briefed on the requirement to re-tender for a new meetings management system. It was agreed that the next meeting would be scheduled for March.

b) Standing Orders Working Group:

The Chair confirmed that a meeting of the Standing Order Working Group is scheduled for 2nd March. The first item on the agenda would be the issue of motions and how they are handled at area committee and Council level.

The Manager suggested that the working group should also consider the process for obtaining a second legal opinion with a view to establishing an agreed formal procedure

Cllr. Geoghegan requested that the language in standing orders in relation to printing, hard copies and emails be regularised to reflect the use of digital technology and paperless meetings.

c) City Hall Working Group

The Manager confirmed that provision for the redevelopment of the basement of City Hall had been made in the Capital Budget. Progress was on going in terms of developing the design plans and a meeting of the City Hall Working Group would be scheduled once the proposals had been advanced. Work on the servicing and upgrading of the lift in City Hall would commence once level 5 restrictions were relaxed.

The Councillors conveyed their disappointment at the closure of City Hall to Councillors during the current lockdown. City Hall is their workplace and provides essential facilities to Councillors that allow them to carry out their role. The Manager agreed to raise the matter with the Covid -19 Business Continuity Group. The Chair also agreed to raise the matter with the Chief Executive in order to establish a workable solution which respected the Councillor access and the need to comply with Covid-19 restrictions.

5 Electronic Voting at Council Meetings

The Manager informed Members that recent difficulties with the electronic voting at Council meetings were due primarily to user issues rather than with any technical problem. With the large number of users the system does take a little time to sync so members were encouraged to be patient. It was agreed that during a vote the microphones would be muted so as to reduce the possibility of confusion. Also those members who are experiencing difficulties should be proactively assisted in advance of the meeting.

6 Meeting Effectiveness and Time Management

The Chair expressed concerns that due to the increase in remote meetings Members were experiencing increased demands on their time. This was exacerbated by the prevalence of presentations on agenda, an increase in emergency motions and the inability of some chairs to manage meetings effectively. All of which has resulted in some meetings last much longer than was reasonable.

Members suggested in the introduction of time limits for committee meetings and the provision of training and development for Chairpersons.

It was agreed to refer the matter to the Standing Orders Working Group for consideration.

7 Richard O'Carroll Portrait

The Chair welcomed Ruairí Ó Cuív, the Public Arts Manager to the meeting. Ruairí gave a brief report on the proposals. Following consultation with the Deputy City Librarian and the Director of the Hugh Lane Gallery it was his recommendation that the most appropriate way to honour Richard O'Carroll is through photography. It is proposed to take a copy of the original photograph and that the facsimile would be framed to be presented in the O'Carroll Room. The rationale for this proposal is that while the painted portrait is not considered to be appropriate for the room, the photograph is a fine example of photography of that time. It is a direct image of the man and so brings with it an authenticity which a portrait painted from the photograph does not. The photograph, appropriately framed would also seem more suited to the architecture and setting of the Richard O'Carroll room in this 18th century City hall.

Order: The Members thanked Ruairí for his report and agreed with his recommendation to use a copy of the original photograph which would be framed and placed in prominent position in City Hall as means of honouring Richard O'Carroll.

8 Motion in the name of Cllrs. Anne Feeney, Naoise Ó Muiri and James Geoghegan: "That the Protocol Committee directs that the Council shall list the 'Social Housing Supply and Delivery Monthly Update Report' as the first report listed under the section of the Monthly Council Meeting Agenda which deals with reports in compliance with Section 183 of the Local Government Act 2001."

Order: Motion agreed.

9 Motion in the Name of Cllr. Anne Feeney: "That the Protocol meeting directs that all SPC and Protocol meeting Minutes and Breviates are forwarded in advance for approval, to the respective Chairpersons before being circulated to Members."

The Members confirmed that in most instances this was the procedure that was currently being implemented by the SPC's. However, they saw no reason not to reaffirm this process.

Order: Motion Agreed.

10 **Managers' Report**

The Manager confirmed that all items on her report had been dealt with during the course of the meeting.

11 **A.O.B.**

Councillor Joe Costello and Donna Cooney requested that the issue of Breviates and Minutes on the Council Agenda be listed for discussion as the next meeting.

Order: Agreed.

12 **Date of Next Meeting: 1st April 2021 at 8am**

Order: Agreed.

Councillor Anne Feeney
Chairperson
Thursday 18 February 2021

Attendance:

Members:

Anne Feeney (Chairperson)
Anthony Connaghan
Mannix Flynn
Dermot Lacey
Briege MacOscar
Michael Pidgeon

Members:

Donna Cooney
James Geoghegan
Darcy Lonergan
Naoise Ó Muirí
Noeleen Reilly

Members:

Joe Costello
Deirdre Heney
Micheál MacDonncha
Cat O'Driscoll

Officers

Ruairí Ó Cuív
Lenzie O'Sullivan

Michael Gallagher
Deirdre Ní Raghallaigh

Margret Glupker

Apologies:

Lord Mayor Hazel Chu

Non-Members:

Nial Ring