

**Motions with Replies**  
**Central Area Committee Meeting**  
**10<sup>th</sup> October, 2017**

Item 1

**Motion in the name of Councillor Janice Boylan**

That this Committee calls on the Housing Executive and his team to liaise in a fully transparent way with the O'Devaney Gardens Consultative Forum on every aspect of the plans for the site. The Consultative Group is calling for access to tender documents, plans, meaningful discussions and a full input into making a sustainable community on the site. This must be the way it is going forward for all of the site. Full community consultation was promised and it must be delivered upon.

**Report**

The following is the agreed text of the section on Consultative Forums as outlined in the "Housing Land Initiative Corporate Governance Structure July 2017":

**"Consultative Forums**

While there is no requirement, outside of the consultative procedures outlined above, to establish consultative forums as part of overall governance, it would be considered best practice to engage with local stakeholders. This engagement should provide a forum to discuss and resolve local concerns and have a strong information exchange component. There is no scope for such consultative forums to veto, replace or take precedence over the more formal and statutory requirements, such as planning guidelines and planning permissions, or the reserved functions of the City Councillors, however it is recognised that community input into the proposals would be invaluable.

**Consultative Forum Terms of Reference**

- To provide a forum for the mutual exchange of information between stakeholders associated with the Land Initiative (L.I.) Sites.
- To define and agree communication processes with Dublin City Council, Developers and other relevant Stakeholders in respect of L.I. sites.
- To provide a platform for local and stakeholder concerns to be discussed and resolved throughout all stages of the development
- Consult, co-operate and liaise with all interested parties including the local community and any relevant statutory bodies."

Every effort is being taken to adhere to the objectives as set out above, however the rules associated with EU procurement/tendering process are absolute in terms of restrictions which greatly reduces the scope to release tendering information to third parties.

Item 2

**Motion in the name of Councillor Janice Boylan**

That this Committee calls on the Chief Executive to fully investigate and look into changing the Regulations around Air B & B's. In the midst of a housing crisis we have given landlords a loophole to use their properties in this manner which not only adds to the pressure of the Housing crisis but doesn't help build communities when it's very transient accommodation. I understand and know that Dublin City Council are currently investigating such full-time Air B & B lets. And it is the very opportunity

to make the call for the changes needed. It is disturbing in light of the crisis with housing that this is becoming more and more prevalent and houses are being taken from the regular renting market in favour of Air B & B.

### **Report**

The planning enforcement section have received approx 40 complaints relating to the alleged change of use of apartments and houses to Air BNB type accommodation. It should be noted that An Bord Pleanala's decision in this matter refers to properties that are apartments only and are primarily in use as full time short term holiday lets with the owner not in occupation. There is an exemption in the planning regulations that allows for without restriction the renting of up to 4 bedrooms in a house. The planning enforcement section has initiated enforcement action in respect of a number of properties where we feel we have sufficient evidence to prove our case. The commencement of action has also lead to a number of landlords reverting to standard long term leases. We will continue to take action where appropriate pending the findings and recommendations of the working group that the Department has set up to look at and try to quantify the situation with a view to determining whether changes in regulations are required.

### **Item 3**

#### **Motion in the name of Councillor Janice Boylan**

That this Committee calls on the Management and City Architects to seriously consider the request from residents in and around Arklow Street, Dublin 7, to have some of the openings that use to be walk ways closed off in the plans for the O'Devaney site. One of these has become a community garden and is now a cul de sac which allows safe play for the local children. I am calling for a full report to be carried out with full consultation with the community and the local Bridewell Garda Station.

### **Report**

City Architects and the Area Planner have met with a representative of the Oxmanstown Community in relation to this proposal and the Bridewell Gardai have also been fully briefed. The masterplan context in which the existing planning permission was granted by Bord Pleanala was fully explained. That masterplan indicates links between streets in the vicinity of Arklow Street and the redeveloped area formerly occupied by O'Devaney Gardens flat blocks. These proposed links are considered to be in accordance with best planning practice and guidelines and of considerable importance in supporting the ongoing sustainability of any future development on the O'Devaney site. Any such development will of course be subject to a detailed planning process and consultation with neighbouring communities will be intrinsic to that.

### **Item 4**

#### **Motion in the name of Councillor Janice Boylan**

That this Committee calls on the Chief Executive and Planners to actively listen to the residents of Stoneybatter, Smithfield and surrounding areas and stop with plans to divert traffic up Blackhall Street and into the heart of our village. Option 7 is not the preferred option by the majority of residents, business owners and school goers. And this needs to be stopped and another option, which is Option 8, needs to be seriously considered and implemented. Everyone wants a safe environment for cyclists and we can obtain that without seriously impacting on the livelihoods of people who live, work and go to school in the area.

### **Report**

Dublin City Council is currently not undertaking any planning work on the Liffey Cycle route as the NTA has halted funding for the project until they have conducted an independent review of the available options.

**Item 5**

**Motion in the name of Councillor Eilis Ryan**

That the Chief Executive will within two months report to the Council, for their consideration, in relation to people with disabilities, setting out:

1. The current situation in relation to matters which the Council has direct responsibility for
2. An overview of which areas of the Council's work will require improvements,
3. The areas where engagement of this Council with other public bodies would improve participation for people with disabilities and the names of those public bodies, and
4. The measures taken and planned by this Council to ensure the participation and engagement by people with disabilities and their representatives in local decision making structures and mechanisms, with a view to budgeting and planning for 2018 and beyond for the Council to advance implementation of the UN CRPD

**Report**

Further information has been requested from the Councillor. A report will issue if the members agree the terms of the motion.

**Item 6**

**Motion in the name of Councillor Nial Ring**

Following granting of planning permission for development of Aldborough House, Portland Row (Ref 3457/17) this Committee requests the Chief Executive to make contact with the owners of Aldborough House and the Abbey Theatre with a view to discussing the possibility of the National Theatre moving to and operating from Aldborough House as part of the overall redevelopment there.

**Report**

The City Arts Officer has pointed out that the development plan for the Abbey Theatre has involved the purchase of adjoining buildings on Abbey Street over recent years in order to provide the largest footprint possible for development. The Abbey Theatre has publicly announced its intention to build two new theatres on the site replacing the current two with modern technical and public facilities. Although the possibility was mooted for many years that the Abbey would move this question appears to be now settled.

**Item 7**

**Motion in the name of Councillor Nial Ring**

That this Committee requests the Chief Executive to write to the operators of the Luas (Transdev) and request that, on the first official day of operation of the cross city lines, commuters using the new service will be allowed travel free in recognition of the disruption to Dublin traffic caused by the cross city Luas works to the commuters/drivers/cyclists/pedestrians of Dublin.

### **Report**

A letter will be forwarded to Transdev if the members agree the terms of the motion.

**Item 8**

### **Motion in the name of Councillor Nial Ring**

That this Committee requests the Chief Executive to carry out a study with a remit to coming up with design/alteration/improvements etc. for the Luke Kelly Bridge so that it too benefits from the public realm improvements in the Ballybough Area. I requested that consideration to providing lanterns such as those on nearby Annesley Bridge be given for the Like Kelly Bridge but this was deemed unfeasible. However, this Committee agrees that a full improvement plan should be commissioned and recommendations carried out as part of the NEIC Regeneration Programme (Strand four of the "Mulvey Report" - Physical Infrastructure - Refurbishment).

### **Report**

The matter will be examined if the members agree the terms of the motion.

**Item 9**

### **Motion in the name of Councillor Ciaran Cuffe**

That this Committee believes that a surface car park is an inappropriate use for the old Fish Markets Site and welcome the future provision of a Mixed Use Games Area (MUGA) on the site but notes that this facility will only occupy a small proportion of the overall site, and therefore requests that the City Architects prepare a scheme for a mixed use development on the remainder of the Fish Market site that would either be developed by the local authority or the private sector.

### **Report**

The provision of a car park at the site of the old Fish Market is needed in the short term and is one element of the redevelopment of the site. It is the subject of a Part 8 planning permission and the build tender is assigned.

The redevelopment includes redesign of St Michan's Street, replacement of the defective boundary wall to St Michan's House, improved public realm, cycle parking and new boundaries to the site and delivery of the Multi Use Games Area, levelling of the site and ancillary works.

The Car Park is a requirement in order to:

- Provide dedicated Wholesale Market Trader parking, thereby moving the commercial parking and loading off the public street to improve pedestrian safety and general environment.
- Support the agreed introduction of a retail food market in the short term with customer parking
- Provide a Multi Use Games Area as community gain.

It is Dublin City Councils intention to redevelop the site in the future but such action is premature at this time.

**Item 10**

### **Motion in the name of Councillor Ciaran Cuffe**

That this Committee agrees that the fine of €75 for waste management collecting waste outside of designated hours too early in the morning is set far too low and shall write to the Minister for Housing, Communities and Local Government seeking a much higher fine, and shall circulate his response, once received.

**Report**

A letter will be forwarded to the Minister of Housing, Communities and Local Government, if the members agree the terms of the motion.

**Item** 11

**Motion in the name of Councillor Ray McAdam**

That this Committee agrees to write to the Chief Executive of the National Transport Authority requesting that the Save Our Streets Stoneybatter and Smithfield community campaign be afforded the opportunity to have a formal input into the Independent Third Party Review of the various options and resultant information and documentation of the proposed Liffey Cycle Route.

**Report**

A letter will be forwarded to the National Transport Authority if the members agree to the terms of the motion.