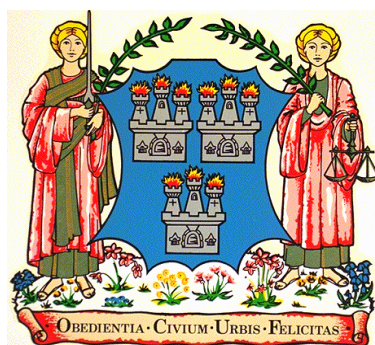


COMHAIRLE CATHRACH BHAILE ÁTHA CLIATH



Miontuairiscí Chruinniú Míósúil a tionóladh ar 6 Samhain 2017 i Seomra na Comhairle, Halla na Cathrach, Cnoc Chorcaí ag 6.15 i.n, i láthair an tArdmheara Mícheál MacDonncha sa chathaoir

Comhairleoir:

Chris Andrews
Kieran Binchy
Paddy Bourke
Janice Boylan
Tom Brabazon
Christy Burke
Claire Byrne
Cathleen Carney Boud
Brendan Carr
Aine Clancy
Anthony Connaghan
David Costello
Ciáran Cuffe
Hazel De Nortúin
Daithí De Róiste
Daithí Doolan
Pat Dunne
Gaye Fagan
Anne Feeney
Declan Flanagan

Comhairleoir:

Mannix Flynn
Mary Freehill
Gary Gannon
Alison Gilliland
Paul Hand
Deirdre Heney
Jane Horgan-Jones
Vincent Jackson
Andrew Keegan
Teresa Keegan
Greg Kelly
Frank Kennedy
Dermot Lacey
John Lyons
Tina MacVeigh
Ray McAdam
Paul McAuliffe
Paddy McCartan
Ruairí McGinley
Séamas McGrattan

Comhairleoir:

Ray McHugh
Sean Paul Mahon
Edel Moran
Andrew Montague
Michael Mullooly
Rebecca Moynihan
Emma Murphy
Críona Ní Dhálaigh
Michael O'Brien
Claire O'Connor
Damian O'Farrell
Ciáran O'Moore
Naoise Ó Muirí
Larry O'Toole
Cieran Perry
Noeleen Reilly
Nial Ring
Éilis Ryan
Norma Sammon
Paddy Smyth
Sonya Stapleton

Oifigigh

Owen Keegan
Brendan Kenny
Dick Brady
Kathy Quinn
Richard Shakespeare

Declan Wallace
Terence O'Keefe
Oonagh Casey
Jennifer McCaghey
Oliver Douglas

Denis Kiely
Deirdre Ni Raghallaigh
Mary Pyne
John O'Hara
Mainard Gallagher

1. The Lord Mayor opened the meeting by congratulating Councillor Patrick Costello and his partner, Hazel, on the birth of their daughter Alexandra. He then commended the Dublin Fire Brigade and all the staff of Dublin City Council for their excellent service to the people of Dublin during Storm Ophelia and also over the Hallow'een period. He also paid tribute to the local communities who worked in co-operation with staff to ensure a safe Hallow'een for all. He then said that a Civic Reception had been offered to Katie Taylor and that Members would be informed of progress. He then referred to a

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letter that he and Councillor Ring had submitted in relation to the naming of the new children's hospital and asked Members to support the suggested alternate name.

The Lord Mayor then referred to the revelations in the recent Prime Time Programme on RTE in relation to overcrowding in private rental properties. He said that five Emergency Motions had been received on this subject and that he was proposing that these be taken at this time in conjunction with a discussion on these issues. Members had received a report from the Head of Housing who then gave a verbal update to the meeting. Following discussion by Members, it was agreed that the Housing SPC would include an item on future agenda reporting on the number of inspections of private rented property. It was also agreed to suspend Standing Orders to agree the following Emergency Motions and that a report on these would be presented to a future Housing SPC meeting.

Emergency Motion No 1 - Councillors R Moynihan, A Gilliland, D. Lacey, B. Carr, J H. Jones, M. Freehill and A. Montague

"This City Council is horrified by the revelations contained in the Prime Time Investigates programme in relation to the rental sector in Dublin. We call on the Chief Executive to make a full statement on the matter with particular reference to:-

- 1) *Why the breaches of standards noticed to Dublin City Council weren't acted on in a timely manner*
- 2) *To provide to the Housing SPC a full breakdown on complaints received and what action was taken by DCC*
- 3) *To provide a report on what powers are available to DCC in the event of landlords not bringing their accommodation up to standard and in how many cases was further enforcement action was taken*
- 4) *To ask that the Chief Executive write to the Minister for Housing asking that legislation be enacted to*
 - a. *Allow DCC to seize control of any rental property not considered to be of adequate standard for rental*
 - b. *Legislation to be amended to define over-crowding for rental property*
 - c. *Introduce serious incremental fines for unregistered landlords and*
 - d. *legislate for the banning of any person owners of property charging others for substandard and/or over- crowded accommodation*
- 5) *That DCC begin the process to recruit for rental accommodation inspectors with the view to inspecting 15% of rental properties on the market each year"*

Emergency Motion No. 2 - Councillors C. Burke and N Ring

That, in light of the revelations by Primetime on living conditions being endured by tenants in Dublin City, the members instruct the Chief Executive to undertake a full review of Dublin City Council's intensified inspection programme for private rented accommodation set up in 2012. The review should include recommendations on staffing levels, funding, implementation and legislative changes needed to ensure that the operation of the programme is accelerated and that all backup and follow-up facilities and procedures are in place.

Emergency Motion No. 3 - Councillors of the SINN FEIN Group

This council notes:

- *With alarm the revelations regarding breaches of minimum standards in the private rented sector contained in last week's RTE Investigates documentary Nightmare to Let*
- *That in 2016 only 4% of private rental properties were inspected by Local*

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Authorities

- *That in 2016 two thirds of inspected properties were not compliant with minimum standards*
- *That Local Authorities have failed to adequately enforce standards in the private rented sector*
- *That central government has failed to adequately resource/legally authorise Local Authorities to carry out their enforcement functions with respect to the private rented sector*
- *That significant numbers of tenants continue to live in unacceptable and sub standards private rented accommodation*

This council calls on:

- *The Chief Executive to set out, as a matter of urgency, a plan for ensuring compliance with standards in the private rented sector*
- *The Government to adequately resource and give legal powers to Local Authorities to ensure that a comprehensive inspection and enforcement regime is put in place*
- *The Government to support Thresholds NCT type certification system for private rented housing to further strengthen compliance with legal standards*
- *The Chief Executive to review the penalties faced by landlords to ensure adequate sanction for those that fail to register tenancies or who fail to meet minimum standards*
- *The Housing Manager to publish an annual report detailing levels of private rental sector inspections and enforcement in DCC*

In light of the severity of fire safety deficits highlighted in Prime Time Investigates; the potential scale of overcrowding in dwellings across the City; the fire safety issues arising from self certification during the Celtic Tiger years; and the increase in population & proposed high rise in the City, this Council request that DCC start work immediately on a fire risk assessment of all rented properties in the City to be carried out by competent personnel agreed with fire-fighter representatives and that DFB be given all resources necessary to complete this task.

This council also calls on CAB to start to pursue fraud and tax evasion by landlords identified in the Prime Time investigation and other such landlords caught in the future”

Emergency Motion No. 4 : Councillors T. MacVeigh and J. Lyons

“Given the revelations on Prime Time Investigates on the lack of oversight into rented accommodation and the very slow response from DCC to the queries raised, this council is extremely concerned that what appears to have been a total breach of human rights in three cases (two of which were in Dublin South Central) may be repeated across the city and is urgently calling for

- *a full review of how inspections and oversight is conducted*
- *arising from this review that targets for the number of Environmental Health Officers we need to directly recruit and the percentage of properties we are aiming to inspect on an annual basis for the next five years, 2018-2022, be established*
- *that the funding is made available for the required increase in resources*
- *In line with the required increase in Environmental health officers and inspections, that a system of certification to be implemented for the private sector without which rentals are deemed illegal and highly penalized, including harsh penalties for repeat offenders”*

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Emergency Motion No 6 : Councillors of the Green Party

“This Council notes the findings of the recent RTÉ Primetime Investigates ‘Nightmare to Let’ Programme which showed that only 4% of rental properties are inspected, and that major safety breaches were found within Dublin City Council’s jurisdiction, and calls on the Chief Executive to use his powers to ensure that the Council’s staffing levels are adequate, especially in the area of enforcement. Furthermore the Council notes that the posts of Dublin City Engineer, Dublin City Planning Officer, Accessibility Officer and Road Safety Officer and many other posts are currently vacant or filled on an acting-up basis and calls on the Chief Executive to use his powers and influence to ensure that these posts are filled on a permanent basis, and to present a report to the Council on staffing at all levels within the Council, and his plans to remedy any deficiencies, given the concerns for human safety resulting from the level of under-staffing”

2. Ceisteanna fé Bhuan Ordú Úimhir 16 -- It was moved by Councillor V Jackson and seconded by Councillor R McGinley “That Dublin City Council approves the Dublin Chief Executive answering the questions lodged”. The motion having been put and carried, written answers to the 155 questions lodged for the City Council meeting were issued. The Questions and Answers are set out in **Appendix A** attached.
3. Submitted Letter dated 5th October 2017 from Limerick City & County Council conveying the terms of a resolution at the Adjourned September meeting - One Agency with full responsibility for the maintenance/repair/upkeep of rivers and streams. It was moved by Councillor C Burke and seconded by Councillor M Flynn “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
4. Submitted Letter dated 18th October 2017 from Monaghan County Council conveying the terms of a resolution at the October Meeting - SIPTU Big Start/Early Years. It was moved by Councillor C Burke and seconded by Councillor M Flynn “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
5. Submitted Letter dated 17th October 2017 from Tipperary County Council conveying the terms of a resolution at the October Meeting - calling on the Department of Transportation, Tourism and Sport to reintroduce Urban Road Minor Improvement Grants. It was moved by Councillor C Burke and seconded by Councillor M Flynn “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
6. The minutes of the Meeting of the City Council held on the 2nd October 2017 and adjourned Council Meeting held on the 10th October 2017, having been printed, certified by the Meetings Administrator, circulated to the Members and taken as read, were signed by the Lord Mayor. Councillor D O’Farrell asked that the word ‘further’ be removed from the 3rd last line of Item No 12 – to now read ‘without debate’. The Members agreed to this proposal.
7. Submitted Report No 373/2017 of the Head of Finance (K. Quinn) - Local Fund Statement. It was moved by Councillor A Connaghan and seconded by Councillor R McGinley “That Dublin City Council notes the contents of Report No 373/2017”. The motion was put and carried.
8. Submitted Report of the Chief Executive, in compliance with Section 138 of the Local Government Act 2001 informing the Council of works which are about to commence and in compliance with the Planning and Development Regulations 2001, Part 8: Report 337/2017: Proposal for development works to the Caretaker’s Apartment, The

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Mansion House, Dawson Street, Dublin 1. It was moved by Councillor R McGinley and seconded by Councillor T Keegan "That Dublin City Council notes the contents of Report No 337/2017 and hereby approves the proposals set out therein". The motion was put and carried.

9. Submitted Report of the Chief Executive, in compliance with Section 138 of the Local Government Act 2001 informing the Council of works which are about to commence and in compliance with the Planning and Development Regulations 2001, Part 8: Report 353/2017: Proposal for the provision of a new public park and play facilities, Bridgefoot Street, Dublin 8. It was moved by Councillor A Connaghan and seconded by Councillor T MacVeigh "That Dublin City Council notes the contents of Report No 353/2017 and hereby approves the proposals set out therein". The motion was put and carried.
10. Submitted Report of the Chief Executive, in compliance with Section 138 of the Local Government Act 2001 informing the Council of works which are about to commence and in compliance with the Planning and Development Regulations 2001, Part 8: Report 358/2017: Proposal for the refurbishment of Temple Bar Square, Dublin 2. The City Council agreed to defer consideration of this report to a future meeting.
11. Submitted Reports of the Chief Executive, in compliance with Section 138 of the Local Government Act 2001 informing the Council of works which are about to commence and in compliance with the Planning and Development Regulations 2001, Part 8: Report 363/2017: Proposal for Construction of Tearooms in Merrion Square Park, Dublin 2. It was moved by Councillor R McGinley and seconded by Councillor P McCartan "That Dublin City Council notes the contents of Report No 363/2017 and hereby approves the proposals set out therein". The motion was put and carried.
12. Submitted Report of the Chief Executive, in compliance with Section 138 of the Local Government Act 2001 informing the Council of works which are about to commence and in compliance with the Planning and Development Regulations 2001, Part 8: Report 366/2017: Proposal for development of 61 no. social dwelling units on a site, formerly known as Cornamona Court on Kylemore Road, Ballyfermot, Dublin 10. It was moved by Councillor V Jackson and seconded by Councillor D Doolan "That Dublin City Council notes the contents of Report No 366/2017 and hereby approves the proposals set out therein". The motion was put and carried.
13. Submitted Report of the Chief Executive, in compliance with Section 138 of the Local Government Act 2001 informing the Council of works which are about to commence and in compliance with the Planning and Development Regulations 2001, Part 8: Report 367/2017: Proposal for development works at two sites - Site C and Site D within the Strategic Development and Regeneration Area at Sackville Avenue, Dublin 3. It was moved by Councillor R McAdam and seconded by Councillor D Flanagan "That Dublin City Council notes the contents of Report No 367/2017 and hereby approves the proposals set out therein". The motion was put and carried.
14. To fill vacancies on the following committees and outside bodies:
 - Planning & Property Development Strategic Policy Committee - following the resignation of Councillor Éilis Ryan – the City Council agreed to defer the filling of this vacancy.
 - Local Traveller Accommodation Consultative Committee - 3 vacancies :

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<u>Nominee</u>	<u>Proposed by</u>	<u>Seconded by</u>
Cllr M O'Brien	Cllr H De Nortúin	Lord Mayor
Cllr D Lacey	Cllr B Carr	Lord Mayor
Cllr Ray McAdam	Cllr P McCartan	Cllr N Sammon

Resolution "That the above named nominees be appointed to represent Dublin City Council on the Local Traveller Accommodation Consultative Committee" The motion was put and carried.

- Local Community Development Committee - following the resignation of Councillor Tina MacVeigh (1 vacancy) It was proposed by Councillor P McAuliffe and seconded by Councillor T MacVeigh "That Councillor H De Nortúin be appointed to represent Dublin City Council on the Local Community Development Committee" The motion was put and carried.
15. Submitted Report No 350/2017 of the Chief Executive (O. Keegan) - Monthly Management Report. It was moved by Councillor J Boylan and seconded by Councillor S McGrattan "That Dublin City Council notes the contents of Report No 350/2017". The motion was put and carried.
16. Submitted Report No. 354/2017 of the Area Manager (R. Kenny) - With reference to a proposal to extinguish the Public Right of Way at Bracken's Lane, Dublin 2. It was moved by Councillor P McCartan and seconded by Councillor D Flanagan "That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way over at Bracken's Lane, Dublin 2, as shown on the attached Drawing No R.M. 36645, is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993" The motion was put and carried.
17. Submitted Report No 388/2017 of the Assistant Chief Executive (B. Kenny) - Dublin City Council Housing Supply Report November 2017. It was moved by Councillor D Doolan and seconded by Councillor R McGinley "That Dublin City Council notes the contents of Report No 388/2017". The motion was put and carried.
18. Submitted Report No. 371/2017 of the Assistant Chief Executive (R. Shakespeare) - Naas Road Lands Local Area Plan 2013. It was proposed by Councillor G Kelly and seconded by Councillor R McHugh "That in accordance with the provisions of Section 19 and 20 of the Planning & Development Act, 2000 as amended, Dublin City Council notes the contents of Report No. 371/2017 and hereby approves the extension of the Naas Road Lands Local Area Plan, 2013 for a further period of 5 years". The motion was put and carried.
19. Submitted Report No. 372/2017 of the Assistant Chief Executive (R. Shakespeare) - Clongriffin Belmayne Local Area Plan 2012. It was proposed by Councillor D Flanagan and seconded by Councillor L O'Toole "That in accordance with the provisions of Section 19 and 20 of the Planning & Development Act, 2000 as amended, Dublin City Council notes the contents of Report No. 372/2017 and hereby approves the extension of the Clongriffin/Belmayne Local Area Plan, 2012 for a further period of 5 years". The motion was put and carried.
20. Submitted Report No. 384/2017 of Assistant Chief Executive (D. Wallace) - Grant towards the running costs of private swimming pool at Marian College. It was moved by Councillor M Flynn and seconded by Councillor D Flanagan "That Dublin City Council notes the contents of Report No 384/2017 and hereby approves the grant

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towards the running costs of the private swimming pool at Marian College as outlined therein". The motion was put and carried. It was also agreed that a report would be prepared for Members on opening hours, public hours and the use by clubs of Dublin City Council funded swimming pools.

21. Submitted Report No 364/2017 of the Executive Manager (C. Reilly) - With reference to the disposal of the Fee Simple Interest under the Landlord and Tenant (Ground Rents) (No. 2) Act, 1978 in 18 premises. It was proposed by Councillor S McGrattan and seconded by Councillor C Ní Dhálaigh "That Dublin City Council notes the contents of Report No 364/2017 and assents to the proposal outlined therein" The motion was put and carried.
22. Submitted Report No 332/2017 of the Assistant Chief Executive (R. Shakespeare) - With further reference to the proposed disposal of an Apartment at New Priory, Hole in the Wall Road, Dublin 13. It was proposed by Councillor S McGrattan and seconded by Councillor C Ni Dhálaigh "That Dublin City Council notes the contents of Report No 332/2017 and assents to the proposal outlined therein" The motion was put and carried.
23. Submitted Report No 375/2017 of the Executive Manager (P. Clegg) - With reference to the proposed disposal of a plot of land to the rear of 30 Reuben Street, Rialto, Dublin 8. It was proposed by Councillor S McGrattan and seconded by Councillor C Ni Dhálaigh "That Dublin City Council notes the contents of Report No 375/2017 and assents to the proposal outlined therein" The motion was put and carried.
24. Submitted Report No 376/2017 of the Executive Manager (P. Clegg) - With reference to the proposed grant of licence for use as a car park of land at New St.Margaret's Road, Ballymun, Dublin 11. It was proposed by Councillor S McGrattan and seconded by Councillor C Ni Dhálaigh "That Dublin City Council notes the contents of Report No 376/2017 and assents to the proposal outlined therein" The motion was put and carried.
25. Submitted Report No 377/2017 of the Executive Manager (P. Clegg) - With reference to the proposed disposal of a plot at 604 Clonard Road, Crumlin, Dublin 12. It was proposed by Councillor S McGrattan and seconded by Councillor C Ni Dhálaigh "That Dublin City Council notes the contents of Report No 377/2017 and assents to the proposal outlined therein" The motion was put and carried.
26. Submitted Report No 378/2017 of the Executive Manager (P. Clegg) -With reference to the proposed grant of a licence of a pitch and pavilion at Kildonan Park, Dublin 11. It was proposed by Councillor S McGrattan and seconded by Councillor C Ni Dhálaigh "That Dublin City Council notes the contents of Report No 378/2017 and assents to the proposal outlined therein" The motion was put and carried.
27. Submitted Report No 379/2017 of the Assistant Chief Executive (R. Shakespeare)- With further reference to the proposed disposal of 3 Apartments New Priory, Hole in the Wall Road, Dublin 13. It was proposed by Councillor S McGrattan and seconded by Councillor C Ni Dhálaigh "That Dublin City Council notes the contents of Report No 379/2017 and assents to the proposal outlined therein" The motion was put and carried.
28. Submitted Report No 380/2017 of the Assistant Chief Executive (R. Shakespeare) - With further reference to the proposed disposal of land at Balcurris Road / Main Street,

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Ballymun, Dublin 11. It was proposed by Councillor S McGrattan and seconded by Councillor C Ni Dhálaigh "That Dublin City Council notes the contents of Report No 380/2017 and assents to the proposal outlined therein" The motion was put and carried.

29. Submitted Report No 381/2017 of the Executive Manager (P. Clegg) - With reference to the proposed disposal of a further licence of Unit T08 and S02 of the Markets Area Community Resource Organisation (MACRO) Building, Green Street/North King Street, Dublin 7. It was proposed by Councillor S McGrattan and seconded by Councillor C Ni Dhálaigh "That Dublin City Council notes the contents of Report No 381/2017 and assents to the proposal outlined therein" The motion was put and carried.
30. Submitted Report No 386/2017 of the Corporate Policy Group - Breviate of meeting held on 22nd September 2017 - Councillor Andrew Montague, Deputy Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 386/2017". The motion was put and carried.
31. Submitted Report No 357/2017 of the Housing Strategic Policy Committee - Breviate of the meeting held on 28th September 2017 - Councillor Daithí Doolan, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 357/2017". The motion was put and carried.
32. Submitted Report No 356/2017 of the Transportation Strategic Policy Committee - Breviate of the meeting held on 27th September 2017 - Councillor Ciaran Cuffe, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 356/2017". The motion was put and carried.
33. Submitted Report No 370/2017 of the Finance Strategic Policy Committee - Breviate of the meeting held on 21st September 2017 - Councillor Ruairí McGinley, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 370/2017". The motion was put and carried.
34. Submitted Report No 387/2017 of the Planning & Property Development Strategic Policy Committee - Breviate of the meeting held on 26th September 2017- Councillor Andrew Montague, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 387/2017". The motion was put and carried.
35. Submitted Report No 352/2017 of the South East Area Committee - Breviate for the month of October 2017 - Councillor Paddy McCartan, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 352/2017". The motion was put and carried.
36. Submitted Report No 374/2017 of the Central Area Committee - Breviate for the month of October 2017 - Councillor Ray McAdam, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 374/2017". The motion was put and carried.

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37. Submitted Report No 383/2017 of the North Central Area Committee - Breviate for the month of October 2017 - Councillor Ciarán O'Moore, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 383/2017". The motion was put and carried.
38. Submitted Report No 365/2017 of the North West Area Committee - Breviate for the month of October 2017 - Councillor Noeleen Reilly, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 365/2017". The motion was put and carried.
39. Submitted Report No 369/2017 of the South Central Area Committee - Breviate for the month of October 2017 - Councillor Greg Kelly, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 369/2017". The motion was put and carried.
40. Submitted Report No 348/2017 of the North West Area Joint Policing Sub-Committee - Breviate of the meeting held on 25th September 2017 - Councillor Seamas McGrattan, Chairperson. .It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 348/2017". The motion was put and carried.
41. Submitted Report No 349/2017 of the South Central Area Joint Policing Sub-Committee - Breviate of the meeting held on 25th September 2017 - Councillor Vincent Jackson, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 349/2017". The motion was put and carried.
42. Submitted Report No 382/2017 of the North Central Area Joint Policing Sub-Committee - Breviate of the meeting held on 23rd October 2017 - Councillor Ciaran O'Moore, Vice Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 382/2017". The motion was put and carried.
43. Submitted Report No 389/2017 of the South East Area Joint Policing Sub-Committee - Breviate of the meeting held on 26th October 2017 - Councillor Mannix Flynn, Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council notes the contents of Report No 389/2017". The motion was put and carried
44. Submitted Report No 359/2017 of the Protocol Committee - Breviate of the meeting held on 28th September 2017 - Councillor Ciaran O'Moore, Vice Chairperson. It was proposed by Councillor R McGinley and seconded by Councillor L O'Toole "That Dublin City Council adopts Report No 359/2017". The motion was put and carried.
45. **Emergency Motion No 5** – The City Council agreed to suspend Standing Orders to take the following Emergency Motion submitted by Councillor D O'Farrell and seconded by Councillor N Ring "*That Independent Counsel opinion be obtained to confirm that the Clontarf to City Centre Cycle Scheme Part 8 process was conducted in full compliance with the relevant statutory requirements. This Independent Council will be chosen by Councillors. This opinion will also include the following in order to protect the integrity of the process;*
- *what effect did DCC's non-compliance with it's own non-statutory procedures have on the Part 8 Statutory process.*

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- whether or not 'an issue that arose' (petition) after the statutory public submission cut-off of the 9th March resulted in the modifications (removal of traffic lane) that were made to the CEO's Part 8 report of the 28th August. (it should be noted that the DNC Area Committee where the modifications where to take place had at their meeting of the 17th July proposed to accept the managers initial report which did not include the removal of the traffic lane.

The opinion will also advise on the sections of the Local Government Act 2001 which give reserved powers to Councillors e.g. Section 136, 137, 138, 139 etc and how these powers can be used to best effect if necessary. This specific information will be a much needed and valuable independent resource for immediate and future reference for all Councillors"

The motion was put to a vote and carried. The Chief Executive agreed to send a report to the next meeting of the Protocol Committee to be held on the 30th November 2017.

46. It was proposed by Councillor E Ryan *"Dublin City Council (DCC) recognises the urgency of the housing crisis, with just under 20,000 households now on the City Council's waiting list, and an estimated c650 newly-formed households (net) becoming eligible for social housing each year. The City Council furthermore recognises that land is by definition in fixed supply. The Development Plan estimates approximately 440 hectares of land is zoned and available for residential development within the DCC boundaries.*

The City Council notes the following in relation to land availability in this area:

- 1. DCC estimates (Council Questions, October 2017) that it owns approximately 120 hectares of land. Assuming a density of 100 units per hectare (DCC generally uses a range from 60-120 units / hectare), DCC-owned land could provide 12,000 units if used exclusively for public housing.*
- 2. This leaves around 320 hectares of land zoned for residential development not owned by DCC. At a density of 100 units per hectare this would yield 32,000 units, delivering around 3,200 units of public housing through Part V requirements.*
- 3. Accordingly, if all DCC-owned land were used exclusively for public housing, and all non-DCC-owned land were developed and delivered 10% of units as Part V, the public housing output would still approximately 15,200 units.*

Given this shortfall, the city council adopts the following policy in relation to the land within its boundaries:

- That Dublin City Council institutes an immediate ban on the use of council-owned land for private, for-profit, housing development - whether this is for rent or purchase.*
- That Dublin City Council enters into immediate negotiations with all state bodies, semi-state bodies, and NAMA-appointed receivers, who own or control residential land in the Dublin City Council area, in order to increase the required Part V social housing delivery on those sites, with an initial aim of securing the full use of the land for mixed income public housing.*

That Dublin City Council commits itself to ensuring a mix of incomes on all sites, but that this should be done through the use of innovative not-for-profit housing methods - such as public cost rental"

This motion was still under discussion at the conclusion of the meeting so is carried forward to the December meeting. it was noted that an amendment to this motion had been put forward.

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The meeting concluded at 9.30pm in accordance with Standing Orders and all items remaining on the Agenda were deferred to the next meeting of the City Council to be held on the 4th December 2017.

Correct.

LORD MAYOR

MEETINGS ADMINISTRATOR