



MINUTES OF THE PROTOCOL COMMITTEE MEETING

HELD ON THURSDAY 30 NOVEMBER 2017

1 **Terms of Reference for Outside Legal Opinion - Clontarf to City Centre Cycleway Part 8 Process**

Cllr. Damian O'Farrell requested that the following points be read into the record:

1.) The motion passed by the Council on 6 November states very clearly that the "Independent Council (sic) will be chosen by Councillor's (sic)". What the Chief Executive is now proposing - that Counsel be chosen by the combined actions of the Law Agent and the Mayor - departs significantly from what was decided by the members.

2.) The CE's memo refers to section 132. Nothing in section 132 (as written) suggests that the CE is free to disregard this aspect (point 1 above) of the motion.

3.) The CE's memo appears to suggest that he accepts that decisions as to how to proceed are ultimately for the Protocol Committee (see last line) and (if that is so) the Committee is free to disagree with the CE. And it would seem to be that the members (council) have decided and their (democratic) will cannot properly be subverted, either by the CE or the Protocol Committee.

4.) There is nothing in the CE's proposal that provides any assurance that the Counsel selected by the Law Agent/Mayor are not barristers who routinely provide legal services to the City Council and who therefore - in relation to a controversial issue such as this - may not be perceived by members as "independent" in the sense in which that term is used in your motion.

5.) It seems to me that members/the Protocol Committee should, at a minimum, seek to insist on (a) the choice of counsel and (b) the detail of the instructions to be given to counsel (including any background documents) being agreed in advance.

Order: The Members agreed that the Chair of Protocol in conjunction with the Lord Mayor would make a recommendation to the Protocol Committee, who would have the final decision on the appointment of outside legal counsel. It was also agreed that following the conclusion of this process the Protocol Committee would review the procedures involved in securing outside legal opinion.

2 **Minutes of the meeting held on 2nd November 2017 and matters arising**

Several Members expressed their displeasure at the decision to discontinue the Dublin City Council pocket diary. The Manager reported that a revised version of the traditional pocket diary would be provided for 2018 and that options for the future format of the diary would be discussed by this Committee.

Order: Minutes Agreed

3 **Lord Mayor's Receptions and Engagements of the Deputy Lord Mayor**

Order: Noted and Recommend to Council

4 **Conferences:**

a) **Conferences Attended:**

Cllr. Paddy Bourke, AILG Briefing for Elected Members – “National Public Library Strategy”. Landmark Hotel, Carrick-on-Shannon, County Leitrim. 21st October 2017.

Order: Agreed and Recommend to Council

b) **Conference Reports Received:**

Cllr. Paddy Bourke, AILG Briefing for Elected Members – “National Public Library Strategy”. 21st October 2017.

Order: Noted

5 **Motion in the name of Councillor Patrick Costello:**

“That Dublin City Council will seek to rejoin the International Council for Local Environmental Initiatives having previously been a member.”

Order: It was agreed that a report on the benefits of Membership of the ICLEI be brought to before the Committee before a decision on membership is taken.

6 **Motion in the name of Councillor Chris Andrews:**

“That the City Council will fly the Gay Pride flag over City Hall during the month of June 2018 in order to support the LGBTQ community in the ongoing campaign for equality.”

Order: It was agreed that the Pride Flag would fly over City Hall for a period of one week during the 2018 Dublin LGBTQ Festival, which takes place from 21st to 30th June 2018. Recommend to Council.

7 **Revision of Expenses and Allowances for Elected Members**

Oonagh Casey gave a brief presentation to the Members on the new expenses regulations and how they would affect the Members.

Councillors Burke and Lacey expressed their dissatisfaction with the proposals and informed the Committee that they would continue to negotiate on behalf Members for better terms.

Order: Cllr. Burke to write to the Minister and the Chairs of the Local Authority Representative Bodies on behalf of Members, to convey their disappointment with the proposals.

8 **Freedom of the City**

Order: The report was noted and the process agreed.

9 **Draft Flags Policy**

Order: Report Noted.

With respect to Item 4 of the Draft Flags Policy it was agreed that the Protocol Committee would be the deciding body with regard to the flying of flags of sovereign states on City Hall.

With respect to Item 6j of the Draft Flags Policy it was agreed that any guest flag would replace the flag of the EU rather than the Dublin flag.

It was also agreed that a sub-committee Chaired by Cllr. Anne Feeney be established to look at the Flags Policy and make a recommendation to the Protocol Committee. The following Members were appointed to the sub-committee:

- 1) Anne Feeney (Chair)
- 2) Ardmhéara Mícheál Mac Donncha
- 3) Deidre Heney
- 4) Dermot Lacey
- 5) John Lyons

10 **Members Engagement Forum Presentation - (For Information Purposes)**

Order: Noted.

11 **Deadlines for Council Meeting to be held on 8th January 2017**

Order: It was agreed that due to the Christmas Holiday period the deadline for questions and motions to the January 2018 Council meeting would be Tuesday 19th December 2017.

12 **Protocol Committee Meeting Dates for 2018**

- 4th January
- 1st February
- 1st March
- 5th April
- 10th May
- 7th June
- 28th June
- 27th September
- 1st November
- 29th November

Order: Agreed.

13 **Managers Report**

Order: The Manager reported on the following matters:

- The Planning and Development Department would bring a report on Draft Part 8 Procedures to the January Protocol Committee meeting.

- Les Moore would brief the Members at the February Protocol Committee on Commercial Concessions in DCC Parks.
- Work to provide the Parenting Room in City Hall would begin in January 2018.
- A second replica of the Clancy chain has now been created which will allow the Deputy Lord Mayor to retain one of the reproductions on a permanent basis.

14 A.O.B

Order: Nothing to report.

15 Proposed date for next meeting - Thursday 4th January 2018 at 8am in the Richard O'Carroll Room, City Hall.

Order: Agreed

Councillor Deirdre Heney
Chairperson
Thursday 30 November 2017

Attendance:

Members:

Deirdre Heney (Chairperson)
 Brendan Carr
 Anne Feeney
 Dermot Lacey
 Michael Mullooly
 Ciaran O'Moore

Members:

Aine Clancy
 Mannix Flynn
 John Lyons
 Naoise O'Muirí
 Sonya Stapleton

Members:

Patrick Costello
 Teresa Keegan
 Ardmhéara Micheal Mac Donncha
 Damian O'Farrell

Officers

Oonagh Casey
 Terence O'Keefe

Michael Gallagher
 Deirdre Ni Raghallaigh

Owen P. Keegan

Apologies:

Ray McHugh

Non-Members:

Paddy Bourke