

To the Chairperson and Members
of the Protocol Committee



Report to Protocol re Draft Development Plan CE Report 119/2022

CE Report No. 119 on the draft Development Plan submissions was circulated to members on the 29th April for consideration, in advance of the Special Meeting of the City Council, which commenced on the 5th of July. Members were invited to submit any motions on the Draft Plan and the CE's Report by the 27th of May. Members have an obligation to consider the draft plan and the CE's report and that consideration must be completed within 12 weeks of the circulation of the CE's report to them.

Members commenced consideration of the CE's report during this period and submitted motions on matters raised in the submissions which they wished to be discussed at the Special Council meeting. Consideration continued when members received CE report 120 in response to the motions and concluded at the Special Council meeting when members resolved to amend the draft plan. Accordingly the proposed material alterations were placed on public display from the 27th July to the 1st September 2022.

Placed on public display were:

- All proposed material alterations contained in CE report No. 119 that were not changed following consideration of CE Report No. 120 at the Special Council meeting;
- All proposed material alterations contained in CE report No. 120 that were not changed following consideration of CE report No. 120 at the Special Council meeting;
- All proposed material alterations contained in CE report No. 120 **that were changed** following consideration of CE report No. 120 at the Special Council meeting.

In essence all material alterations to the draft plan (including zoning) were included in the proposed material alterations placed on public display, even if they were not explicitly raised by the elected members for discussion by way of motion at the July Special Council Meeting. As such, there will be a further opportunity for members to submit motions on foot of the material alteration submissions report which will be circulated next week, in advance of the November Special Council Meeting.

The stated purpose of the July Special Council Meeting was to consider both Report 119 and Report 120 together. At the meeting in order to ensure the smooth running of business it was agreed that Report 119 be taken as read, considered and agreed, other than where members had submitted a motion in respect of the report. Report 119 was not proposed and seconded as a separate item. Members consideration of it took place over a period of time as outlined above. When the matter was raised during the meeting a decision was taken to

note Report 119 and this is recorded in the draft Minutes of the Special Council meeting on page 4.

Following discussions in advance with the Lord Mayor and Group Leaders to ensure the orderly conduct of business at the special Council meeting an email circulated to all members on Friday 1st July with the matrix of motions and information on what to do before the Special Council meeting and the order of business for the meeting. It included the following:

“It is proposed that CE Report 119/2022 (including addenda) will be taken as having been considered and agreed other than where Councillors have submitted a motion in this regard and that CE Report 120/2022 is also taken as considered and agreed except where Councillors do not agree with the CE recommendation.”

At the start of the Special Council meeting the Lord Mayor made a statement on how business would be dealt with on the three nights and made particular reference to Report 119 as follows:

“The purpose of this Special Council Meeting is to consider the Chief Executive’s report 119/2022 and addenda on Submissions and the Chief Executive’s Report 120/2022 on Motions with a view to Members reaching agreement by resolution on amendments to the Draft Plan and on placing any material amendments on public display and if there are no material amendments to make the Dublin City Development Plan 2022 to 2028. If there are material amendments any person (including Councillors) will be entitled to make a submission on the material amendments during the public display period 27th July to 1st September 2022 inclusive”.

When the Lord Mayor handed over to Máire Igoe, Acting Executive Manager, she again stated the following in relation to the reports and order of business:

“In order to ensure the smooth running of business it is proposed that Report No 119/2022 including addenda on Submissions be taken as read, considered and agreed other than where Members have submitted a Motion in this regard. It is proposed to work through the Chief Executive’s Report on Motions, Report No 120/2022 using the matrix of motions to proceed chapter by chapter through the 5 categories of Chief Executive Recommendations’.

CE report 119 was read, considered and agreed other than where members had submitted a motion, and considering the number of motions submitted by elected members, there can be no doubt that members consideration of it took place from the 29th April to the conclusion of the Special Council meeting when all motions submitted in relation to it had been dealt with.

Accordingly the following resolution was passed

“Having considered the Draft Development Plan 2022-2028 and the report of the Chief Executive in accordance with section 12(5)(a) of the Planning & Development Act 2000 (as amended), this Council hereby resolves in accordance with Section 12(6) of the Planning and Development Act 2000 (as amended), to AMEND the Draft Development Plan 2022-2028 as agreed at the Special Meeting of the City Council held on 5th, 6th and 7th July 2022 be placed on public display in accordance with the provisions of the Planning and Development Act 2000 as amended.”

The CE report on submissions received following the public display of the proposed material alterations will be forwarded to members (21st Sept). Members are obliged to consider the report and will have the opportunity to submit motions. The Special Council meeting for making the plan will take place on the 1st and 2nd November 2022.

Richard Shakespeare

Assistant Chief Executive

Date 15th September 2022