

COMHAIRLE CATHRACH BHAILE ÁTHA CLIATH



Miontuairiscí Chruinniú Míosúil a tionóladh ar 5 Meán Fómhair 2016 i Seomra na Comhairle, Halla na Cathrach, Cnoc Chorcaí ag 6.15 i.n. I Láthair an tArdmheara Brendan Carr sa chathaoir

Comhairleoir:

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

Comhairleoir:

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
Mícheál Mac Donncha
Tina MacVeigh
Paul McAuliffe
Paddy McCartan
Ruairí McGinley
Séamas McGrattan
Ray McHugh

Comhairleoir:

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

Oifigigh

Owen Keegan
Brendan Kenny
Dick Brady
Kathy Quinn

Declan Wallace
Terence O'Keefe
Jim Keogan
Vincent Norton
Oonagh Casey

Deirdre Ni Raghlaigh
Mary Pyne
Joanna Travers
Ingrid Nolan

1. The Lord Mayor opened the meeting by expressing condolences on his own behalf and on behalf of the City Council to the family and friends of : the late Trevor O'Neill, City Council staff member, who was brutally murdered in Majorca on 17th August, 2016, the late Peter Barry, former Tánaiste who died 26th August and 'Batman Ben' (Ben Farrell) who died 17th August. All stood for a minute's silence as a mark of respect for all of the deceased. The Lord Mayor informed the Members that if any of them wanted to donate to the Trevor O'Neill Appeal Fund, they could do so by contacting the Chief Executive's Office to have a deduction made from their September expenses.

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The Lord Mayor then informed the Members that the OPW would like to make a presentation on the Draft Flood Risk Management Plans at the City Council meeting in October, a 30 minute presentation with Q&A afterwards. It was agreed that the presentation would be made before the start of the meeting on the 3rd October, starting at 5.45pm.

The Lord Mayor also informed the Members that the Chief Executive had undertaken to bring a report to the City Council on the issue of an alleged breach of Data Protection in relation to a citizen who had accessed a service provided by Dublin City Council.

2. Ceisteanna fé Bhuan Ordú Úimhir 16 — It was moved by Councillor V. Jackson and seconded by Councillor C Burke “That Dublin City Council approves the Dublin Chief Executive answering the questions lodged”. The motion having been put and carried, written answers to the 138 questions lodged for the City Council meeting were issued. The Questions and Answers are set out in **Appendix A** attached.
3. Submitted Letter from South Dublin County Council, dated 13th July 2016, conveying the terms of two resolutions agreed at their Meeting on the 11th July 2016. It was moved by Councillor V Jackson and seconded by Councillor R. McGinley “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
4. Submitted Letter from Limerick City & County Council, dated 18th July 2016, conveying the terms of a resolution agreed at the meeting of the Municipal District of Adare-Rahkeale on the 12th July. It was moved by Councillor V. Jackson and seconded by Councillor R. McGinley “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
5. Submitted Letter from Donegal County Council, dated 21st July 2016, conveying the terms of a resolution agreed at their July meeting calling on the Taoiseach and the Government to clarify with the British Government that the essential North West Radiotherapy Unit will be available to all and that the vote on Brexit will not have any derailing effects on this service. It was moved by Councillor V. Jackson and seconded by Councillor R. McGinley “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
6. Submitted Letter from Limerick City & County Council, dated 22nd July 2016, conveying the terms of a resolution agreed at their meeting on 18th July 2016 calling on the Minister for Justice and Equality to limit the amount of free legal aid available to offenders who repeatedly offend. It was moved by Councillor V. Jackson and seconded by Councillor R. McGinley “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
7. Submitted Letter from Cork County Council, dated 27th July 2016, conveying the terms of a resolution agreed at their meeting on 25th July regarding Global Valuation undertaken by the Valuation Office. It was moved by Councillor V. Jackson and seconded by Councillor R. McGinley “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
8. The minutes of the Special Meetings held on 30th and 31st May and 1st June, the Annual Meeting of Council held on 27th June, Monthly Meeting of City Council held on 4th July 2016 and Special Meeting the 25th July 2016, having been printed, certified

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by the Meetings Administrator, circulated to the Members and taken as read, were signed by the Lord Mayor.

9. Submitted Report No 242/2016 of the Head of Finance (*K. Quinn*) – Monthly Local Fund Statement and reports as submitted under the EU/IMF Framework. It was proposed by Councillor S. McGrattan and seconded by Councillor N. Reilly “That Dublin City Council notes the contents of Report No 242/2016”. The motion was put and carried.
10. Submitted Report No. 243/2016 of the Head of Finance (*K. Quinn*) - Consideration of Local Property Tax Adjustment Factor and Budget Process 2017. It was proposed by Councillor R. McGinley and seconded by Councillor C. Burke “That Dublin City Council notes the contents of Report No 243/2016”. The motion was put and carried.
11. To fill vacancies on the following committees:
 - (a) Protocol Committee (2 vacancies) : It was proposed by Councillor H. De Nortuin and seconded by Councillor E. Ryan “That Councillor John Lyons be appointed as a member to the Protocol Committee” The motion was put and carried. Filling of the 2nd vacancy was deferred to the October City Council meeting.
 - (b) Local Community Development Committee – 2 vacancies. Councillor T. Brabazon proposed that Councillor Paul McAuliffe be re-appointed to the Local Community Development Committee and this was agreed. It was then proposed by Councillor R. Moynihan and seconded by the Lord Mayor “That Councillor D. Lacey be appointed as a member to Local Community Development Committee” The motion was put and carried.
 - (c) Dublin City Joint Policing Committee – 1 vacancy. It was proposed by Councillor T. Brabazon and seconded by Councillor D. Costello “That Councillor Michael Mullooly be appointed as a member to the Dublin City Joint Policing Committee” The motion was put and carried.
 - (d) Parnell Square Special Committee following the resignation of Councillor Paul McAuliffe – 1 vacancy. It was proposed by Councillor T. Brabazon and seconded by Councillor V. Jackson “That Councillor Nial Ring be appointed as a member to represent Dublin City Council on the Parnell Square Special Committee” The motion was put and carried.
 - (e) Dublin North East Regional Health Forum following the resignation of Councillor Ray McAdam – 1 vacancy. The City Council agreed to defer the filling of this vacancy to the October City Council meeting.
12. Submitted Report No. 236/2016 of the Chief Executive (*B. Kenny*) – Monthly Management Report – 5th September 2016. It was proposed by Councillor V. Jackson and seconded by Councillor T. Keegan “That Dublin City Council notes the contents of Report No 236/2016”. The motion was put and carried.
13. Submitted Report No. 222/2016 of the Chief Executive (*B. Kenny*) – Performance Indicators 2015. It was proposed by Councillor S. McGrattan and seconded by Councillor J. Boylan “That Dublin City Council notes the contents of Report No 243/2016”. The motion was put and carried.

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14. Submitted Report No. 244/2016 of the Assistant Chief Executive (*J. Keogan*) - Redevelopment of New Priory (formerly Priory Hall). The Chief Executive outlined the background to the Agreement on the resolution of 'Priory Hall'. He explained that in line with this Agreement, which was widely welcomed by all parties at the time, the City Council is contractually obliged to dispose of units in Priory Hall which have come into its ownership and to apply the proceeds as provided for in the Agreement. A key principle underlying the Agreement was an acceptance by all parties at the time that the tenure profile in Priory Hall would not be changed. He warned the Elected Members that the Council cannot unilaterally amend the terms of the Agreement and that any attempt to do so will almost certainly lead to the Agreement unravelling which in turn would expose the Council to considerable costs. While he was happy to approach the other parties to see if they would be amenable to a higher social housing share in New Priory he could not guarantee that any such approach would be successful.
- **Amendment No 1** in the names of Councillors Michael O'Brien and Eilis Ryan was put to a roll call vote and defeated. The Lord Mayor cast his casting vote against the motion – for full text and vote on this amendment, see **Appendix B** to these Minutes
 - **Amendment No 2** in the names of Councillors John Lyons, Andrew Keegan, Tina MacVeigh and Hazel De Nortuin was put to a roll call vote and defeated – for full text and vote on this amendment, see **Appendix C** to these Minutes
 - **Amendment No 3** in the names of Councillors Alison Gilliland, Andrew Montague, Dermot Lacey, Jane Horgan-Jones, Rebecca Moynihan and Aine Clancy was put to a roll call vote (**Appendix D**) and agreed.

The text of the agreed amended report was as follows :

“That in light of the fact that subsequent to the agreement reached in October 2013 regarding the refurbishment and future sale of the apartments at Priory Hall a homelessness and accommodation crisis of unprecedented proportions has emerged that the text of the Assistant Chief Executive's report be amended so as to delete lines 15 to 18 replace their text with the following:

- *Approval in principle is now being sought to seek to amend the agreement reached in October 2013 regarding the refurbishment and future sale of the apartments at Priory Hall so that:*
 - 1)
 - a) *Dublin City Council retains sufficient units so as to increase an overall DCC managed social housing level to 30% within the entire Priory Hall development, mirroring the level of social housing ratios agreed for the Oscar Traynor Lands.*
 - b) *Dublin City Council also retains sufficient units so as to provide an overall owner-occupier affordable housing level of 30% within the entire Priory Hall development to support those who meet the income criteria to be eligible for local authority house purchase loans*
 - 2) That a request be made to the Minister for Housing, Planning, Community and Local Government for the establishment by DCC of an appropriate Affordable Housing scheme for low income workers to allow the implementation of 1(b) above

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- And to amend the last paragraph, lines 19 - 22 to insert the text in below as follows:
The full details of all disposals and the terms and conditions of the Affordable Housing Scheme will be presented for approval directly to the City Council in due course but agreement in principle is sought at this point as to make the request to the Minister for Housing, Planning, Community and Local Government for DCC to establish an Affordable Housing Scheme and so the sales campaign for any outstanding units needs to be launched and the consent of the City Council is required prior to the completion of the sale of the units under Section 183 of the Local Government Act 2001. That all sales be to private individual”
15. Submitted Report No 214/2016 of the Chief Executive (*B. Kenny*) – Revision No 6 of Dublin City Council Strategic Policy Committees Scheme 2014 – 2019. It was proposed by Councillor V. Jackson and seconded by Councillor S. McGrattan “That Dublin City Council notes the contents of Report No 214/2016”. The motion was put and carried.
 16. Submitted Report No. 225/2016 of the Chairperson of the Dublin City Joint Policing Committee (*Councillor Daithí De Róiste*) – Annual Report 2015. It was proposed by Councillor D. Doolan and seconded by Councillor D. De Roiste “That Dublin City Council adopts Report No 225/2016 and approves the Dublin City Joint Policing Committee Annual Report 2015” The motion was put and carried.
 17. Submitted Report No. 255/2016 of the Executive Manager (*D. Dinnigan*) - Proposal to declare the roads and footpaths at the Spine Road, Venetian Hall (from Howth Road up to the Railway Bridge) Killester, Dublin 5 to be public roads. It was proposed by Councillor C O’Moore and seconded by Councillor D. O’Farrell “It is hereby resolved that we, the Lord Mayor and Members of Dublin City Council, being the Road Authority for the City of Dublin declare the roads and footpaths at the Spine Road, Venetian Hall (from Howth Road up to the Railway Bridge) Killester, Dublin 5, to be public roads and footpaths as shown on Drawing R.M. 25546A in accordance with Section 11 of the Roads Act 1993.” The motion was put and carried.
 18. Submitted Report No. 245/2016 of the Executive Manager (*D. Dinnigan*) - Proposal to declare footpaths at 14 to 17 Vernon Court, Seafield Road, Clontarf, Dublin 3 to be public footpaths. It was proposed by Councillor D. O’Farrell and seconded by Councillor C. O’Moore “It is hereby resolved that we, the Lord Mayor and Members of Dublin City Council, being the Road Authority for the City of Dublin declare the footpaths at 14 to 17 Vernon Court, Seafield Road, Clontarf, Dublin 3, to be public footpaths as shown on Drawing R.M. 25895C in accordance with Section 11 of the Roads Act 1993.” The motion was put and carried.
 19. Submitted Report No 256/2016 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 28 premises. It was proposed by Councillor R. McGinley and seconded by Councillor V. Jackson “That Dublin City Council notes the contents of Report No 256/2016 and assents to the proposal outlined therein” The motion was put and carried.

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20. Submitted Report No 247/2016 of the Assistant Chief Executive (*J. Keogan*) – with further reference to the disposal of land at the rear of Number 53 Rathvilly Drive, Finglas, Dublin 11 to the ESB. It was proposed by Councillor M .Flynn and seconded by Councillor R. McGinley “That Dublin City Council notes the contents of Report No 247/2016 and assents to the proposal outlined therein” The motion was put and carried.
21. Submitted Report No 248/2016 of the Assistant Chief Executive (*J. Keogan*) - With further reference to the proposed disposal of land to the rear of 10/11 Rathvilly Park, Finglas, Dublin 11. It was proposed by Councillor R. McGinley and seconded by Councillor A. Connaghan “That Dublin City Council notes the contents of Report No 248/2016 and assents to the proposal outlined therein” The motion was put and carried.
22. Submitted Report No. 249/2016 of the Assistant Chief Executive (*J. Keogan*) – With further reference to the grant of a licence to Smithfield Boxing Club Limited for use of Aughrim Sports Hall, Aughrim Street, Dublin 7. It was proposed by Councillor R. McGinley and seconded by Councillor N Ring “That Dublin City Council notes the contents of Report No 249/2016 and assents to the proposal outlined therein” The motion was put and carried.
23. Submitted Report No. 250/2016 of the Assistant Chief Executive (*P. Clegg*) – With reference to the proposed grant of a lease of the basement (part of) No. 15 St. Stephen’s Green, Dublin 2. It was proposed by Councillor D. Flanagan and seconded by Councillor P. McCartan “That Dublin City Council notes the contents of Report No 250/2016 and assents to the proposal outlined therein” The motion was put and carried.
24. Submitted Report No. 251/2016 of the Assistant Chief Executive (*J. Keogan*) – With further reference to the proposed grant of a licence of the premises at No. 5 Cardiffsbridge Road, Finglas, Dublin 11. It was proposed by Councillor M. Flynn and seconded by Councillor J. Boylan “That Dublin City Council notes the contents of Report No /2512016 and assents to the proposal outlined therein” The motion was put and carried.
25. Submitted Report No 252/2016 of the Assistant Chief Executive (*J. Keogan*) – With reference to the proposed exchange of lands at Ellis Court and Clipper View Apartment, Liffey Street West, Dublin 7 between Sarsfield Management Company Ltd and Dublin City Council. It was proposed by Councillor N. Ring and seconded by Councillor R. McGinley “That Dublin City Council notes the contents of Report No 252/2016 and assents to the proposal outlined therein” The motion was put and carried.
26. Submitted Report No 253/2016 of the Assistant Chief Executive (*J. Keogan*) – With reference to the proposed grant of a 4-year concession to Lolly & Cooks Limited to operate a tearoom in Herbert Park, Dublin 4. It was proposed by Councillor D. Flanagan and seconded by Councillor K. Binchy “That Dublin City Council notes the contents of Report No 253/2016 and assents to the proposal outlined therein” The motion was put and carried.
27. Submitted Report No 254/2016 of the Assistant Chief Executive (*P. Clegg*) – With reference to the proposed disposal of the Council’s fee simple interest in the property known as No. 26 Marino Mart, Dublin 3. It was proposed by Councillor C. O’Moore

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and seconded by Councillor N. O Muiri "That Dublin City Council notes the contents of Report No 254/2016 and assents to the proposal outlined therein" The motion was put and carried.

28. Submitted Report No. 215/2016 of the Transportation Strategic Policy Committee – Breviate of meeting held on 29th June 2016, *Councillor Ciarán Cuffe, Chairperson*. It was proposed by Councillor P. McCartan and seconded by Councillor D. Lacey "That Dublin City Council notes the contents of Report No 215/2016" The motion was put and carried. Members requested that a meeting be sought with Minister for Transport, Tourism & Sport, Shane Ross, T.D to discuss cycle-track funding. Members also agreed to refer Item 12 of this breviate to the North West Area Committee for their consideration.
29. Report No. 235/2016 of the Planning, International Relations and Property Development Strategic Policy Committee – Breviate of meeting held on 28th June 2016, *Councillor Andrew Montague, Chairperson*. It was proposed by Councillor A. Montague and seconded by Councillor C Carney Boud "That Dublin City Council notes the contents of Report No 235/2016" The motion was put and carried.
30. Submitted Report No 231/2016 of the Arts, Culture, and Recreation Strategic Policy Committee – Breviate of meeting held on 21st June 2016, *Councillor Rebecca Moynihan, Chairperson*. It was proposed by Councillor R. Moynihan and seconded by Councillor M. Flynn "That Dublin City Council notes the contents of Report No 231/2016" The motion was put and carried.
31. Submitted Report No. 246/2016 of the Housing Strategic Policy Committee – Breviate of meeting held on 29th July 2016, *Councillor Daithí Doolan, Chairperson*. It was proposed by Councillor D. Doolan and seconded by Councillor C. Ní Dhálaigh "That Dublin City Council notes the contents of Report No 246 /2016" The motion was put and carried.
32. Submitted Report No. 228/2016 of the Housing Strategic Policy Committee – Breviate of meeting held on 22nd June 2016, *Councillor Daithí Doolan, Chairperson*. It was proposed by Councillor C. Ni Dhálaigh and seconded by Councillor N. O Muiri "That Dublin City Council notes the contents of Report No 228/2016" The motion was put and carried. Councillor C. Ní Dhálaigh asked for an update on the subcommittee that was to be formed to Develop Terms of Reference on the Study of Social Integration and Tenure Diversity.
33. Submitted Report No. 238/2016 of Special Committee on Fire/Ambulance Services and Emergency Management – Breviate of meeting held on 23rd May 2016, *Councillor Allison Gilliland, Chairperson*. It was proposed by Councillor P. Hand and seconded by Councillor A. Clancy "That Dublin City Council notes the contents of Report No 238/2016" The motion was put and carried.
34. Submitted Report No. 239/2016 of Special Committee on Fire/Ambulance Services and Emergency Management – Breviate of meeting held on 14th July 2016, *Councillor Allison Gilliland, Chairperson*. It was proposed by Councillor P. Hand and seconded by Councillor A. Clancy "That Dublin City Council notes the contents of Report No 239/2016" The motion was put and carried.
35. Submitted Report No. 230/2016 of the North West Area Committee – Breviate for the month of July 2016 – *Councillor Noeleen Reilly, Chairperson*. It was proposed by

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- Councillor N. Reilly and seconded by Councillor C. Carney Boud "That Dublin City Council notes the contents of Report No 230/2016" The motion was put and carried.
36. Submitted Report No. 233/2016 of the North Central Area Committee – Breviate for the month of July 2016 – *Councillor Ciarán O'Moore, Chairperson*. It was proposed by Councillor C. O'Moore and seconded by Councillor M. Mac Donncha "That Dublin City Council notes the contents of Report No 233/2016" The motion was put and carried.
 37. Submitted Report No. 229/2016 of the Central Area Committee – Breviate for the month of July 2016 – *Councillor Ciarán Cuffe, Chairperson*. It was proposed by Councillor C. Burke and seconded by Councillor J. Boylan "That Dublin City Council notes the contents of Report No 229/2016" The motion was put and carried.
 38. Submitted Report No. 232/2016 of the South Central Area Committee – Breviate for the month of July 2016 – *Councillor Paul Hand, Chairperson*. It was proposed by Councillor P. Hand and seconded by Councillor R. Mc Hugh "That Dublin City Council notes the contents of Report No 232/2016" The motion was put and carried.
 39. Submitted Report No. 223/2016 of the South East Area Committee – Breviate for the month of July 2016 – *Councillor Paddy McCartan, Chairperson*. It was proposed by Councillor P. McCartan and seconded by Councillor R. McGinley "That Dublin City Council notes the contents of Report No 223/2016" The motion was put and carried.
 40. Submitted Report No. 240/2016 of the Local Community Development Committee – Breviate of the meeting held on 28th January 2016 – *Councillor Daithí Doolan, Chairperson*. It was proposed by Councillor D. Doolan and seconded by Councillor A. Connaghan "That Dublin City Council notes the contents of Report No 240/2016" The motion was put and carried.
 41. Submitted Report No. 241/2016 of the Local Community Development Committee – Breviate of the meeting held on 26th May 2016 – *Councillor Daithí Doolan, Chairperson*. It was proposed by Councillor D. Doolan and seconded by Councillor A. Connaghan "That Dublin City Council notes the contents of Report No 241/2016" The motion was put and carried.
 42. Submitted Report No. 226/2016 of the Dublin City Joint Policing Committee – Breviate of the meeting held on 10th May 2016 – *Councillor Daithí de Róiste, Chairperson*. It was proposed by Councillor D. De Roiste and seconded by Councillor G. Kelly "That Dublin City Council notes the contents of Report No 226/2016" The motion was put and carried.
 43. Submitted Report No. 234/2016 of the North Central Joint Policing Sub-committee – Breviate of the meeting held on 18th July 2016– *Councillor Larry O'Toole, Chairperson*. It was proposed by Councillor C. O'Moore and seconded by Councillor A. Connaghan "That Dublin City Council notes the contents of Report No 234/2016" The motion was put and carried.
 44. Submitted Report No. 237/2016 of the Protocol Committee – Breviate of the meeting held on 23rd June 2016 – *Councillor Dermot Lacey, Chairperson*. It was proposed by Councillor D. Lacey and seconded by Councillor A. Clancy "That Dublin City Council hereby approves Report No 237/2016" The motion was put and carried.

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45. The City Council agreed to defer the following motion to the next meeting of the City Council to be held on the 3rd October 2016 :-
 - a) Motion No 1 – Councillor P. Hand
 - b) Motion No 2 – Councillor C. Andrews
 - c) Motion No 6 – Councillor J. Lyons
46. It was proposed by Councillor N.O Muirí and seconded by Councillor “That the Parnell Monument be moved from its current location to another location on O’Connell Street to optimise Traffic Flow” The motion was put and defeated.
47. It was proposed by Councillor G. Kelly and seconded by Councillor P. Hand “This Area Committee recognises that the overwhelming majority of people are continuing to boycott water charges, that Irish Water is unviable because it has failed the Eurostat test and because it has spent over 800 million euro to date without dealing with the problem of water leakages, that the spending by Irish Water on billing and attempting to collect monies from the population as a whole, is a complete waste of scarce resources and calls for the immediate abolition of the water charges and Irish Water” The motion was put to a vote and agreed.
48. The City Council agreed that a report be sent to Councillor M Flynn on the following Motion No 5 on the Agenda Paper “That this meeting of Dublin City Council calls on the CEO to initiate a full independent forensic audit of the Dublin City BIDs company, also known as Dublin Town. This review and assessment to include effectiveness measures, all financial dealings and incomes, salaries and payment levels for staff and executive officers, all tendering and procurement processes and contractual arrangements. Also that DCC carry out an evaluation survey within the BID area and within the BID membership regarding satisfaction rating and the effectiveness and performance of BID within the city council administrative area. This report also to include compliance with corporate governance and best accountancy practices. The BIDS company was inaugurated and initiated under legal act and the City Council is the rating authority responsible for the rate levy that goes to the BID company. It is the duty of DCC to carry out a full over view of this company in keeping with European best practices in accountability and transparency for public funds”
49. D’aontaigh an Chomhairle go gcuirfead tuairisc maidir le tairiscint 5 ar an gclár, chuig an gComhairleoir Brabazon agus go dtí na Comhairleoirí uile: “Glaonn an Chomhairle seo ar an bPríomhfheidhmeánach, polasaí nó polasaithe, a chur i bhfeidhm a dhéanann cinnte de go gcuirfead an tseirbhís chéanna ar fáil don phobal as Gaeilge is a chuirtear ar fáil as Béarla in aon chonradh as an nua nó atá á athnuachan, mar shampla ar nós na seirbhíse don phobal le Coca-Cola Zero dublinbikes, agus go gcuirfead gach dualgas a bhaineann le hAcht na dTeangacha Oifigiúla 2003 san áireamh chomh maith”
50. It was proposed by Councillor D. De Róiste and seconded by Councillor D. Doolan “That this Council fully endorses Community Courts to tackle low level crime in Dublin City and calls on the Minister to put in place a trial scheme in Dublin City in which these courts can be established with all resources necessary to ensure their best chance of success” The motion was put and carried.
51. It was proposed by Councillor V. Jackson and seconded by Councillor D. Doolan “That Dublin City Council ensures areas like Chapelizod, Ballyfermot, Bluebell, Drimnagh and Walkinstown are included in the next phase of the extension of the Coca-Cola Zero dublinbikes” The motion was put to a vote and carried.

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52. It was proposed by Councillor D. Doolan and seconded by Councillor D. Lacey “Dublin City Council notes that homelessness in Dublin is at crisis point and calls on the government to inform Eurostat that it is an emergency situation. This will allow the state to provide funding for a building programme and to speed up the public procurement process when building social housing” The motion was put and carried.
53. It was proposed by Councillor R. McHugh and seconded by the Lord Mayor “To call on the Chief Executive to arrange a feasibility study to look into building a swimming pool on or near the St. Catherine’s Community Sports Complex, Marrowbone Lane, Dublin 8. The motion was put and carried.

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 3rd October 2016.

Correct.

LORD MAYOR

MEETINGS ADMINISTRATOR

QUESTIONS LODGED PURSUANT TO STANDING ORDER NO.16 FOR REPLY AT THE MONTHLY MEETING OF DUBLIN CITY COUNCIL TO BE HELD ON MONDAY, 5th SEPTEMBER 2016

Q.1 COUNCILLOR DERMOT LACEY

To ask the Chief Executive if he could report on the Domestic Rates payable on **(Details supplied)** in the last year of due payment (i.e. 1977)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.2 COUNCILLOR DERMOT LACEY

To ask the Chief Executive if there has been any communication from the Department or Minister directing the Council to reduce any charges for services arising from the recent Government decision on waste collection charges and if the Council will be reimbursed for this.

CHIEF EXECUTIVE'S REPLY:

The City Council is not aware of any communication from the Department or the Minister referred to above.

Q.3 COUNCILLOR NORMA SAMMON

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.4 COUNCILLOR NORMA SAMMON

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.5 COUNCILLOR NORMA SAMMON

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply will issue directly to the Councillor in due course.

Q.6 COUNCILLOR NORMA SAMMON

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.7 COUNCILLOR RUAIRI MCGINLEY

To ask the Chief Executive to urgently arrange following work on **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.8 COUNCILLOR RUAIRI MCGINLEY

To ask the Chief Executive to urgently carry out works to deal with a sewage problem which is rendering houses uninhabitable at **(details supplied)**.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.9 COUNCILLOR DAMIAN O'FARRELL

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.10 COUNCILLOR DAVID COSTELLO

To ask the Chief Executive In relation to the Housing needs assessment. That the Chief Executive would make every effort to contact individual applicants by telephone if a response is not received to the 3rd letter prior to removing the applicant from the housing List. This would take account of some of the most vulnerable applicants who cannot read and private renters (applicants) who have had to move house and may not have had the chance to update the council.

Re: Housing Needs Assessment 2016.

In accordance with section 21 of the Housing (Miscellaneous Provisions) Act 2009 (No. 22 of 2009), as adapted by the Environment, Heritage and Local Government Order 2011, Dublin City Council must now carry out a general revision of the Housing Waiting List. The purpose of this revision is to update our records and to remove the names of those applicants from the List who are no longer interested in, or who no longer qualify under the Allocation Scheme 2013 to be housed by the City Council.

It is intended to issue the HNA questionnaire and the covering letter on the 6th July with a return date of the 27th July. We will issue the second letter to those who have not responded with a return date of the 18th August 2016. Once the second round of responses have been received and logged, we will then issue a third letter informing non respondents that they have been removed from the Housing Waiting List.

CHIEF EXECUTIVE'S REPLY:

In accordance with section 21 of the Housing (Miscellaneous Provisions) Act 2009 (No. 22 of 2009), as adapted by the Environment, Heritage and Local Government Order 2011, Dublin City Council is now carrying out a general revision of the Housing Waiting List. The purpose of this revision is to update our records and to remove the names of those applicants from the List who are no longer interested in, or who no longer qualify under the Allocation Scheme 2013 to be housed by the City Council.

At the moment staff in Housing Allocations are assessing the returned forms. On foot of the reminder letter, the closing date for receipt of forms was the 18th August. However, we continue to accept forms and will continue to do so for as long as possible.

The return date to the DoELG is the 12th October 2016 so it is estimated that we will send a letter to those who have not responded by the end of September. The IT Section are in the process of running a report on the number of forms returned to date but it is considered that the number outstanding will be too large to allow contact to be made individually. There has been a lot of forms returned to us marked "no longer living at this address" and all of those forms have been re-issued in cases where it was possible to get a current address for the applicant.

The Housing Needs Assessment was advertised in national and local newspapers, in libraries and in area offices. Posters were also displayed in all social welfare offices. Every effort has been made to ensure that all applicants are included in the assessment as the intention of the assessment is to get an accurate picture of the waiting list and not to remove applicants unnecessarily,

In another few weeks we will have a clearer picture of where we stand and for the moment staff will continue to assess the returned forms. This is a slow and tedious process and will take some time yet.

Q.11 COUNCILLOR DAVID COSTELLO

That the Chief Executive in consultation with the taxi industry prepares a full impact assessment in relation to effects on the Taxi industry prior to the Council considering any plans to remove vehicular traffic from college green and surrounding streets.

CHIEF EXECUTIVE'S REPLY:

Dublin City Council has no regulatory or other role in the Taxi industry and so would have no powers to undertake this study. The National Transport Authority are the taxi Industry regulator and also have the benefit of the Advisory Committee on small PSV vehicles, which comprises industry representatives along with interested stakeholders, which exists to provide advice to the National Transport Authority in relation to issues relevant to small public service vehicles and their drivers.

Therefore we have forwarded this submission to the National Transport Authority for their reply.

Q.12 COUNCILLOR PAUL MCAULIFFE

Has Dublin City Council considered parktag gift vouchers?

CHIEF EXECUTIVE'S REPLY:

The City Council has made limited use of Parking Tag Vouchers in the past for competitions/promotions where winners were rewarded with credit which was then manually loaded to an individual's Parking Tag account. This was possible due to the small numbers of accounts involved.

As Parking Tag accounts are currently topped up via the account holders credit/debit card wider use of Parking Tag vouchers would be more complex and would require the automation of the process to top up the Parking tag account with a prepaid voucher. This functionality is not possible with the existing Parking Tag System.

It is the City Councils intention to publish a Prior Information Notice (PIN) for the Cashless Parking System within the next couple of months and Request for Tender (RFT) seeking tenders for the service early 2017. The functionality required to facilitate the use of Parking Tag gift vouchers with accounts can be considered at that time.

Q.13 COUNCILLOR RUAIRI MCGINLEY

To ask Chief Executive to arrange tree pruning at **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.14 COUNCILLOR REBECCA MOYNIHAN

To ask the Chief Executive to provide a copy of all complaints received in relation to the Maser Mural on The Projects Arts Centre, Temple Bar, Dublin 2. To ask the Chief Executive to further provide a report on the steps that Dublin City Council took on receipt of these complaints and to outline the relevant planning legislation which leads to the enforcement notice being issued.

CHIEF EXECUTIVE'S REPLY:

On receipt of written complaints that an unauthorised development may have taken place, the Council must issue a warning letter to the owner of the property concerned and afford him the opportunity to address the issue and respond. As a warning letter does not purport to assert that unauthorised development *has* taken place, its issue does not constitute enforcement action.

Written complaints were received alleging that a mural had been erected on the façade of The Project Arts Centre, Temple Bar and, in accordance with the provisions of Part VIII of the Planning and Development Acts 2000-2015, a warning letter issued. Following consideration of the letter and a brief conversation with the area Planning Enforcement Officer, the Theatre Management team took the decision to remove the mural and proceeded to do so.

Accordingly the Council's file on the matter has been closed. The Council does not release copies of complaints received.

Q.15 COUNCILLOR RAY MCHUGH

To ask the Chief Executive to investigate the ownership of a space of land at the front of **(Details supplied)** and also advise this councillor of the conditions of the right of way at the side of this property, a planning application has already been submitted on this property, and I am concerned about the right of way and the ownership of the space of land that is presently being used as a private car park.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.16 COUNCILLOR RAY MCHUGH

To ask the Chief Executive to arrange for an inspection of **(details supplied)** with a view of building a down stair Bath Room/Kitchen extension to this property, there is a large family in this house and an extension would relieve the pressure on the family.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.17 COUNCILLOR RAY MCHUGH

To ask the Chief Executive to arrange for an inspection at **(details supplied)** as the tenant is complaining of dampness. And fears it will damage the health of her children.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.18 COUNCILLOR RAY MCHUGH

To ask the Chief Executive to arrange for the repair of the footpath outside on the corner of **(Details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.19 COUNCILLOR NOELEEN REILLY
To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:
A reply has been issued to the Councillor.

Q.20 COUNCILLOR NOELEEN REILLY
To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:
A reply has been issued to the Councillor.

Q.21 COUNCILLOR NOELEEN REILLY
To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:
A reply has been issued to the Councillor.

Q.22 COUNCILLOR NOELEEN REILLY
To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:
A reply has been issued to the Councillor.

Q.23 COUNCILLOR REBECCA MOYNIHAN
To ask the Chief Executive to give a report on the status of the pitches at the back of St Teresa's Gardens and if they could be made available to use by local clubs while the regeneration is ongoing and if he will make a statement on the matter.

CHIEF EXECUTIVE'S REPLY:
The former playing fields identified are not easily accessible to the general public, even for informal use, due to the restricted entry point which is accessed via St. Teresa's Gardens. In addition, as the site will become a construction site over the next few months, it is more important that the number of people with access to the site should be kept to a minimum. All clubs have been allocated playing pitches by parks division.

Q.24 COUNCILLOR DERMOT LACEY
To ask the Chief Executive if he can quantify the rates paid on the former Bank of Ireland Head quarters in Baggot Street in 2012/2013/2014/2015 and to indicate what the rates would be for 2017 based on no rates change if the building was not occupied by a State organisation. In other words to quantify how much this Council will lose on rates payable on this building because of the disgraceful walking away from their rates responsibility by the National Government.

CHIEF EXECUTIVE'S REPLY:
There are three ratings for the former Bank of Ireland Headquarters at 50-59 Baggot Street Lower, Dublin 2. The ratings are:

- 4910797000 - Remley Ltd
- 4910797004 - Remley Ltd
- 4910797002 - Bank of Ireland

Rate Numbers 4910797000 & 4910797004 incorporate Blocks ABC and the underground Car Park. Major construction works and redevelopment of this portion of the property commenced on the 11th July 2014. The property had been acquired by Remley Ltd at the end of 2013 as vacant. Vacancy rates were applied for and granted for 2014.

As a result of the construction works/redevelopment, the entire premises was substantially demolished with only the outside walls remaining in 2015. The building as valued no longer exists and a revision request was submitted to the Valuation Office to have it removed from the valuation list.

Regarding 4910797002, this corner portion of the property is in use as a Bank of Ireland retail unit and rates have been discharged in full up to and including the 31st December 2016.

I have set out a summary of the charges and payments for the years as requested. When construction work is fully complete the rating will be forwarded to the Valuation Office for a new valuation (expected completion date Q2 2017)

Year	Remley 4910797000			Remley 4910797004			Bank of Ireland 4910797002	
	Charge	Payment	Comment	Charge	Payment	Comment	Charge	Payment
2012	€1,289,741	€1,289,741						
2013	€1,148,501	€574,250	50% vacancy applied	€43,894	€21,947	50% vacancy applied	€60,514	€60,514
2014	€532,247	€266,123	50% vacancy applied	€71,189	€35,594	50 % vacancy applied	€59,624	€59,624
2015	€530,176	€0.00	Write off - Demolished	€70,912	€0.00	Write off Demolished	€59,392	€59,392
2016	€530,176	€0.00	Write off - Demolished	€70,912	€0.00	Write off Demolished	€59,392	€59,392

Q.25 COUNCILLOR CATHLEEN CARNEY BOUD

To ask the Chief Executive to arrange for the weed spraying of Knowth Court (1-12) Please see photo attached.

CHIEF EXECUTIVE'S REPLY:

The second round of weed spraying during 2016 is due to commence in the area in early September. Knowth Court will be sprayed at this time.

Q.26 COUNCILLOR CATHLEEN CARNEY BOUD

To ask the Chief Executive to arrange for the major pruning of the trees in the gardens of Knowth Court (1-12) and possibly removing those that are unsuitably large for the size of the gardens. Please see photos attached.

CHIEF EXECUTIVE'S REPLY:

The Team Leader of our Mobile Crew is making arrangements to prune the trees at this location on this occasion; however the responsibility for maintaining these trees going forward lies with the tenants.

Q.27 COUNCILLOR CATHLEEN CARNEY BOUD

To ask the Chief Executive to arrange for bollards or planters to be placed on the green outside the library at Millmount Ave to prevent parking there during Croke Park matches as this is an ongoing situation whenever events take place.

CHIEF EXECUTIVE'S REPLY:

A traffic study / Wider Area Traffic Cell Analysis of Walsh Road, Ferguson Road, Millmount Avenue, Drumcondra is currently being carried out, the results of which may result in a recommendation being made to amend the current traffic and parking arrangements at this location. It would therefore be premature to undertake any measures at the library.

It should be noted that parking is currently prohibited around the green space at the library and drivers who do so are liable for penalties, including their vehicles being clamped.

Q.28 COUNCILLOR CATHLEEN CARNEY BOUD

To ask the Chief Executive to confirm a time frame for the commencement of works to renovate the senior citizens complex at Glasanaon Court and Hampstead Court, from bed sit's to 1 bed units.

CHIEF EXECUTIVE'S REPLY:

Glasanaon Court- It is anticipated amalgamation works will commence upon completion of Part 8 Process.

Hampstead Court- Hampstead Court is part of a densification feasibility study to be completed December 2016; Part 8 will follow with proposals to that effect.

Q.29 COUNCILLOR DERMOT LACEY

To ask the Chief Executive to respond to the issues about the new gates being proposed. The full details of which are in the letter attached.

CHIEF EXECUTIVE'S REPLY:

By Plan No. 2620/14, planning permission was granted for the construction of 92 no. apartment units in 4 no. apartment blocks and the provision of a riverside walkway along the Dodder River extending the length of the site to Clonskeagh Bridge and improvements to existing boundary walls and all landscaping, engineering and associated works at the former Paper Mills Site, Clonskeagh Road Dublin 6.

Permission was granted subject to conditions including the following;

(3) Prior to the commencement of development and following direct consultation with the Planning Authority, revised proposals for the riverside walkway along the Dodder River extending the length of the site to Clonskeagh Bridge shall be submitted to and agreed in writing with the Planning Authority.

(i) The revised proposal shall address the requirement to provide a walkway along the riverside open space while demonstrating that it will minimise impact on existing vegetation and ecological habitats.

(ii) The revised details will indicate alignment, width, materials, public lighting and construction details.

(iii) The entire section of the greenway shall have public right of way and shall facilitate the provision as appropriate of any planned infrastructure as part of the River Dodder Greenway.

(iv) All works to facilitate the construction of the 'Riverside Walk' shall be carried out at the applicant's expense at no cost to the Local Authority.

Reason: In the interests of amenity and orderly development

It was a requirement of 3 (iii) that the entire section of the greenway shall have public right of way and shall facilitate the provision as appropriate of any planned infrastructure as part of the River Dodder Greenway. It still is the intention to provide a public right of way along the 'Riverside Walk'. As stated in the attached letter, the purpose of the gate is to 'facilitate maintenance works and in case of a flood event'. It is acknowledged that there are no gates other than floodgates on any other section of the Dodder. However, it must also be recognised that this section of the Dodder Walkway will be exceptionally narrow and restricted when completed, especially as the path approaches Clonskeagh Bridge. Therefore in the interest of public safety and to allow for essential maintenance works, a small gate is required to allow for limited closure for the purposes identified above.

Q.30 COUNCILLOR MARY FREEHILL

Would the Chief Executive please state whether the park in the centre of Fitzwilliam Square has yet become rateable property and if not why not?

It is no longer being used as a park and open to local residents. Currently it is used for commercial purposes, for corporate events and also for a weekly market.

CHIEF EXECUTIVE'S REPLY:

Irish Village Markets was previously listed with the Valuation Office and a valuation was applied from 2013 in respect of their operation of a market in Fitzwilliam Square. The valuation was removed from the Valuation List in the revaluation of the city in 2014 as they were no longer trading.

The Rates Office has carried out a recent inspection and confirmed Irish Village Markets are operating a market in the park. An application has been forwarded to the Valuation Office to have it valued.

Q.31 COUNCILLOR LARRY O'TOOLE

To ask the Chief Executive to respond to this request **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.32 COUNCILLOR LARRY O'TOOLE

To ask the Chief Executive to give an update on this matter **(Details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.33 COUNCILLOR LARRY O'TOOLE

To ask the Chief Executive to investigate this matter **(Details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.34 COUNCILLOR LARRY O'TOOLE

To ask the Chief Executive to respond to this matter **(Details supplied).**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.35 COUNCILLOR CRIONA NI DHALAIGH

To ask the Chief Executive to report on the following (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.36 COUNCILLOR CRIONA NI DHAILAIGH

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.37 COUNCILLOR CIARAN O'MOORE

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.38 COUNCILLOR CIARAN O'MOORE

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.39 COUNCILLOR CIARAN O'MOORE

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.40 COUNCILLOR CIARAN O'MOORE

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.41 COUNCILLOR DEIRDRE HENEY

To ask the Chief Executive to comment on recent criticism by Ministers, of delays in planning process at local authority level and to proposed changes in the planning system and say

1. If the changes to by-pass local authorities for residential developments in excess of 100 units have taken effect or if they will be done by Ministerial Order
2. if there has been discussion with local authorities on the issue, if DCC has objected to the proposed changes and attempted to convince the Department of the Environment that the delays in construction are due to other factors
3. if any part of the delay in construction is due to DCC actions or policies of lack thereof
4. in relation to planning approvals that are granted, if we engage in pre-planning application consultations on the same site where developer has sold on or where application is now being processed in a different name, as I

notice two major sites in my area where DCC & An Bord Pleanála gave approval months ago yet building has not started and local rumour would indicate that further applications are being discussed/considered in order to squeeze a bit more from the site

5. if he would clarify and make a statement on the matter

CHIEF EXECUTIVE'S REPLY:

The proposal for planning applications for 100 or more residential units to be made directly to An Bord Pleanála has not yet come into effect. Under the provisions of the Action Plan, the Government intends to introduce the necessary legislation in the Autumn to enable planning applications for housing schemes of 100 units or more to be made directly to An Bord Pleanála. These applications may only be made on foot of a mandatory consultation phase with the local authority.

1. The Department has not yet consulted with Dublin City Council on this matter, however, it was indicated in Circular PL 8/2016 issued on 28th July that there would be full consultation with local authority personnel in developing legislative proposals.
2. The City Council has on several occasions presented its views on the causes for the delays in construction. In this regard, it has provided evidence of the large numbers of extant planning permissions in place for residential developments and has confirmed that any delays in construction cannot be attributed to the planning system.
3. Any delay in construction cannot be attributed to the City Council. Since 2014, Dublin City Council has seen an increase of 47% in planning applications and a 90% increase in planning fees, a reflection of the substantial increase in scale of planning applications being submitted. Despite this very significant increase, the City Council has the best turnaround rate of planning applications in the state, with 88% of all applications turned around in 8 weeks against a national average of 67%.
4. It is normal for a delay in the commencement of construction following the grant of planning permission for a development. This is because a developer will usually only commission the preparation of detailed construction drawings following the grant of planning permission and prior to submitting a Commencement Notice and securing a Fire Safety Certificate. Furthermore, in preparing detailed design drawings, the developer may identify further design issues and may seek to revise the approved scheme which necessitates a new planning application. It must also be acknowledged that in some cases, sites will be sold on and a new developer may wish to amend the design of a scheme to reflect his /her particular requirements.

In the event of a developer seeking to increase the density of development on a site, any amendments including any increase in density will only receive favourable consideration from the Planning Authority, if the applicant can demonstrate that such an increase is fully compliant with the relevant development standards in the Dublin City Development Plan and would not have a detrimental impact on local residential amenities.

5. The Development Management Section of the Planning and Property Development Department provides a very efficient and productive planning service notwithstanding the very significant increase in the number and size

of planning applications submitted over the past two years. In addition, we offer a very professional and effective pre-application consultation service, with priority being given to all proposals for large scale residential developments. Since it is the opinion of the Planning and Property Development Department that it already provides a very efficient service, as reflected in our turnaround rate of 88% in 8 weeks for all planning applications, it is difficult to determine how the proposed changes will provide an improved and faster service. However, the City Council always seeks to work closely with the Department and will endeavour to liaise with the Department in developing the legislative proposals to allow for planning applications for 100 or more residential units to be made directly to An Bord Pleanála.

Q.42 COUNCILLOR DEIRDRE HENEY

To ask the Chief Executive to refer to **(details supplied)** and say if he can arrange to provide and erect a road sign that will properly identify **(details supplied)**

Trim back area at base of tree at entrance to **(details supplied)** (opposite numbers 3 and 4) as branches are obstructing view of motorists accessing/egressing estate make the area at entrance to details attached safe from a pedestrian safety point of view as the growth of trees in and around the entrance is seriously diminishing the benefits of public lighting in the area to the detriment of personal safety of pedestrians.

Examine over-hanging trees onto main road adjacent to entrance to **(details supplied)** the growth of which are hampering the way for pedestrians.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.43 COUNCILLOR DEIRDRE HENEY

To ask the Chief Executive to refer to **(details supplied)** and say if he can arrange to provide and erect a road sign that will properly identify **(details supplied)** which are continuously being confused with adjacent road.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.44 COUNCILLOR DEIRDRE HENEY

To ask the Chief Executive to refer to **(details supplied)** and say if he can arrange to cut back the seriously overgrown trees and over hanging branches of same at **(details supplied)** as they are seriously endangering the safety of the resident and her property as well as completely over-shadowing her home.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.45 COUNCILLOR CHRISTY BURKE

To ask the Chief Executive **(details supplied)**,

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.46 COUNCILLOR CHRISTY BURKE

To ask the Chief Executive **(details supplied)**,

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.47 COUNCILLOR CHRISTY BURKE

To ask the Chief Executive how many children are in Bed & Breakfast hotels and temporary accommodation in Dublin City?

CHIEF EXECUTIVE'S REPLY:

The latest verified data [i.e. during the week of July 25th to July 31st 2016] relating to the numbers of children, accommodated in emergency accommodation is as follows.



The above information can be found on the following web site:
<http://homelessdublin.ie/homeless-families>

Q.48 COUNCILLOR CHRISTY BURKE

To ask the Chief Executive if contractors who maintain green areas in Dublin and is it in their contracts that they the contractor cut the edges of the green areas?

CHIEF EXECUTIVE'S REPLY:

Contractors are not required to manually cut the edges at kerbs etc. They are however required to keep margins weed free which is carried out by the use of weed killing spray.

Q.49 COUNCILLOR CHRIS ANDREWS

Can the Chief Executive raise the height of the handle on the gates in the children's playground in Harold's X park to the same height as each other so as to make both gates handles out of reach of toddlers in the playground for safety reasons and also put permanent notice 'Please Shut Gate After You' on playground gates

CHIEF EXECUTIVE'S REPLY:

Work is scheduled to amend the handles on the gates in the playground at Harold's Cross Park and signs will also be made up.

Q.50 COUNCILLOR CHRIS ANDREWS

Can the Chief Executive outline the reason for reducing from two lanes to one the lanes for traffic going into town over Portobello Bridge?

CHIEF EXECUTIVE'S REPLY:

The Environment & Transportation Department carries out ongoing bus performance monitoring on the city's quality bus corridors (QBCs). An analysis of the Rathfarnham QBC identified that significant bus delays were being experienced by inbound buses

during the morning peak. This delay was observed to be occurring between Richmond Row and Harrington Street. A review of the road segment was carried out and recommended the swapping of cycle lanes and bus lanes over that segment. The northbound cycle track was replaced by a northbound with flow bus/cycle lane, while the southbound bus lane was replaced with a southbound cycle lane. These changes were made on Sunday 12th July 2016. The changes have resulted in significant improvement in travel times.

Q.51 COUNCILLOR CHRIS ANDREWS

Can the Chief Executive have the boiler at **(details supplied?)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.52 COUNCILLOR CHRIS ANDREWS

Bearing in mind the World Health Organisations (WHO) report on Roundup weed killer saying "that it probably causes cancer" will the Chief Executive outline how much Roundup weed killer DCC uses annually how much it spends annually and has it explored other options and does DCC intend to keep using Roundup?

CHIEF EXECUTIVE'S REPLY:

It should be noted that the report from the World Health Organisation referred to glyphosate, which is the active ingredient of several herbicides including, but not exclusively, Round-Up. Dublin City Council operates a contract for the control of weeds on public roads, laneways, footways, medians and other areas taken in charge by Dublin City Councils Roads Maintenance Division. €250,000 is spent on this contract and 880 Litres of Roundup Gold is used. Weed control forms only part of the Parks Service contracts for open space and verge maintenance. These contracts also include for litter removal, grass cutting, tree maintenance, vegetation pruning and hard stand maintenance and the cost of herbicide application is not itemized separately. The volume of glyphosate products used is 365 litres per annum. The Parks Service also undertakes weed control by direct labour. 1,568 Litres of glyphosphate based herbicides is used at a cost of €37,192. Housing maintenance use 1,125 Litres of Roundup Biactive at a cost of €12,342.73. Dublin City Council is currently in the process of a cross-departmental review of the use of herbicides which will explore, among other things, the viability of alternatives.

Q.53 COUNCILLOR FRANK KENNEDY

To ask the Chief Executive with regard to section 139 of the Local Government Act 2001;

1. To identify each motion passed by Dublin City Council since 2001 invoking s.139 of the Local Government Act 2001;
2. To identify those motions which were given effect to/complied with by the manager;
3. To identify those motions which the manager refused to comply with;
4. To state, in respect of each such motion falling under (c) above, the reasons for the refusal

CHIEF EXECUTIVE'S REPLY:

As far as can be ascertained, there has been only one such motion put in recent years, see below.

Excerpt from the April 2015 City Council Minutes

“The Lord Mayor then referred to Item 16 on the Agenda, Report No 108/2015 of the Assistant Chief Executive, Action 9 Homeless Action Plan, and proposed the following motion which was seconded by Councillor S McGrattan “This City Council directs the Chief Executive of Dublin City Council, under Section 139 of the Local Government Act 2001, not to proceed with the proposal to provide temporary accommodation for homeless families in O’Devaney Gardens” Mr Dick Brady, Assistant Chief Executive of the Housing Department informed the Members of the background to the proposal. Discussion followed during which many Members stated that it was a difficult decision for them as they supported the provision of suitable accommodation for homeless families but also had to take into consideration the needs of tenants of O’Devaney Gardens who had waited many years for its regeneration. The Chief Executive and Assistant Chief Executive provided clarification to the Members on issues raised and the motion was then put to a vote and carried”

Q.54 COUNCILLOR FRANK KENNEDY

Following from my question no.51 posed at the May 2015 City Council meeting (question and answer attached), to ask the Chief Executive:

- A. To state precisely the legal basis upon which, simply because sections 138 and 139 of the Local Government Act 2001 are “virtually identical” to sections 3 and 4 of the City and County Management (Amendment) Act, 1955, it was considered that section 22(10(g) of the Waste Management Act 1996 (as substituted by s.4 of the Waste Management (Amendment) Act 2001 could be taken to apply equally to s.139 of the Local Government Act 2001;
- B. To clarify whether any transitional provisions are relied upon in support of the conclusion that s.22(10(g) of the Waste Management Act 1996 (as substituted by s.4 of the Waste Management (Amendment) Act 2001 could be taken to apply to s.139 of the Local Government Act 2001; and
- C. In the event that any such transitional provisions are relied upon, to identify these provisions.

CHIEF EXECUTIVE’S REPLY:

The City Council is seeking clarification/consultation on this question and when same has been received Councillor Frank Kennedy will be informed. It is envisaged that the clarification will be available shortly.

Q.55 COUNCILLOR FRANK KENNEDY

With regard to the problem of seagulls in Dublin City, to ask the Chief Executive:

- A. What is the Council’s strategy for addressing the problem of seagulls in the City;
- B. Is there a conclusion as to what has caused this problem, and in particular whether either domestic or commercial refuse is more responsible;
- C. Has the Council been liaising with any of the wildlife agencies on this issue;

D. Is the Council concerned that there are any health risks arising from the seagulls (e.g. to the quality of sea water from seagull droppings); and

E. Can the Council provide any service to protect residential houses and buildings from seagull nesting outside of nesting season?

CHIEF EXECUTIVE'S REPLY:

Seagulls, or gulls, are a very visual component of Dublin City's biodiversity. They are protected under the Wildlife Acts, 1976 and 2000, and this legislation is enforced by the National Parks and Wildlife Service.

Dublin City Council does not have any direct role in the control of Seagulls and there is no definitive conclusion as to whether or not commercial or domestic refuse is contributing to problems with seagulls. They are however a scavenging bird and as such will seek out food from any available source be it domestic or commercial waste. The City Council's Bye Laws for the Presentation and Collection of Waste establish restrictions on what times waste can be presented and in what manner of receptacle. It is established practice that whenever possible all premises be they commercial or domestic present waste for collection in a secure receptacle (Bin). We also encourage all members of the public not to feed these birds by throwing bread or waste scraps onto rooftops etc as such actions only serve to encourage and attract birds to highly populated areas such as the city centre.

For more information on gulls in Dublin City and the Dublin City Urban Birds Project, please see www.birdwatchireland.ie/OurWork/ResearchSurveys/UrbanBirdsProject/tabid/1396/Default.aspx

Seagulls, or gulls, are protected under the Wildlife Acts, 1976 and 2000, and this legislation is enforced by the National Parks and Wildlife Service.

- A. Seagulls, along with many seabirds, are under pressure due to declining fish stocks and marine pollution. As traditional dockland areas are re-developed, their habitat further decreases.
- B. Seagulls are omnivorous in their diet and will forage for food in areas where refuse and dumping are problematic. In the past, they frequented landfills, but, due to improved waste management, these sites have been closed down.
- C. Dublin City Council is obliged to comply with legislation to protect seagulls under the Wildlife Acts, 1976 and 2000, and this legislation is enforced by the National Parks and Wildlife Service. For more information on gulls in Dublin City and the Dublin City Urban Birds Project, please see: www.birdwatchireland.ie/OurWork/ResearchSurveys/UrbanBirdsProject/tabid/1396/Default.aspx
- D. A recent report by the EPA suggested that bird droppings may affect water quality of bathing waters. However, the designation of most of Dublin Bay as a Special Protection Area for Birds under the EU Birds Directive requires that we continue to ensure that the wetlands are protected for use by threatened species of birds. We await further evidence and advice from the EPA.
- E. Dublin City Council does not have a role in the control of gulls. However it strongly advises people not to feed the gulls, as this influences the interactive behaviour between birds and humans. Refuse should be stored so as to avoid access by wildlife.

Q.56 COUNCILLOR FRANK KENNEDY

In a letter to local residents dated 29 May 1976 (attached), Cllr Ruairi Quinn (as he was at the time) stated that he had “successfully proposed... that Vavasour Square and Havelock Square should be included in the list of preserved buildings as areas of considerable aesthetic merit and quality within the City of Dublin. This in effect means that the external appearance of these squares, particularly the physical appearance of the buildings, is protected by the Development Plan...” In response to my question no. 41 at the July meeting of Dublin City Council, it is stated that “[t]he properties surrounding Havelock Square are zoned Objective Z2” and that such areas “are referred to as ‘Residential Conservation Areas’.” To ask the Chief Executive what is the difference, if any, between the protection/level of conservation accorded to Havelock Square by Z2 zoning with the protection/level of conservation described by Cllr Quinn in his letter of 29 May 1976?

CHIEF EXECUTIVE’S REPLY:

There is no material difference between the level of conservation requested for Havelock Square and Vavasour Square in 1976 and that which is contained in the current City Development Plan 2011-2017 which states at 15.10.2:

“Residential Neighbourhoods (Conservation Areas) – Zone Z2:

Land-Use Zoning Objective Z2:

To protect and/or improve the amenities of residential conservation areas.

Residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. The overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area. The policy chapter, especially Chapter 7 detailing the policies and objectives for residential conservation areas and standards respectively, (see section 17.10.8 and Appendix 10), should be consulted to inform any proposed development.

The principal land-use in residential conservation areas is housing but can include a limited range of other secondary and established uses such as those outlined above in respect of Z1 lands. In considering other uses, the guiding principle is to enhance the architectural quality of the streetscape and the area.

Proposals for live-work units at an appropriate scale with discreet signage will be considered on the basis that the proposal would not detract from, or alter the physical character and fabric of the streetscape”.

Q.57 COUNCILLOR DAMIAN O’FARRELL

To ask the Chief Executive the following in respect of the grass cutting / landscape maintenance provided by DCC. I’m aware that some of the work is carried out by contractors and some of it by our own DCC Parks staff.

In respect of contract works

Approximately what % of properties is serviced by contractors? Is it likely to change over the coming years?

How are properties allocated between council staff and contractors?

What specification was provided to the contractors; does it express a frequency of service or prescribe a condition to be maintained?

Does it specify the standards to be applied i.e. ensure all corners are dealt with adequately; ensure all equipment is suitable for the area in question.

Is there a schedule of activity from the contractor provided to the Council before or after the activity e.g. is there a plan maintenance schedule made available or is it provided retrospectively.

What review process is there within the council e.g. do they review reports or do they inspect some or all of the areas? Is there photographs provided by contractors of work completed in order that work can be easily verified?

What are the sanctions for non-performance within the contract?

When are the present contracts up for renewal?

CHIEF EXECUTIVE'S REPLY:

At the moment the areas of grass being cut by contractors involve some open spaces/grass verges and constitute c. 7% of our total open spaces/parks hectarage.

The replacement Grass & Landscape contract is currently being advertised to include more areas , and is due to start on Jan 1st 2017 to conclude 31st Dec 2020

The specification for the new contract includes amongst other requirements

“Grass Maintenance:

During the grass growing season the maximum time between cuttings must not exceed two weeks (14 calendar days). Since it is not possible to accurately predict the precise number of mowing's which may be required in any given growing season a minimum of 26 mowing's per growing season should be priced for. Should the number of mowings required be greater or lesser there will be no adjustment in payment.

Maximum height of growth after which grass is to be cut - 60 mm
Minimum cutting height - 25 mm

Payments under this contract will be made in instalments, certified monthly, following site inspections with the successful Contractor and satisfactory progress of landscape maintenance operations.

There will also be provisions allowing DCC to withhold portion of payments where defects in performance have been identified .

Parks and Landscape Service have recently provided staff resources with The specific task of grass & Landscape contract management .

If the Councillor or any of his constituents have a particular problem, we will be glad to address it.

Q.58 COUNCILLOR RAY MCADAM

To ask the Chief Executive to provide a brief outline of what he hopes to achieve through the publication of a Public Realm Master Plan?

CHIEF EXECUTIVE'S REPLY:

A review of *Your City, Your Space* identified the need for a more in-depth and public realm specific projects to use as exemplars for both public and private projects. The city core was agreed as the area of focus because it presented the most challenging demands on the public realm and impacts the greatest volume of users.

The Masterplan identifies specific projects and brings forward a series of optimum streetscape layouts for the city core to set guidance for major infrastructure and other proposed projects whether public or private projects. It also responds to the needs of high footfall, recreational, community and commercial activity advocating for a pedestrian friendly core and a rebalancing of space. The project undertook case studies in order to develop a **Dublin specific space calculator** which links space requirement for pedestrians to the footfall at that location rather than standardised path widths. The principles once validated can then be used to address other areas of the city on a phased roll out.

Proposal include Luas associated projects, like Sackville Place, North Earl Street and Cathal Buragh St as well as flagship projects like Grafton Quarter and College Green. For summary of key recommendations and projects see pages 32 to 36 of the attached Masterplan.

The Public Realm Group will host a Symposium on Public Realm **on September 23rd** which will showcase international and national practice and projects. Both the **Heart of Dublin, City Centre Public Realm Master Plan** and the **Public Realm Masterplan for the North Lotts & Grand Canal Dock SDZ Planning Scheme 2014** will be presented. Invitations are issuing currently to all Councillors.

Q.59 COUNCILLOR RSAY MCADAM

To ask the Chief Executive to provide a report into a commercial rates issue affecting (Details supplied)?

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.60 COUNCILLOR RAY MCADAM

To ask the Chief Executive to arrange for the yellow box at the junction of Nephin Road and the Navan Road to be reinstated?

CHIEF EXECUTIVE'S REPLY:

The request for repainting of the yellow box at the junction of Nephin Road and Navan Road will be listed and tasked without delay. Please note, the inclement weather of late has created a back log of works.

Q.61 COUNCILLOR RAY MCADAM

To ask the Chief Executive to arrange for the yellow box at the junction of Nottingham Street and North Strand Road to be reinstated?

CHIEF EXECUTIVE'S REPLY:

It appears there is no yellow box at the junction of Nottingham Street/North Strand Road. There is a yellow box across the road at Northbrook Avenue Lower. I confirm that this work has been listed and tasked for renewal at the earliest opportunity.

Q.62 COUNCILLOR MANNIX FLYNN

Can the Chief Executive issue a full report detailing the locations of all the service depots in use within the DCC area that are forming part of the consolidated effort to be amalgamated into two super depots? This information to include: the size of the depots and any adjoining properties owned by DCC.

CHIEF EXECUTIVE'S REPLY:

The information requested is included in the attachment. Please note Mark's Lane Housing Maintenance Depot is co-located with Portland Row. For the purposes of this project there are 35 depots being examined.

Q.63 COUNCILLOR MANNIX FLYNN

Given the recent publicity and controversy surrounding misappropriations of funds from certain drug task force agencies can the Chief Executive initiate a full report and evaluation of all Drugs Task force entities and services within the DCC administrative area? This report to include, all payments, salaries and fees paid for services. Full breakdown of all staff. Full break down of all services delivered to clients and available to clients, and also the number of staff involved. What governance structures are in place, what responsibility and accountability mechanisms are in place. What role DCC plays in the administration or channelling of funding to these organisations.

CHIEF EXECUTIVE'S REPLY:

The Drugs Task Forces are overseen, administered and funded by the Department of Health. The Department are also responsible for carrying out Audits etc. There are City Council staff and Councillors on most of the City's Drugs Task Forces but they are not generally involved on administration or governance matters, however if they have any concerns they should report same to the Department of Health or indeed to the Chief Executive (DCC) who will arrange to bring such concerns to the attention of the Department. The funding from the Department of Health for Drugs Task Forces is channelled through the HSE.

I understand that the Department of Health have implemented much more rigid audit procedures since the particular irregularities arose some years ago in relation to a small number of Drugs Task Forces outside the Dublin area.

A comprehensive consultation process will be initiated shortly by the Department of Health which will lead to the formulation of a new National Drugs Strategy. The Drugs Task Force structure throughout the country will be a key issue in the context of this new strategy and it is essential that Dublin City Council takes the opportunity to express its views on this and other matters relating to the serious Drugs problem in the city.

Q.64 COUNCILLOR MANNIX FLYNN

Can the Chief Executive issue a full report on the company CODEMA. This report to include all personnel involved all salaries and wages. A full list of all the activities of the company. A copy of any contractual arrangements DCC have with the company. A list of all the directors of the company. All payments to the company. All tendering and procurement processes that the company may have been involved in securing.

How much money has Dublin City Council paid to this company since its involvement with the local authority.

CHIEF EXECUTIVE'S REPLY:

The Annual Report for Codema describes Codema's activities and outputs including Energy Awareness (17 actions), Energy Monitoring & Management (15 actions), Energy Policy and Planning (17 actions), EU Funding and Project Management (12 actions). Codema is also the Project Manager for the preparation of the Dublin Climate Change Strategy 2016 which includes the 4 Dublin local authorities. The Annual Report can be viewed at

http://www.codema.ie/images/uploads/docs/Annual_Report_2015_Final.pdf.

This Report also describes the 11 staff members and their roles in Codema. Their gross salaries and wages for the year 2015 was €508,608.

Regarding contractual arrangements, attached is Codema's Certificate of Incorporation. There are two Directors: Declan Wallace (who will soon resign from this position and will be replaced by another City Council official) and Gerry Wardell. Core funding is provided by DCC to Codema based on Work plans which are agreed every year. Attached please find agreed Work plan for 2016.

Codema has been involved in the tendering and procurement process for the following DCC projects:

Dublin District Heating System, Phase 2, Engineering and Business Strategy;
Energy Performance Contract for 3 of the Council's sports and fitness centres

(Markievicz, Ballymun and Finglas);

the 5-Cube renewable energy design feature;

Photovoltaic solar panels for 3 libraries (Cabra, Coolock and Raheney), Civic Offices and Irishtown Stadium;

Better Energy Communities scheme for the lighting upgrade of Irishtown Stadium and Pearse House - Block E public access lighting.

DCC has paid approximately €4.3m to Codema since its establishment in 1997.

Q.65 COUNCILLOR MANNIX FLYNN

Can the Chief Executive issue a full report with details of a recent meeting that DCC management had with the company known as 'Dublin Traders Alliance'. This report to include all minutes and notes that were taken during the meeting with Dublin Traders Alliance.

CHIEF EXECUTIVE'S REPLY:

A meeting took place between representatives of the Dublin Traders Alliance and the Acting Chief Executive together with the Assistant Chief Executive, Planning and Property Development on Wednesday 3rd August 2016. The meeting was convened to discuss correspondence received by the City Council from Dublin Traders Alliance outlining concerns in relation to the proposed traffic management plans for the City Centre. No minute or note was kept by the Acting Chief Executive or the Assistant Chief Executive at the meeting but a note of the meeting prepared by a representative of the Alliance who was present was circulated subsequently at an AGM of Dublin Town

Q.66 COUNCILLOR EDEL MORAN

To ask the Chief Executive (details supplied)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.67 COUNCILLOR EDEL MORAN

To ask the Chief Executive (details supplied)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.68 COUNCILLOR EDEL MORAN

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.69 COUNCILLOR EDEL MORAN

To ask the chief executive (**Details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.70 COUNCILLOR DAMIAN O'FARRELL

To ask the Chief Executive the following in respect of the grass cutting / landscape maintenance provided by DCC. I'm aware that some of the work is carried out by contractors and some of it by our own DCC Parks staff.

In respect of work carried out by DCC Staff in green areas in residential estates and public spaces.

Can I have information on the management plan including frequency and schedule of work please?

How is quality of service verified? How often are quality inspections made?

What is DCC standard practice for dealing with grass verges alongside adjacent walls and in corners? Also do DCC operatives use hand held / harnessed grass trimmers or are chemicals used in these areas?

I notice some of DCC's larger 'ride on' equipment is not suitable for tight corners or grass verges against walls. I receive a lot of feedback from constituents that 'smaller areas' (corners / grass alongside walls) are frequently not finished off when larger 'ride on' equipment has been used on large spaces. Can you set out how this will be addressed please?

CHIEF EXECUTIVE'S REPLY:

At the moment the areas of grass being cut directly by DCC staff involves parks open spaces/grass verges and constitutes c. 93% of our total openspaces/parks hectareage. The Districts each have an annual work plan including the frequency of grass cutting, weed control, edging etc. Work is also carried out on a priority basis as required and quality control is monitored through the local management structure.

Depending on the circumstances the methods used to cut grass and control weeds involve all of those mentioned by the Councillor. If the Councillor or any of his constituents have a particular problem, we will be glad to address it.

Q.71 COUNCILLOR ANTHONY CONNAGHAN

To ask the Chief Executive if it is possible to arrange for a cleanup of the back garden at (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.72 COUNCILLOR ANTHONY CONNAGHAN

To ask the Chief Executive to arrange for the repair or replacement of the pillar at **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.73 COUNCILLOR ALISON GILLILAND

To ask the Chief Executive to provide **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.74 COUNCILLOR ALISON GILLILAND

To ask the Chief Executive to outline the similarities and differences between a licence and a tenancy with regard to DCC housing i.e. awarding a licence to those families who will occupy modular/rapid build emergency accommodation and a regular tenancy.

CHIEF EXECUTIVE'S REPLY:

A lease is a grant of exclusive possession of premises on agreed terms, with right of entry to the landlord for inspection and repair, subject to payment of a rent, in the case of social housing tenancies it is a weekly tenancy terminable on a month's notice and is usually in the form of a standard tenancy agreement. Legal proceedings to regain possession may be taken in the District Court under the Housing Acts.

Licences are an authority to do something which would be otherwise unlawful, generally confer no interest in property and do not grant exclusive possession. A charge may be made for the use of the premises, and it may be terminated at will unless alternative provisions are agreed between the parties. Terms of the licence depend on the particular circumstances of the case. Legal proceedings to regain possession may be taken in the Circuit Court.

Q.75 COUNCILLOR ALISON GILLILAND

To ask the Chief Executive to outline the regulations with regard to the following:

a) Operating a transport company in a residential area without adequate storage/parking facilities to avoid vans/transport vehicles parking on local footpaths

b) Leaving transport vehicles (vans/trucks) including taxis parked for long periods in residential areas and details the enforcement of same

CHIEF EXECUTIVE'S REPLY:

Provided the vehicles concerned comply with weight restrictions, i.e. not exceeding the 3.5 tonne weight limit and are parked legally there is no parking enforcement action that can be taken by the City Council.

If the Councillor wishes to provide details of the location the parking can be investigated further and appropriate enforcement action taken if necessary.

Q.76 COUNCILLOR SEAN PAUL MAHON

To ask the Chief Executive the following **(details Supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.77 COUNCILLOR SEAN PAUL MAHON

To ask the Chief Executive the following (**details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.78 COUNCILLOR SEAN PAUL MAHON

To ask the Chief Executive the following (**details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.79 COUNCILLOR SEAN PAUL MAHON

To ask the Chief Executive the following (**details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.80 COUNCILLOR DAITHI DOOLAN

To ask the Chief Executive, (**details enclosed**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.81 COUNCILLOR DAITHI DOOLAN

To ask the Chief Executive, (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.82 COUNCILLOR DAITHI DOOLAN

To ask the Chief Executive, (**details supplied**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.83 COUNCILLOR DAITHI DOOLAN

To ask the Chief Executive, (**details enclosed**).

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.84 COUNCILLOR CRIONA NI DHALAIGH

To ask the Chief Executive to list (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.85 COUNCILLOR MICHAEL O'BRIEN

To ask the Chief Executive if housed (**Details Supplied**) was unable to accept an offer of a home in An Riasc because of her son's special needs, could she be considered for interview for the Thornwood Development in Beaumont?

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.86 COUNCILLOR MICHAEL O'BRIEN

To ask the chief executive if **(Details Supplied)** who has been in emergency accommodation in Ballymun since 14/9/2015 can be housed, taking into account that her daughter begins her schooling in Coolock on 31st August and she suffers from a number of chronic and life limiting ailments.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.87 COUNCILLOR MICHAEL O'BRIEN

To ask the Chief Executive to explain how confidential information kept by Dublin City Council pertaining to homeless woman **(Details Supplied)** came into the possession of a Sunday Independent journalist leading to an article on 21st August in that paper that sought to give the public a negative view of **(Details Supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.88 COUNCILLOR MICHAEL O'BRIEN

To ask the Chief Executive following answers received by me to Q72 in July and Q121 in June claiming that **(Details Supplied)** did not require a new kitchen unit if he will consider the photographic evidence supplied here and direct the appropriate people to carry out the replacement as necessary?

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.89 COUNCILLOR GAYE FAGAN

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.90 COUNCILLOR GAYE FAGAN

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.91 COUNCILLOR GAYE FAGAN

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.92 COUNCILLOR GAYE FAGAN

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.93 COUNCILLOR EMMA MURPHY

To ask the Chief Executive to reinstate the path at 19/21 Dunsink Drive and to confirm a time frame as this has been left with a temporary surface since Dec 2015. Could 59A also be reinstated as well as the patch on the green across from 59A be made safe where there was a hole dug up.

CHIEF EXECUTIVE'S REPLY:

Road Maintenance Services advise that permanent reinstatements are scheduled to be carried out at these two locations.

Q.94 COUNCILLOR EMMA MURPHY

To ask the Chief Executive, **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.95 COUNCILLOR EMMA MURPHY

To ask the Chief Executive, **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.96 COUNCILLOR EMMA MURPHY

To ask the Chief Executive, **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.97 COUNCILLOR NIAL RING

To ask the Chief Executive to detail how much money has been spent directly and indirectly by DCC in relation to the plans for the construction of a €17 million pedestrian and cycle bridge over the Liffey to connect the old London and North Western Railway Company station on North Wall Quay to Forbes Street on Sir John Rogerson's Quay on the south of the river. Can the Chief Executive also confirm that DCC appointed engineering consultants last year to undertake preliminary designs and that €2.94 million in EU funding for the project has been secured by DCC.

CHIEF EXECUTIVE'S REPLY:

So far €340,000 has been spent on the Forbes Street Pedestrian and Cyclist Bridge. Consultants Flint and Neill/RPS JV were appointed in August 2016 to carry out an Outline Design & Options Study and Preliminary Design (and subsequent stages if the project is to proceed).

The route of DART Underground passes underneath the site of the proposed bridge and the project has been suspended for approximately 15 to 18 months while a redesign process for the Dart Underground takes place. When this redesign process is complete it is intended that work on the Forbes Street Pedestrian and Cyclist Bridge will recommence.

The Designated Urban Centre Grant Scheme, under the Southern & Eastern Regional Operational Programme 2014 – 2020, has provided a grant of €2.9 million for the Forbes Street Pedestrian and Cyclist Bridge (investment priority 4(e) of the ERDF Regulation (EU) 1301/2013).

Q.98 COUNCILLOR NIAL RING

To ask the Chief Executive to detail the full (direct and indirect) cost of the citywide junk collection previously provided free of charge and now replaced by the Bulky Household Waste Collection service. In addition, to ask the Chief Executive what logistics would be involved in the reintroduction of this service in terms of timescale to cover the entire city, publicity, equipment and manpower levels provision and disposal methods required and how much it would now cost to complete a full citywide bulky household waste collection to every residential unit in the city on an annual basis.

CHIEF EXECUTIVE'S REPLY:

The household bulky waste collection service was introduced with effect from the 16th May 2016 and we received orders that same day.

As of Friday 26th August we have received a total of 163 service requests.

The service is operating very well and the frequency of collection requests is continuing to increase which would suggest a widespread acceptance and appreciation for the service from the general public. Unlike the old scheduled service this service is accessible all year round and is available to all domestic residents which the previous service was not. At present we are averaging around 15 requests per week. See table below to illustrate the number of requests we have received on a weekly basis since the service began.

	Number of Requests
Week 1	5
Week 2	4
Week 3	9
Week 4	5
Week 5	2
Week 6	11
Week 7	11
Week 8	12
Week 9	14
Week 10	11
Week 11	18
Week 12	16
Week 13	14
Week 14	13
Week 15	19

NB: If this volume increases significantly in the future then we will have to look at making some changes to the service in order to ensure operational efficiency.

We have received a total of €6,520 to date from payments for the service although this falls far short of what the service provision actually costs. Disposal costs alone over this same period would exceed €5,000.

It is not possible to quantify the actual cost of this service at present as it is currently being managed through existing individual local depot resources rather than dedicated teams/crews and vehicles. These same crews are not assigned solely to bulky waste collections but instead are also involved in the collection of other waste

materials/illegal dumping etc along with the other normal cleansing duties associated with any area. Currently collections are scheduled around the availability of manpower and vehicles.

However the current service is undoubtedly costing far less than the previous free scheduled household bulky waste collection service that operated on a three yearly cycle. This service required dedicated vehicles and crews to be assigned to this specific task and was estimated to cost the City Council in excess of €500,000 per year. This cost was derived primarily from the salary costs of 9 men dedicated solely to this task for approximately 8 months of the year along with the rental and associated operational costs such as fuel and insurances etc on 3 vehicles which were dedicated solely to this task. In addition disposal costs also needed to be included. It was considered that these costs had become unsustainable along with the fact that the provision of a free service was contrary to the core principle that the person generating the waste should pay for its disposal.

The Council is not considering reintroducing a free city wide bulky waste collection service however if such a service were to be provided on an annual basis then the estimated costs would be well in excess of €2million per year. This amount is derived from the fact that due to current staffing levels a minimum of 15 additional staff would need to be employed to operate 5 x 3 man crews which would be essential in order to service the entire City within any 12 month period. In addition a minimum of 5 vehicles would have to be hired. (The annual rental and associated operational cost of one vehicle is currently around €40,000.00). Manpower and vehicle charges would therefore be close to €1m.

Disposal costs would be entirely dependent on the weights of materials collected. On average at present a household ordering a bulky waste collection is presenting approximately 0.9 Tonne of bulky waste per collection at a disposal cost of €35 per tonne. If this service were to be provided free to all of the approximately 160,000 residences within the city the potential annual costs, at least in the first year, could exceed €5m. While acknowledging that it is highly unlikely that all possible residences would present waste for collection it is difficult to estimate the possible cost for the provision of such a service.

Q.99 COUNCILLOR NIAL RING

To ask the Chief Executive if Dublin City Council has any plans or intentions to bring in bye laws in relation to rickshaws on city streets which are providing a "transport service" and if such bye laws would cover provision of personal and public liability insurance, operational times, vehicle road worthiness and driver/rider licencing requirements. If not, to ask the Chief Executive if it IS within the powers of City councillors to recommend a banning of such modes of transport from the streets of Dublin until regulated, and if so, how do we decide upon this issue?

CHIEF EXECUTIVE'S REPLY:

A verbal report on this matter was presented to the City Council's Transportation Strategic Policy Committee meeting in July. The essence of this report was as follows;

'Dublin City Council drafted bye-laws to regulate rickshaw operations in 2013, however following legal advice it was found that the Council does not have adequate statutory powers to regulate their operation and that primary legislation would be required. Dublin City Council and the National Transport Authority (NTA) sought a number of legal advices to clarify the issues involved in creating a regulatory framework. Following these legal advices the NTA have recently intimated that

regulation may be more suited to their remit and accordingly are consulting with the Attorney General on legislative amendments to allow for a regulatory framework to be set up". The Council is currently awaiting an update on the matter from the NTA.

Q.100 COUNCILLOR NIAL RING

To ask the Chief Executive to detail the following in relation to the Dublin Bikes rental scheme:

- a. The circumstances surrounding the recently announced postponement of the planned expansion of the scheme.
- b. To confirm whether, or not, the plans for bike stations at the DIT campus at Grangegorman are included in this postponement as report on my motion (6247) at the March Central Area Committee indicated that "the NTA has indicated that grant funding towards capital works may be available to enable a mini-extension of the scheme into Phase 4b to serve the DIT Grangegorman Campus and the surrounding area during 2016"
- c. To detail the number of the current bike stations by DCC area
- d. To detail the number of the current JC Decaux advertising units/ by DCC area.
- e. Taking the details at c and d above and the fact that this will show some areas (like the Central Area) having a significantly higher percentage of the overall Advertising units than bike stations, can the Chief Executive indicate what are the plans in the expansion scheme, when implemented, to address this distortion.

CHIEF EXECUTIVE'S REPLY:

The motion at the March Central Area Committee indicated that:

"There are no definite timeframes in place for the delivery of this extension (Grangegorman extension) into Phase 4b as the works remain subject to the identification of funding for the increased annual operational costs that would arise and that would remain the responsibility of Dublin City Council each year over the life of the scheme. Revenue generation options to facilitate extension are under investigation by the Planning and Property Development Department."

The NTA identified funding in the order of €1.2 million to contribute to the capital cost of scheme expansion to serve the catchment of Grangegorman. The NTA are not in a position to assist with the annual operational costs of the existing or an expanded scheme which is met by DCC. DCC cannot responsibly consider further expansion of the scheme until (a) the current operational deficit is addressed, and (b) sustainable longer term funding is identified for increased annual operational costs associated with scheme expansion. Both measures are under investigation at present (Funding Report attached).

The current operational cost of the scheme is €1.92 million. The 2015 financial deficit of the scheme after subscription monies and sponsorship are accounted for was €376,211. It is estimated that the increased annual operation charge of an expanded scheme would be in the order of €2.5 million. The annual deficit arising would increase in line with any expansion.

The table below details the Advertising Unit versus Bike Station distribution in the city. The details indicate that some areas have a differing percentage of advertising units than bike stations, or no bike stations. This is related to the differing criteria under which an advertising unit location is chosen than that which is used for the location of a bike station. In this respect, the catchment of the bike scheme will often not equally replicate the distribution of advertising units. This is related to ensuring

that advertising locations are commercially viable and that bike stations integrate successfully with the existing bike scheme catchment.

DISTRIBUTION OF PUBLIC AMENITY ADVERTISING AND BIKE STATION BY DCC AREA		
DCC Area	Advertising Units	Bike Stations
South East	25%	47%
South Central	16%	18%
Central	30%	35%
North West	19%	0%
North Central	10%	0%

Q.101 COUNCILLOR VINCENT JACKSON

To ask the Chief Executive to please have the serious rat infestation problem at **(details supplied)** looked into.

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.102 COUNCILLOR VINCENT JACKSON

Can the Chief Executive please let me know what financial supports are available to sort out the shocking water pressure supply problems to houses in the Ballyfermot Area? The pipe work when installed offered a ½ inch supply in terrace houses which then was reduced by a tee piece which fed both houses as these houses are fed I think by lead pipe work. What supports are available to Old Age Pensioners etc? I am aware of some people whose washing machines don't work because of the bad pressure. If residents put in a new supply, will DCC connect this to the main or what options are available and how can we get information out to the thousands of people who suffer with this problem.

CHIEF EXECUTIVE'S REPLY:

Issues in relation to water pressure are a matter for Irish Water. Therefore the contact details are:

WATER SUPPLY, METERING AND EMERGENCIES

Call: 1850278278

Lines are open 24 hours a day, 7 days a week.

Q.103 COUNCILLOR VINCENT JACKSON

Can Chief Executive please have the following issues looked at **(Details Supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.104 COUNCILLOR VINCENT JACKSON

Can the Chief Executive look into the following **(Details Supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.105 COUNCILLOR ANDREW KEEGAN

With reference to a drainage issue on project 25 -26 Wadelai Green Dublin North West. Has a report - ref 3a requirement - to drainage, the issue of high level ground water in the area and other issues with flooding been considered? Is the Planning Dept happy that all is in order with this project and have the local community been consulted?

CHIEF EXECUTIVE'S REPLY:

Planning Permission was requested for the construction of 2 no. two storey houses, vehicular access, car parking and all associated site works and services at 25-26 Wadelai Green, Glasnevin under Reg. Ref. 3595/15. The statutory five week public consultation period applied to this proposal including the use of site and newspaper notices. Twenty four submissions were received by the planning authority which were taken into account in the assessment of the planning application. A number of submissions raised concerns in relation to drainage issues including flooding and the report of the Drainage Division recommended seeking further information in relation to flood risk and other drainage information. The applicant submitted further information including a flood risk assessment. In this context, the Drainage Division indicated that it had no objection to the proposed development subject to detailed drainage conditions.

Subsequently, Dublin City Council issued a grant of permission which was appealed to An Bord Pleanala under ABP ref.PL29N.246195. An Bord Pleanala granted permission for the proposal on 29th July 2016 indicating that the proposed development would not exacerbate flood risk in the area, would not be prejudicial to public health, and would not seriously injure the visual or residential amenities of the area subject to appropriate conditions.

ABP Condition no.1. requires that the development be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further information submitted to the planning authority (including the flood risk assessment).

ABP Condition no.3 requires that water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. In this regard, (a) all flood risk mitigation measure proposed in the further information submitted to the planning authority on 21st December shall be implemented and detailed designs relating to same shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The applicant has not submitted the relevant compliance details to date. However, the applicant is required to submit these details for agreement prior to the commencement of development.

Further details in relation to this decision can be found at the following link:

<http://www.pleanala.ie/casenum/246195.htm>

Q.106 COUNCILLOR ANDREW KEEGAN

With reference to the aerial mast on top of Metro Hotel at Santry Cross, has the Planning Dept considered that the number of masts on the roof may pose a danger as they don't appear to be protected from wind shear and giving the number of masts the structures may be compromised and the safety of the residents and clients in the hotel. The locating of the masts appears opportunistic by the hotel owners. Recent planning notices on the premises were placed in obscure location.

CHIEF EXECUTIVE'S REPLY:

A number of telecom companies have placed telecommunication antennae and structures on the upper roof level of the Metro Hotel in Ballymun. This infrastructure is the subject of enforcement proceedings under Enforcement Ref: E0758/12.

Airfibre Limited and Airspeed Telecom with Host Ireland applied for the retention of their infrastructure as follows:

Airfibre Limited sought retention permission under Reg. Ref. 4277/15 for: 9 no. 2m high ballast mounted antenna support poles carrying a combined total of 14 no. antenna and 7 no. transmission dishes including equipment container and associated ancillary equipment. Planning permission was refused on the grounds, inter-alia, that the rooftop telecommunications equipment constitutes visual clutter which seriously injures the visual amenities of the area.

Airspeed Telecom with Host Ireland sought retention permission under Reg. Ref. 2888/16 for ballast poles carrying antenna, dishes, and all other ancillary equipment at the upper roof level of the Metro Hotel. Permission was also sought for a radio friendly screen extending 2m in height above the upper roof parapet to screen the equipment proposed for retention.

Planning permission was refused on the grounds that the rooftop telecommunications equipment constitutes visual clutter which seriously injures the visual amenities of the area, including the proposed screen, and that the location of the development on the top of a building with residential uses seriously injures the residential amenities of the residents in the tower.

The relevant public notices were in order and one submission was taken into account in the assessment of plan ref.2888/16. Enforcement proceedings are ongoing as neither decision was appealed to An Bord Pleanala.

Q.107 COUNCILLOR ANDREW KEEGAN

Can the Chief Executive provide me with an update on the future plans re Debtor's Prison in Cabra?

CHIEF EXECUTIVE'S REPLY:

A letter has been forwarded to the Office of Public Works regarding this building and a reply will issue directly to the Councillor.

Q.108 COUNCILLOR JOHN LYONS

To ask the Chief Executive to consider for the choice-based housing letting at **(Details Supplied 1)** who currently resides in the very crowded and wholly unsuitable family home at **(Details Supplied 2)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.109 COUNCILLOR JOHN LYONS

To ask the Chief Executive for a full report on the housing application of **(Details Supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.110 COUNCILLOR JOHN LYONS

To ask the Chief Executive to ensure that an immediate cleaning of Ardlea Road, Artane Dublin 5 takes place: The overgrown weeds and trees along this road need to be dealt with, as several residents have complained as to the untidy state of this area.

CHIEF EXECUTIVE'S REPLY:

The Weed Contractor is due to start the second spray in the North Central in the first week of September and Ardlea Road will be included in this.

Waste Management Services had Ardlea Road cleaned and cleared of weeds on the 29th August 2016.

Parks and Landscape Services have inspected this area in question; the weeds at the base of the trees will be treated with herbicide in the next two to four weeks. There are low branches present and epicormic growth and these will be removed during the dormant season.

Q.111 COUNCILLOR JOHN LYONS

To ask the Chief Executive to install a new front door for one of our tenants, **(Details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.112 COUNCILLOR MICHAEL MAC DONNCHA

To ask the Chief Executive if he will **(details supplied)?**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.113 COUNCILLOR MICHAEL MAC DONNCHA

To ask the Chief Executive if he will **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.114 COUNCILLOR MICHAEL MAC DONNCHA

To ask the Chief Executive if he will **(details supplied)?**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.115 COUNCILLOR ALISON GILLILAND

To ask the Chief Executive **(details supplied)**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.116 COUNCILLOR ANDREW MONTAGUE

Regarding the recent decision of an An Bord Pleanála to grant permission for development at 25-26 Wadelai Green (Planning application 3595/15, An Bord Pleanála Case reference: PL29N.246195), Condition 3a requires the applicant to submit detailed designs to the Drainage Dept in relation to flood risk mitigation measures. Continual flooding during winter and spring can be observed at Wadelai

Green. A soakaway test to BRE 365 – Soakaway Design was carried out in No. 24 Wadelai Green during February 2016 that demonstrated the level of ground water at No.24 Wadelai Green is very close to ground level. This highlights that the current proposals for the new development at No.25 and 26 Wadelai Green to use gravel soakaways on site to provide storm water storage and infiltration are impractical. There is a real concern that the proposed storm water/flooding design for the development at Nos. 25 and 26 Wadelai Green will not be capable of containing flood water during significant storm events and in particular in the antecedent condition. There is a high possibility that the development as Nos 25 and 26 Wadelai Green will further contribute to the flooding being observed at Wadelai Green based on the drainage/flood mitigation design submitted as part of the planning application. What failsafe mechanism's will the DCC put in place to ensure that the proposed development does not worsen the present annual flooding issues?

CHIEF EXECUTIVE'S REPLY:

Planning Permission was requested for the construction of 2 no. two storey houses, vehicular access, car parking and all associated site works and services at 25-26 Wadelai Green, Glasnevin under Reg. Ref. 3595/15 in 2015. A number of third party observations were submitted in respect of the proposed development and a significant concern related to drainage issues / flood risk assessment.

Prior to making a decision on the application, the Planning Authority, at the request of the Council's Drainage Division, sought (a) an appropriate flood risk assessment for the proposed development, in order to mitigate the potential risks from all sources including fluvial (Wad River), pluvial and groundwater and (b) drainage information / drawings for the site. The applicant was advised to contact the Council's Drainage Division prior to resubmission.

A submission was made on behalf of the Applicant which addressed these issues.

Following consideration of this submission, the Council's Drainage Division, in a report dated 13th January, 2016, confirmed that it had no objection to the development and it set out detailed drainage conditions in respect of the development.

The Council's decision was appealed to An Bord Pleanála and the Planning Authority's decision was subsequently upheld. The Board conditioned (condition No. 3) that the *'water supply and drainage arrangements, including the disposal of surface water shall comply with the requirements of the Planning Authority'*.

ABP Condition no.3 requires that water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. In this regard, (a) all flood risk mitigation measure proposed in the further information submitted to the planning authority on 21st December shall be implemented and detailed designs relating to same shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The applicant has not submitted the relevant compliance details to date. However, the applicant is required to submit these details for agreement prior to the commencement of development.

Q.117 COUNCILLOR ANDREW MONTAGUE

Condition 3b of the grant of permission (same planning application as Question 116 development at 25-26 Wadelai Green (Planning application 3595/15, An Bord Pleanála Case reference: PL29N.246195)) states that there MUST BE SEPARATE connections to the surface drain and foul drain - will DCC Drainage Dept. permit the

developer to connect into the Combined drain for foul & surface water, which would clearly not be in compliance with the condition as there is an available public surface water drain in Wadelai Green? Given that the distance of the nearest connection to the public is such that it's invert level is too high to allow the drainage to flow into it by gravity fall, the only alternative would be to dig up the road and pump the surface water to the drain from the site – will DCC permit pumped drainage into a public main? It is imperative that we get a clear answer on this matter from the Drainage Dept.

CHIEF EXECUTIVE'S REPLY:

The Developer is obliged to comply with the conditions attached to the permission granted by An Bord Pleanála.

The developer has to comply with the Greater Dublin Regional Code of Practice for drainage works.

In this instance a specific condition was included requiring the Developer to connect foul to foul system and surface water to the surface water system .

The Developer has to comply with this condition.

There is also a limit on the rate of discharge from this site for surface water of 2 litres/sec.

Pumping directly into a public sewer is not permitted under our Code of Practice referred to above.

Because of level differences, some sites require discharges to be lifted and then discharged to the public sewer. Ideally, this happens within the site and the ultimate connection falls out by gravity. However, in some cases the developer has to lay a rising main in the public road and either construct a break manhole just prior to connecting to the public main or bring the rising main down the internal wall of an existing manhole. It's hard to be prescriptive as the solution is site specific.

Essentially, it's still a privately owned connection to the public sewer system. And our main concern with pumped connections is to ensure they don't impede flow in the main sewer (hence the break MH) or cause a H&S issue for any operative working in the main sewer.

Developers submit drawings for compliance sign off to Drainage Division, DCC, in advance of application for permission to connect to the public surface water sewer.

It is at this stage that the detail of the proposal for connection will be examined fully by DCC Drainage staff and assessed for compliance.

Connection to the foul system will follow a similar process under the Irish Water connection process.

Q.118 COUNCILLOR ANDREW MONTAGUE

Cond. 4 of the Grant of Permission (same planning application as Question 116 development at 25-26 Wadelai Green (Planning application 3595/15, An Bord Pleanála Case reference: PL29N.246195)) states that the houses must be 'single family occupancy only'. – If the developer rents on a room-by-room basis to either students or private tenants, as has always been the case for those houses since they were first sold more than 10 years ago, is that in accordance with the term 'single

family' occupancy. If not, can the Planning Authority be relied upon to take enforcement action?

CHIEF EXECUTIVE'S REPLY:

Planning permission, subject to conditions, was granted on 29 July 2016 by An Bord Pleanála for "... demolition of existing single storey sheds and the construction of 2 no. two storey houses, vehicular access, car parking and all associated site works and services".

Condition 4 of the permission states:

"The two existing and two proposed houses within the site shall be single family occupancy only.

Reason: In the interests of clarity."

It is a matter for the property owner to decide in the first instance if he wishes to implement this permission. Should he do so, he is obliged to comply with all the conditions of the permission.

Should complaints be received that condition 4 or any other condition of the permission has been breached, the matter will be investigated and appropriate enforcement measures taken.

Q.119 COUNCILLOR ANDREW MONTAGUE

Will the council (or request the owner of the relevant property to) trim the bushes that hang over the bus stop on the Swords Road facing the Omni beside the junction with Lorcan Road?

CHIEF EXECUTIVE'S REPLY:

The issue of over growing bushes will be investigated on the Swords Road and any necessary action will be taken under the following legislation.

"Roads Act, 1993 section 70 (2) (b) states:

Where a tree, shrub, hedge or other vegetation is a hazard or potential hazard to persons using a public road or where it obstructs or interferes with the safe use of a public road, a road authority may serve a notice"

Q.120 COUNCILLOR GARY GANNON

To ask the Chief Executive (**Details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.121 COUNCILLOR GARY GANNON

To ask the Chief Executive (**Details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.122 COUNCILLOR GARY GANNON

To ask the Chief Executive (**Details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.123 COUNCILLOR PAUL HAND

To ask the Chief Executive **(details supplied)?**

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.124 COUNCILLOR PAUL HAND

To ask the Chief Executive for a full update and progress report on all DCC applications to the Sports Capital Grants Scheme over the past three years and progress reports on all projects where funds have not been drawn down as of yet.

CHIEF EXECUTIVE'S REPLY:

Name of Project	Status /Timeline
Main Works	
All-Weather Pitches	
St. Annes Park	Works have commenced – Expected completion December 2016 - March 2017 (Pitch surfacing is weather dependant)
Kilbarrack	Works commence on 5 th September - Expected completion December 2016 - March 2017 (Pitch surfacing is weather dependant)
Father Collins Park (Open Space)	Works commence on 5 th October - Expected completion December 2016 - March 2017 (Pitch surfacing is weather dependant)
Bluebell (Open Space)	No timeline as of yet. Minor pitch works have been done in interim.
Brickfields	Tender documents currently being assessed. Expected timeline is works to start in October 2016 – completion is expected between December 2016 and March 2017 (Pitch surfacing is weather dependent)
Sports Pavilions	
Herzog Park	Works Completed.
Springdale Road	Works commenced in August, expected to be completed by January 2017
Poppintree Park	Works to Commence in November, expected completion May 2017
Tolka Valley Park	Works commenced in August. Completion in early 2017.
Markievicz Park	No timeline at present.
Tennis Courts	
Herbert Park	Works completed.
Bushy Park	Timeline to be finalised.

Rockfield Park	Timeline to be finalised.
Herzog Park	No timeline agreed yet with Rathgar Tennis Club
Willie Pearse Park	Works completed.
Outdoor Gyms	
Ellenfield	Tender documentation currently being put together. Works expected to commence early 2017.
Bunting Road, Walkinstown	Works completed.
Valley Park (Bluebell/Drimnagh)	Works completed.
Albert College Park	Works completed.
Belcamp Park	Tender documentation currently being put together. Works expected to commence early 2017.
Dartry Park	Tender documentation currently being put together. Works expected to commence early 2017.
Mellowes Park	Tender documentation currently being put together. Works expected to commence early 2017.
Poppintree Park	Tender documentation currently being put together. Works expected to commence early 2017.
Walkinstown Green	Tender documentation currently being put together. Works expected to commence early 2017.
Martin Savage Park	Tender documentation currently being put together. Works expected to commence early 2017.
Eamonn Ceannt Park	Tender documentation currently being put together. Works expected to commence early 2017.
Griffith Park	Tender documentation currently being put together. Works expected to commence early 2017.

Dolphin Road	Tender documentation currently being put together. Works expected to commence early 2017.
Skatepark	
Le Fanu Park	Works to commence in 2017.
Pitch Improvements	
Alfie Byrne Road	Works to commence in Autumn 2016.
Poppintree Park	Works completed.
Kildonan Road	Works currently being carried out.
Coultry Park	Works Completed.
Darndale Park	Works delayed until related issues dealt with first.
Johnstown Park	Half of works to start - Autumn 2016. Second half of works proposed to start in March 2017.
Fairview Park	March 2017 proposed start date
Oscar Traynor Road	2017 project
Ringsend Park	2017 project
Belcamp Park	2017 project
Mc Auley Park	Works to commence Autumn 2016.
Donaghmede Park	2017 project
California Hills	2017 project
Courtlands	2017 project

Galtymore	2017 project
Darndale Park	Works delayed until related issues dealt with first.
Athletics	
Liffey Valley Park (Chapelizod)	Tender document currently being finalised. Expected completion early 2017 (weather dependent)
Recreation Centres	
Kilmore West	2017 project.
East Wall	Works Completed.
Sports Development / Centres	
Irishtown Stadium	Works completed.
Sports Development	under review - €23,370 Sport Capital Grant awarded in 2015
Sports Development - Powerboat	under review - €25,000 Sport Capital Grant awarded in 2015
Finglas Leisure Centre	Works Completed.
Cabra Parkside	Works Completed.
Ballybough	Works Completed.
St.Catherines Sports Centre	Works Completed.

Q.125 COUNCILLOR PAUL HAND

To ask the Chief Executive for an update on the Crumlin Area Office and the hiring of a new community worker for the office in light of a recent retirement. The area urgently needs a new community worker and the area office needs additional administrative staff.

CHIEF EXECUTIVE'S REPLY:

The plan is to fill the community vacancy in the coming weeks. There are no further vacancies in the Crumlin Area Office.

Q.126 COUNCILLOR PAUL HAND

To ask the Chief Executive for a response to my 2 previous questions where I asked for a detailed list of lobbyists that have visited either the CEO's office, or any staff member on the planning section in relation to the current drafting of the new DCC Development Plan.

CHIEF EXECUTIVE'S REPLY:

Lobbying is now governed by the Regulation of Lobbying Act 2015. Making views known to Elected Members during the formal public consultation process of the Draft Development Plan is not lobbying. Any individual, organisation or group who communicates with a Designated person, outside of the public consultation periods, on a relevant matter concerning zoning or development of land may be considered to be carrying out lobbying activities. The onus is on the person undertaking the

lobbying to register with SIPOC (Standards in Public Office Commission) and to make a return in this regard.

The original question from Cllr. Hand (June City Council meeting) asked the Chief Executive how many deputations (not submissions, physical meetings) Dublin City Council planning officials received regarding the 2016-2022 Development Plan and to break down the list of these deputations by type (e.g. total amount of community groups, individuals, property management companies, developers and all other types of deputations).

The response is as follows:

The consultation period during which the Issues Paper was on public display ran from 10th November 2014 to 14th January 2015 during which time a series of public drop in information sessions/workshops were held throughout the city. The consultation period during which the Draft Plan was on display ran from 1st October 2015 to 11th December 2015 also during which a series of public information sessions/workshops were held.

In addition, Sectoral Groups and Prescribed Bodies, which represent a broad cross section of groups (100 or so) including Housing Associations, Disability Groups, Simon Community, Pavee Point, State Departments/Agencies, Dublin Cycling Campaign and Dublin Community Forum were all invited to the information sessions and offered the opportunity to make oral submissions in relation to key aspects of the proposed draft Development Plan which they had an interest in as provided for in the Planning & Development Acts. These information sessions took place on the 6th and the 24th November 2015 (See List A)

Requests to make presentations to the Chamber of Commerce and Urban Land Institute were facilitated as were requests for meetings with Trinity College, Clancourt, Gallagher Developments and the National Concert Hall. Government Departments/Agencies were met at various stages throughout the Draft Plans preparation period as were children/young people through Comhairle na nÓg. In addition, the Arts Office held two information sessions for Arts Organisations and artists, at the request of the Arts SPC, which a planner attended (See List B).

In tandem with the Development Plan process the Planning Department was tasked with identifying planning impediments to housing supply, in response to a request from the Housing Supply Co-ordination Taskforce (Construction 2020) to meet developers/builders (see List B). In this regard it will be recalled that Members of the Planning and International Affairs SPC and Group Leaders met with a delegation from the Construction Industry Federation (CIF) on 1st July 2015. The purpose of the session was to explore ways of addressing the housing crisis, and how the development plan review could assist.

Q.127 COUNCILLOR GREG KELLY

To ask the Chief Executive (**Details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.128 COUNCILLOR GREG KELLY

To ask the Chief Executive (**Details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.129 COUNCILLOR GREG KELLY

To ask the Chief Executive (**Details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.130 COUNCILLOR GREG KELLY

To ask the Chief Executive (**Details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.131 COUNCILLOR TINA MAC VEIGH

To ask our Planning Department what was the total number of submissions that were made in the recent Development Plan public consultation that were in support of the re-zoning of the site at Bridgefoot Street to Z9.

CHIEF EXECUTIVE'S REPLY:

The combined total submissions received for Bridgefoot Street in relation to the proposed amendments to the Draft Dublin City Development Plan was 159. Signed petitions were attached to 2 of these. All the submissions received were in support of Z9 park/open space.

Q.132 COUNCILLOR JANE HORGAN JONES

To ask the Chief Executive the following question [**details supplied**]

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.133 COUNCILLOR JANE HORGAN JONES

To ask the Chief Executive the following question [**details supplied**]

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.134 COUNCILLOR JANE HORGAN JONES

To ask the Chief Executive the following question [**details supplied**]

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.135 COUNCILLOR EILIS RYAN

To ask the Chief Executive (**details supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.136 COUNCILLOR EILIS RYAN

Can the Chief Executive please provide a detailed report (**Details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.137 COUNCILLOR EILIS RYAN

To ask the Chief Executive (**Details Supplied**)

CHIEF EXECUTIVE'S REPLY:

A reply has been issued to the Councillor.

Q.138 COUNCILLOR EILIS RYAN

To ask the council to prune trees on Clancy Avenue, on the path outside 4 Clancy Avenue (i.e. on the public street, not in the garden)

CHIEF EXECUTIVE'S REPLY:

The tree concerned outside No. 4 Clancy Avenue has been inspected, it is a Birch tree and appears to be in good condition and does not require pruning at this stage.

DCN-SW Conference Software



Voting Results

Meeting	City Council Meeting		
Agenda Subject	Roll Call Prepared or Ad Hoc Votes		
Voting Number	Vote No 1		
Name	Amendment No 1 to ITEM 10		
Kind	Parliamentary		
Subject			
Voting start at:	05/09/2016 19:29:43	Voting end at:	05/09/2016 19:30:49

Total Results

Voting attendants	Present in the vote	50
	Present and not voted	0
Answers	Yes	24
	No	24
	Abstain	2
	Not voted	0

Casting vote 'NO'
Ref 147
Bondar S

Group Results

Dublin City Co.		
	Yes	24
	No	24
	Abstain	2
	Not voted	0

Individual Results

Yes

Appendix B: Monthly Meeting 5th September 2016

Greg Kelly	Dublin City Co.
Anthony Connaghan	Dublin City Co.
Sonya Stapleton	Dublin City Co.
Pat Dunne	Dublin City Co.
Gary Gannon	Dublin City Co.
Michael Mac Donncha	Dublin City Co.
Andrew Keegan	Dublin City Co.
Seamas McGrattan	Dublin City Co.
Criona Ni Dhalaigh	Dublin City Co.
Daithi Doolan	Dublin City Co.
Cathleen Carney Boud	Dublin City Co.
Cieran Perry	Dublin City Co.
Nial Ring	Dublin City Co.
Hazel de Nortuin	Dublin City Co.
Chris Andrews	Dublin City Co.
Paul Hand	Dublin City Co.
Christy Burke	Dublin City Co.
John Lyons	Dublin City Co.
Edel Moran	Dublin City Co.
Ray McHugh	Dublin City Co.
Ciaran O'Moore	Dublin City Co.
Noeleen Reilly	Dublin City Co.
Ellis Ryan	Dublin City Co.
Michael O'Brien	Dublin City Co.

No

Declan Flanagan	Dublin City Co.
Deirdre Heney	Dublin City Co.
Jane Horgan-Jones	Dublin City Co.
Brendan Carr	Dublin City Co.
Vincent Jackson	Dublin City Co.
Dermot Lacey	Dublin City Co.
Paul McAuliffe	Dublin City Co.
Paddy McCartan	Dublin City Co.
Ruairi McGinley	Dublin City Co.
Frank Kennedy	Dublin City Co.
Andrew Montague	Dublin City Co.
Rebecca Moynihan	Dublin City Co.
Claire Byrne	Dublin City Co.
Sean Paul Mahon	Dublin City Co.
Naoise O'Muir	Dublin City Co.
Michael Mullooly	Dublin City Co.
Claire O'Connor	Dublin City Co.
Kieran Binchy	Dublin City Co.
Alison Gilliland	Dublin City Co.
Aine Clancy	Dublin City Co.
Teresa Keegan	Dublin City Co.
David Costello	Dublin City Co.
Anne Feeney	Dublin City Co.

Abstain	Norma Sammon	Dublin City Co.
	Janice Boylan	Dublin City Co.
	Gaye Fagan	Dublin City Co.

Motion Amendment Form

City Council meeting held on the 5th September 2016

N.B This form must be completed, signed and handed to the Lord Mayor for each amendment. Copies of amendments must be circulated to all Members & Senior Officials at the meeting before the amendment can be taken.

(a) Details of Motion to be amended :

I wish to put forward an amendment to the report item **No 10** on the Agenda from Assistant Chief Executive Jim Keoghan, **Report No 244/2016**

(b) Amendment text

That in light of the fact that subsequent to the agreement reached in October 2013 regarding the refurbishment and future sale of the apartments at Priory Hall a homelessness and accommodation crisis of unprecedented proportions has emerged that the text of the Assistant Chief Executive's report be amended so that the final paragraph be deleted and the bullet points on lines 16 to 18 are deleted and replaced as follows:

1. That Dublin City Council will seek to amend the terms of the October 2013 agreement reached so that the apartments it owns in the New Priory development be entirely utilised to address the social and affordable housing need in the Dublin City Council area
2. That half of all Dublin City Council owned apartments in New Priory be made available to social housing applicants
3. That a request be made to the Minister for Housing, Planning, Community and Local Government that the Affordable and Shared Ownership scheme be reinstated allowing half of the Dublin City Council owned apartments to be made available to applicants under this scheme
4. That Dublin City Council will manage the common areas of this complex and place a pro rata charge for this service on the buy to let owners

(c) Report as revised (including proposed amendment /deletions)**Report to Members on the Redevelopment of New Priory (Formerly Priory Hall)**

Following protracted High Court proceedings in relation to Priory Hall, the Department of the Taoiseach, Department of Finance and the Department of the Environment, Community and

Local Government representing the Government sought to resolve issues with all interested parties – the former residents, "buy to let" owners, banks and this Council. The consequences of the agreement reached between all parties following refurbishment of the development is –

- The number of social housing units in the development will be retained.
- The owner occupiers' units will be sold by the Council.
- The "buy to let" owners will retain their units.
- The units previously owned by the developer will be sold.

A new management company for the development has been set up and a tender process was undertaken for a management agent and a sales agent. It is intended to launch a sales campaign at the end of September 2016. The sale price of each apartment/duplex will be

determined at this time.

Approval in principle is now being sought to the following –


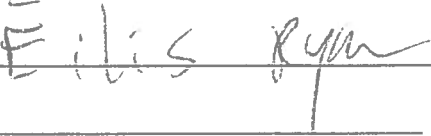

- That Dublin City Council will seek to amend the terms of the October 2013 agreement reached so that the apartments it owns in the New Priory development be entirely utilised to address the social and affordable housing need in the Dublin City Council area
- That half of all Dublin City Council owned apartments in New Priory be made available to social housing applicants
- That a request be made to the Minister for Housing, Planning, Community and Local Government that the Affordable and Shared Ownership scheme be reinstated allowing half of the Dublin City Council owned apartments to be made available to applicants under this scheme
- That Dublin City Council will manage the common areas of this complex and place a pro rata charge for this service on the buy to let owners

Jim Keogan

Assistant Chief Executive

Dated this 25th day of August 2016.

Signature of Councillor(s) Proposing Amendment

Cllr <u>Michael O'Brien</u> 	Cllr _____
Cllr <u>Eilis Ryan</u> 	Cllr <u></u>
Cllr _____	Cllr _____
Cllr _____	Cllr _____

For Lord Mayor & Official Use only

Amendment No ___ to Motion No _____

Amendment complies with Standing Orders _____

Amendment Approved by Council _____

Vote Taken _____

Amended Motion approved by Council _____

Signed : _____

DCN-SW Conference Software



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Voting Results

Meeting	City Council Meeting		
Agenda Subject	Roll Call Prepared or Ad Hoc Votes		
Voting Number	Vote No 2		
Name	Amendment No 2 to ITEM 10		
Kind	Parliamentary		
Subject			
Voting start at:	05/09/2016 19:32:39	Voting end at:	05/09/2016 19:33:29

Total Results

Voting attendants		
	Present in the vote	54
	Present and not voted	0
Answers		
	Yes	26
	No	28
	Abstain	0
	Not voted	0

Group Results

Dublin City Co.		
	Yes	26
	No	28
	Abstain	0
	Not voted	0

Individual Results

Yes

Greg Kelly	Dublin City Co.
Anthony Connaghan	Dublin City Co.
Sonya Stapleton	Dublin City Co.
Pat Dunne	Dublin City Co.
Janice Boylan	Dublin City Co.
Gary Gannon	Dublin City Co.
Michael Mac Donncha	Dublin City Co.
Andrew Keegan	Dublin City Co.
Seamas McGrattan	Dublin City Co.
Daithi Doolan	Dublin City Co.
Cathleen Carney Boud	Dublin City Co.
Cieran Perry	Dublin City Co.
Gaye Fagan	Dublin City Co.
Nial Ring	Dublin City Co.
Hazel de Nortuin	Dublin City Co.
Chris Andrews	Dublin City Co.
Paul Hand	Dublin City Co.
Christy Burke	Dublin City Co.
John Lyons	Dublin City Co.
Edel Moran	Dublin City Co.
Ray McHugh	Dublin City Co.
Emma Murphy	Dublin City Co.
Ciaran O'Moore	Dublin City Co.
Noeleen Reilly	Dublin City Co.
Ellis Ryan	Dublin City Co.
Michael O'Brien	Dublin City Co.

No

Declan Flanagan	Dublin City Co.
Mannix Flynn	Dublin City Co.
Deirdre Heney	Dublin City Co.
Jane Horgan-Jones	Dublin City Co.
Brendan Carr	Dublin City Co.
Vincent Jackson	Dublin City Co.
Dermot Lacey	Dublin City Co.
Paul McAuliffe	Dublin City Co.
Paddy McCartan	Dublin City Co.
Ruairi McGinley	Dublin City Co.
Frank Kennedy	Dublin City Co.
Andrew Montague	Dublin City Co.
Rebecca Moynihan	Dublin City Co.
Claire Byrne	Dublin City Co.
Sean Paul Mahon	Dublin City Co.
Damian O'Farrell	Dublin City Co.
Naoise O'Muiri	Dublin City Co.
Michael Mullooly	Dublin City Co.
Daithi De Roiste	Dublin City Co.
Claire O'Connor	Dublin City Co.
Kieran Binchy	Dublin City Co.

Alison Gilliland	Dublin City Co.
Aine Clancy	Dublin City Co.
Teresa Keegan	Dublin City Co.
David Costello	Dublin City Co.
Anne Feeney	Dublin City Co.
Norma Sammon	Dublin City Co.
Paddy Smyth	Dublin City Co.

2

Motion/Report Amendment FormCity Council meeting held on the Monday 5th September

N.B This form must be completed, signed and handed to the Lord Mayor for each amendment. Copies of amendments must be circulated to all Members & Senior Officials at the meeting before the amendment can be taken.

(a) Details of Motion/Report to be amended :

- (i) I wish to put forward an amendment to Motion _____ on the Agenda, original motion submitted by Councillor _____
- (ii) I wish to put forward an amendment to Report No 244/2016 Item No 10 on the Agenda

(b)

Insert the following after Line 10: 'However, in the context of the most severe housing and homelessness crisis this city has ever faced, this city council believes Priory Hall Resolution Agreement of 2013 is out of date and its recommendations regarding the allocation residential units wholly inadequate;

as a consequence this council rejects the Manager's recommendation that the "owner-occupier's units will be sold by the Council",

and recommends instead that the 44 units of Phase 1 of the New Priory development be allocated to applicants on the City Council's North Central Area housing list, the longest such list in the city, comprising as it does over 6,000 applicants, 400 of whom have been on the list for ten years or more, with a further 2,000 plus spending between five to ten years on the list.'

Delete lines 22 – 33

And Insert the following: 'Further, Dublin City Council will investigate how the remaining units in the next phases of the New Priory development can be allocated to both those applicants on the city council's waiting list and those whose income precludes them for being eligible for social housing, and commits to working with the Department of Housing, Planning, Community & Local Government to ensure access to social housing is available to all who want it, irrespective of income.'

(c) Motion as revised (including proposed amendment/deletions)

Following protracted High Court proceedings in relation to Priory Hall, the Department of the Taoiseach, Department of Finance and the Department of the Environment, Community and Local Government representing the Government sought to resolve issues with all interested parties – the former residents, "buy to let" owners, banks and this Council. The consequences of the agreement reached between all parties following refurbishment of the development is –

- The number of social housing units in the development will be retained.
- The owner occupiers' units will be sold by the Council.
- The "buy to let" owners will retain their units.
- The units previously owned by the developer will be sold.

However, it is now recognised that in the context of the most severe housing and homelessness crisis this city has ever faced, this city council believes Priory Hall Resolution Agreement of 2013 is out of date and its recommendations regarding the allocation residential units wholly inadequate;

as a consequence this council rejects the Manager's recommendation that the "owner-occupier's units will be sold by the Council".

and recommends instead that the 44 units of Phase 1 of the New Priory development be allocated to applicants on the City Council's North Central Area housing list, the longest such list in the city, comprising as it does over 6,000 applicants, 400 of whom have been on the list for ten years or more, with a further 2,000 plus spending between five to ten years on the list.'

Further, Dublin City Council will investigate how the remaining units in the next phases of the New Priory development can be allocated to both those applicants on the city council's waiting list and those whose income precludes them for being eligible for social housing, and commits to working with the Department of Housing, Planning, Community & Local Government to ensure access to social housing is available to all who want it, irrespective of income.

Signature of Councillor(s) Proposing Amendment

Cllr John Lyons _____ Cllr _____

Cllr Andrew Keegan _____ Cllr _____

Cllr Tina MacVeigh _____ Cllr _____

Cllr Hazel de Notuin _____ Cllr _____

For Lord Mayor & Official Use only

Amendment No ___ to Motion No _____

Amendment complies with Standing Orders _____

Amendment Approved by Council _____

Vote Taken _____

Amended Motion approved by Council _____

Signed : _____

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Voting Results



Meeting	City Council Meeting		
Agenda Subject	Roll Call Prepared or Ad Hoc Votes		
Voting Number	Vote No 3		
Name	Amendment No 3 to ITEM 10		
Kind	Parliamentary		
Subject			
Voting start at:	05/09/2016 19:35:06	Voting end at:	05/09/2016 19:35:52

Total Results

Voting attendants	Present in the vote	55
	Present and not voted	0
Answers	Yes	49
	No	6
	Abstain	0
	Not voted	0

Group Results

Dublin City Co.		
	Yes	49
	No	6
	Abstain	0
	Not voted	0

Individual Results

Greg Kelly	Dublin City Co.
Anthony Connaghan	Dublin City Co.
Sonya Stapleton	Dublin City Co.
Pat Dunne	Dublin City Co.
Janice Boylan	Dublin City Co.
Declan Flanagan	Dublin City Co.
Mannix Flynn	Dublin City Co.
Gary Gannon	Dublin City Co.
Deirdre Heney	Dublin City Co.
Jane Horgan-Jones	Dublin City Co.
Brendan Carr	Dublin City Co.
Vincent Jackson	Dublin City Co.
Dermot Lacey	Dublin City Co.
Michael Mac Donncha	Dublin City Co.
Paul McAuliffe	Dublin City Co.
Paddy McCartan	Dublin City Co.
Ruairi McGinley	Dublin City Co.
Seamas McGrattan	Dublin City Co.
Frank Kennedy	Dublin City Co.
Andrew Montague	Dublin City Co.
Rebecca Moynihan	Dublin City Co.
Criona Ni Dhalaigh	Dublin City Co.
Claire Byrne	Dublin City Co.
Damian O'Farrell	Dublin City Co.
Naoise O'Muirí	Dublin City Co.
Daithi Doolan	Dublin City Co.
Cathleen Carney Boud	Dublin City Co.
Cieran Perry	Dublin City Co.
Gaye Fagan	Dublin City Co.
Nial Ring	Dublin City Co.
Michael Mullooly	Dublin City Co.
Daithi De Roiste	Dublin City Co.
Claire O'Connor	Dublin City Co.
Chris Andrews	Dublin City Co.
Kieran Binchy	Dublin City Co.
Paul Hand	Dublin City Co.
Christy Burke	Dublin City Co.
Alison Gilliland	Dublin City Co.
Aine Clancy	Dublin City Co.
Teresa Keegan	Dublin City Co.
David Costello	Dublin City Co.
Edel Moran	Dublin City Co.
Ray McHugh	Dublin City Co.
Emma Murphy	Dublin City Co.
Anne Feeney	Dublin City Co.
Ciaran O'Moore	Dublin City Co.
Noeleen Reilly	Dublin City Co.
Norma Sammon	Dublin City Co.

No	Paddy Smyth	Dublin City Co.
	Andrew Keegan	Dublin City Co.
	Sean Paul Mahon	Dublin City Co.
	Hazel de Nortuin	Dublin City Co.
	John Lyons	Dublin City Co.
	Eilis Ryan	Dublin City Co.
	Michael O'Brien	Dublin City Co.

① Who meet the income criteria to be eligible for local authority house purchase loans (HPLs)

Motion Amendment Form

5th September 2016

3

City Council meeting held on the _____

N.B This form must be completed, signed and handed to the Lord Mayor for each amendment. Copies of amendments must be circulated to all Members & Senior Officials at the meeting before the amendment can be taken.

(a) Details of Motion to be amended :

I wish to put forward an amendment to the report item No 10 on the Agenda from Assistant Chief Executive Jim Keoghan (Report 244/2016)

(b) Amendment text

That in light of the fact that subsequent to the agreement reached in October 2013 regarding the refurbishment and future sale of the apartments at Priory Hall a homelessness and accommodation crisis of unprecedented proportions has emerged that the text of the Assistant Chief Executive's report be amended so as to delete lines 15 to 18 replace their text with the following:

seek to

Approval in principle is now being sought to amend the agreement reached in October 2013 regarding the refurbishment and future sale of the apartments at Priory Hall so that:

1a) Dublin City Council retain sufficient units so as to increase an overall DCC managed social housing level to 30% within the entire Priory Hall development, mirroring the level of social housing ratios agreed for the Oscar Traynor Lands.

1b) Dublin City Council also retain sufficient units so as to provide an overall affordable housing level of 30% within the entire Priory Hall development to support those owner-occupier ~~to provide the necessary affordable housing~~

2. That a request be made to the Minister for Housing, Planning, Community and Local Government for the establishment by DCC of an appropriate Affordable Housing scheme for low income workers to allow the implementation of 1(b) above ~~the Affordable Housing~~

And to amend the last paragraph, lines 19 - 22 to insert the text in bold as follows:

The full details of all disposals and **the terms and conditions of the Affordable Housing Scheme** will be presented for approval directly to the City Council in due course but agreement in principle is sought at this point as **to make the request to the Minister for Housing, Planning, Community and Local Government for DCC to establish an Affordable Housing Scheme and so the sales campaign for any outstanding units** needs to be launched and the consent of the City Council is required prior to the completion of the sale of the units under Section 183 of the Local Government Act 2001. That all sales be to private individual

(c) Report as revised (including proposed amendment /deletions)

Following protracted High Court proceedings in relation to Priory Hall, the Department of the

Taoiseach, Department of Finance and the Department of the Environment, Community and Local Government representing the Government sought to resolve issues with all interested parties – the former residents, "buy to let" owners, banks and this Council. The consequences of the agreement reached between all parties following refurbishment of the development is –

- The number of social housing units in the development will be retained.
- The owner occupiers' units will be sold by the Council.
- The "buy to let" owners will retain their units.
- The units previously owned by the developer will be sold.

A new management company for the development has been set up and a tender process was undertaken for a management agent and a sales agent. It is intended to launch a sales campaign at the end of September 2016. The sale price of each apartment/duplex will be determined at this time.

Approval in principle is now being sought to the following—

1. Disposal of the common areas to the management company for a nominal consideration.
2. Disposal to various named parties of the individual units.

amend the agreement reached in October 2013 regarding the refurbishment and future sale of the apartments at Priory Hall so that:

1a) Dublin City Council retain sufficient units so as to increase an overall DCC managed social housing level to 30% within the entire Priory Hall development, mirroring the level of social housing ratios agreed for the Oscar Traynor Lands.

1b) Dublin City Council also retain sufficient units so as to provide an overall affordable housing level of 30% within the entire Priory Hall development to support those who meet the income criteria to be eligible for local authority house purchase loans (HPLs)

2. That a request be made to the Minister for Housing, Planning, Community and Local Government for the establishment by DCC of an appropriate Affordable Housing scheme for low income workers to allow the implementation of 1(b) above

The full details of all disposals and the terms and conditions of the Affordable Housing Scheme will be presented for approval directly to the City Council in due course but agreement in principle is sought at this point as to make the request to the Minister for Housing, Planning, Community and Local Government for DCC to establish an Affordable Housing Scheme and so the sales campaign for any outstanding units needs to be launched and the consent of the City Council is required prior to the completion of the sale of the units under Section 183 of the Local Government Act 2001.

Signature of Councillor(s) Proposing Amendment

Cllr. Alison Gilliland

Cllr Andrew Montegue

Cllr Dermot Lacey

Cllr

Alison Gilliland
Andrew Montegue
Jane Hegarty
Dermot Lacey