

**QUESTIONS LODGED PURSUANT TO STANDING ORDER NO.16 FOR REPLY AT THE MONTHLY MEETING OF DUBLIN CITY COUNCIL TO BE HELD ON MONDAY, 5<sup>th</sup> DECEMBER 2016**

**Q.1 COUNCILLOR CHRISTY BURKE**

To ask the Chief Executive to once and for all repair the pathway and remove the tree on health and safety grounds at **(details supplied)**.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.2 COUNCILLOR DERMOT LACEY**

To ask the Chief Executive if he will pursue real repairs to the Cycle lane from UCD through Donnybrook into the City as it is in an appalling state of repair. Quote submitted is from a citizen.

"For years I have been campaigning with TDs and senators about the state of the N11 bike lane. It was developed in 1999 and has been let rot for over 15 years. The surface is appalling and yet we are supposed to be a bike friendly city. I use it every day from Stillorgan to Ballsbridge - it's a danger trap."

**CHIEF EXECUTIVE'S REPLY:**

Road Maintenance Services assess the condition of the pavements in its municipal area and prioritise its expenditure depending on the severity of their condition. The cycle lane on both sides of Stillorgan Road from Donnybrook to UCD measures approximately 2.5KM – it would cost approximately 500,000 euro to reconstruct. The surface has deteriorated over the years but it still functions as a cycle lane and is considered serviceable. We will keep it under review.

**Q.3 COUNCILLOR RUAIRI MCGINLEY**

To ask the Chief Executive to give a list of Part 8 housing Department applications that are currently being worked on by DCC housing

**CHIEF EXECUTIVE'S REPLY:**

The current Part 8 housing applications being prepared are for the following schemes;

- Dominick Street Lwr redevelopment
- Croke Villas demolition and redevelopment
- Cornamona - proposed senior citizens development

**Q.4 COUNCILLOR LARRY O'TOOLE**

To ask the Chief Executive to respond to this housing transfer request **(Details supplied)**.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.5 COUNCILLOR LARRY O'TOOLE**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.6 COUNCILLOR JANICE BOYLAN**

Can the Chief Executive comment on any proposed outsourcing of Central Claims Unit please.

**CHIEF EXECUTIVE'S REPLY:**

Changes to the Council's current insurance arrangements are being considered at present. Negotiations are ongoing between Management and Trade Unions concerned in relation to implications for staff.

Dublin City Council generates significant risks by virtue of the activities it engages in. It currently operates a hybrid risk transfer/insurance model. In areas of high risk/potential liability (i.e. public liability, property, employer's liability and professional indemnity) it carries a high degree of self insurance – up to a €500,000 threshold per individual claim in each risk class. In addition, it purchases insurance cover over the self insurance threshold from IPB. In other areas of risk/liability (e.g. motor insurance) the City Council purchases 'ground up' cover or near 'ground up' cover (i.e. cover with a low claims excess) from IPB or via IPB from other insurance companies. In the case of a small number of specialised risks it purchases 'ground up' or near 'ground up' cover directly from other insurance companies.

Total City Council expenditure on insurance premia, awards and related staff and other costs (excluded all costs associated with social housing property claims) is estimated to have averaged €16.3m per annum over the three years 2014 to 2016.

The bulk of the City Council's insurance business is placed with IPB, which are a mutual general insurance company providing public liability, property, employer's liability and motor insurance cover mainly for local authorities, Education and Training Boards (ETBs) and other public sector organisations. Originally established in 1926, the members (i.e. owners) of IPB are local authorities and ETBs.

In 2015 Dublin City Council engaged Willis Towers Watson (WTW) to review its approach to risk management/insurance. In their May 2016 report WTW recommended that the City Council move to purchasing 'ground up' cover from IPB across all major liability areas. In the longer term WTW estimated the move to 'ground up' cover could generate annual savings of €3m on an accrual accounting basis to the City Council. The WTW report states that these savings will arise because

*'claims will be handled by a qualified and experienced claims handling team from IPB managing the claims, who are likely to secure a better claims outcome (financially) than Dublin City Council has historically'.*

In addition, the costs associated with the Council's Central Claims Unit (CCU) will decline over time. WTW acknowledged that there would be short term cash flow disadvantages of a move to 'ground up' cover as the City Council will have to pay an upfront premium to IPB for the 'ground up' cover while still having to pay for the self insured City Council claims which are outstanding.

WTW estimated the likely settlement cost of outstanding claims at April 2016 as €37.2m. According to WTW the annual cost of meeting these claims will decline from about €11m in year 1 to €0.5m in year 10. It is worth pointing out that the City Council has only made provision of €13.4m against these claims.

The City Council, given the high degree of self insurance it carries, is in reality operating as an insurance company.

However, it is the Chief Executive's view that it does not have the specialist skills or expertise that is required to operate successfully as an insurance company and it does not meet current regulatory requirements for insurance companies operating in Ireland.

Leaving aside the longer term financial benefits, the other advantages of a move to 'ground up' or near 'ground up' cover for the City Council in the areas of public liability, employer's liability, property, and employee professional indemnity are expected to be as follows

- the extent of City Council non compliance with insurance sector regulatory requirements will be greatly reduced,
- the Council will no longer have to deal directly with sensitive employer liability claims,
- the higher premium paid to IPB will entitle the City Council to a higher share of any future dividend payments made by IPB,
- the changes will reduce the financial exposure and risk to the Council arising from claims as these risks will be transferred to IPB. These risks are significant. WTW estimated that under the current self insurance arrangements, in a bad claims year, claim costs to the Council could be €10m worse than in an average year,
- the new arrangements will avoid a situation where the Council has an estimated liability in respect of existing claims of €37.2m against which it has only made a provision of €13.4m,
- over time it will facilitate the release of clerical/admin. staff in the CCU for other Council work and
- it will bring the risk transfer/insurance practices of the City Council in line with the rest of the local authority sector.

It is important to emphasise that the Central Claims Unit will continue in existence for a number of years to deal with all claims on hand at 31 December 2016. All new claims made after 31 December 2016 will be managed by IPB. IPB has agreed to avail of the services of the Council's Law Department for legal work associated with these claims under a Service Level Agreement.

The City Council has initiated a proposal under a Public Service Agreement process to deal with the move to 'ground up' cover.

Finally, the Chief Executive has agreed to present a detailed report to the Audit Committee for its meeting on 8 December in relation to the move to 'ground up' cover.

**Q.7 COUNCILLOR ANTHONY CONNAGHAN**

To ask the Chief Executive to provide the total cost for the provision of the Senior Citizens complexes at Brookville Court, Merville Court, Kildonan Court and Deanstown Court in Finglas please.

Can the Chief Executive say what is the total area of each site, how many units are provided at each complex and how long the build took from start of process to the allocation of units?

**CHIEF EXECUTIVE'S REPLY:**

A reply will issue directly to the Councillor within two weeks.

**Q.8 COUNCILLOR ANTHONY CONNAGHAN**

To ask the Chief Executive to arrange for **(details supplied)**.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.9 COUNCILLOR ANTHONY CONNAGHAN**

To ask the Chief Executive to explain the hold up in deciding to use modular type units for extensions to overcrowded Council tenancies or for tenancies where occupants may have disabilities and require extra space for ground floor bathrooms etc?

**CHIEF EXECUTIVE'S REPLY:**

Following the decision to install modular extension(s) on a trial basis for disabled/overcrowded DCC dwellings, the following is a brief report on the status.

A desk study of modular extensions was carried out, and some sites were identified that might meet the parameters. The issues affecting selection of a site were the size of the extension (bathroom only, not bathroom plus bedroom), height of floor level above external ground, access and a reasonably level site. As a modular building comes with a floor, there must be enough distance between external ground level and the existing floor to accommodate this thickness. Thus, the proposal tended to suit older houses, rather than post 1970 houses, though this can vary with site conditions. Extensions approved for overcrowding reasons are unlikely to be suitable.

One issue identified by several contractors was that brick and block is the cheapest method of construction in Ireland at present, and the real value of modular construction is speed of construction on site, and factory levels of quality control. A significant cost advantage for modular extensions is if the unit can be used a second or third time, leaving mainly foundation and transport costs, and some builders work. The units that most readily lend themselves to moving to a new site appeared to be the steel framed modules, rather than the timber frame. A further consideration that arose during discussions was whether this cost advantage could be realised in practice. i.e. if a modular extension was arranged at short notice for a tenant who subsequently passed away, at what point is it appropriate to remove the extension?

As part of the rapid build housing projects, I visited several factories that specialised in modular type buildings. The reaction generally was that they would only be interested in repetition and volume, but not one-off extensions. So an order for 30 or 50 may be of interest, but not 2 or 5. The issue appears to be that each layout needs to be re-drawn by the fabricator to suit his manufacturing system, and that this additional cost would be disproportionate on a single job.

At present, I believe that the best way to proceed is to have a typical disabled bathroom extension built and stored until an appropriate available site becomes available and install it on prepared foundations. The units will have to comply with Building Regulations, so it is likely that they will need to be overdesigned at first on the assumption that insulation standards will become more onerous, possibly precluding a re-use of a barely compliant unit. The sites that were initially identified as suitable have since moved on in the system and will get conventional extensions. However, a lot of new extensions are planned, and further suitable sites are expected to become available.

**Q.10 COUNCILLOR ANTHONY CONNAGHAN**

Following on from the Local Government Management Services Board report of the 20th May 2010 to the County and City Managers Association which states the appropriate grade for the Post of Health and Safety Officers is that of Senior Executive Engineer, Can the Chief Executive please state how many Health and Safety Officers in Dublin City Council are still on the old clerical grading and Can the Chief Executive give the reasons that these Health and Safety Officers have not been moved to the appropriate grading commensurate with their title of Health and Safety Officer.

Furthermore, can the Chief Executive please outline when all outstanding Health and Safety Officers will be transferred to the appropriate grading commensurate with their title of Health and Safety Officer.

**Safety Officer Qualifications**

The qualifications have now issued by the Department of Environment, Heritage & Local Government for the post of Safety Officer. The salary scale applicable to the post was not specified in the Department's circular, however the management team established by the board to look at the grading and qualifications attached to the post had agreed that the appropriate grading for the post was that of Senior Executive Engineer and this position was adopted by the board.

Page 4 from the Local Government Management Services Board report of the 20<sup>th</sup> May 2010

**CHIEF EXECUTIVE'S REPLY:**

This question relates to a staffing matter and is the subject of negotiation in the Workplace Relations Commission. It is therefore not appropriate to comment.

**Q.11 COUNCILLOR JOHN LYONS**

To ask the Chief Executive to provide this councillor with the staffing levels in our public libraries for each year of the past eight years, 2008-2015.

**CHIEF EXECUTIVE'S REPLY:**

Staffing levels in the period 2008-2015 are as set out below:

Library Staff	31/12/08	31/12/09	31/12/10	31/12/13	31/12/14	31/12/15
Total	325	306	303	282	288	280

During this period 2008-2015 the library service has been managed efficiently and effectively, prioritising frontline service delivery, reviewing and revising processes, while embracing technological advances to deliver the best service possible to the citizens of Dublin on site at branch libraries and increasingly online via the many library interfaces available.

An open competition for Library Assistant has been held, the first significant recruitment of new library staff for a number of years. Applications are being processed and interviews will take place in early 2017. A panel will be formed from which appointments will be made. Provision has been made for this recruitment in Budget 2017 and also for staffing of Kevin Street library when it re-opens in 2017.

**Q.12 COUNCILLOR JOHN LYONS**

To ask the Chief Executive to provide this councillor with the operational budget figures for our public libraries for each of the past eight years, 2008-2015.

**CHIEF EXECUTIVE'S REPLY:**

The adopted revenue budget (excluding service support costs) for the years 2008 to 2015 are detailed in the table 1 below;

Table 1 – Analysis of Libraries Revenue Budget

	2008	2009	2010	2011	2012	2013	2014	2015
Expend.	23,981,584	24,015,573	19,540,585	18,796,735	18,494,045	18,574,412	17,482,720	17,866,622
Income	1,100,379	1,100,970	912,674	950,327	921,700	928,141	815,141	917,622
Net	22,881,205	22,914,603	18,627,911	17,846,408	17,572,345	17,646,271	16,667,579	16,949,000

**Q.13 COUNCILLOR RAY MCHUGH**

To ask the Chief Executive to arrange for Double yellow lines at the entrance to **(Details supplied)**.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.14 COUNCILLOR RAY MCHUGH**

To ask the Chief Executive to carry out a study of parking on the Cycle lane at **(details supplied)** I have serious concerns for cyclist using this cycle lane especially in the dark evening, with cars parked on the cycle lane and cyclist having to move out into heavy traffic to pass, especially in the busy evening time.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.15 COUNCILLOR RAY MCHUGH**

To ask the Chief Executive to supply this councillor with the following. **(Details supplied)**.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.16 COUNCILLOR JOHN LYONS**

To ask the Chief Executive to carry out a full maintenance inspection on **(detail supplied)** and carry out all maintenance jobs required to bring the house up to standard.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.17 COUNCILLOR FRANK KENNEDY**

To ask the Chief Executive whether it would be possible to introduce a scheme whereby people who returned empty plastic bottles and cans could be given a refundable deposit, to discourage people and bottles and cans being disposed of as litter.

**CHIEF EXECUTIVE'S REPLY:**

A deposit refund system would require the introduction of national, primary legislation. The introduction of environmental legislation is under the remit of the Department of Communications, Climate Action and Environment.

Such a system would also require refillable bottles be used rather than the once off plastic bottles manufacturers currently use.

**Q.18 COUNCILLOR FRANK KENNEDY**

To ask the Chief Executive whether it would be possible to introduce a bike lane or cycle paths on Grand Canal Square in circumstances where, at present, pedestrians are being struck by cyclists. The problem is compounded with darker winter evenings.

**CHIEF EXECUTIVE'S REPLY:**

Dublin City Council is in the process of developing proposals for safety improvements for all users of Grand Canal Square. It is proposed, subject to funding being available, to advance these proposals in 2017.

**Q.19 COUNCILLOR FRANK KENNEDY**

Dublin City Council has recently repaired the taller streets lights from the corner of Hanover Quay and Blood Stoney Road as far as where the Grand Canal basin flows through the locks into the Liffey. However, the smaller lights on the quayside are still not operational. To ask the Chief Executive to repair these smaller lights.

**CHIEF EXECUTIVE'S REPLY:**

A selection of the quay side lights have been replaced with LED fittings and orientated to face the road to provide lighting to the road and footpaths, eastwards from Benson Street to the end of the dock.

**Q.20 COUNCILLOR FRANK KENNEDY**

To ask the Chief Executive to install a public litter bin on Claremont Road, Dublin 4.

**CHIEF EXECUTIVE'S REPLY:**

Litter bins are normally placed in areas such as shop fronts, schools, bus stops and areas of heavy footfall. We are satisfied that there isn't a need to have a litter bin in a residential area like Claremont Road.

**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 NOELEEN REILLY**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.24 COUNCILLOR NOELEEN REILLY**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.25 COUNCILLOR REBECCA MOYNIHAN**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.26 COUNCILLOR CIARAN CUFFE**

To ask the Chief Executive what moves have been made to establish a 'one-stop shop' for property owners seeking to avail of the Living City Initiative.

**CHIEF EXECUTIVE'S REPLY:**

The Living City Initiative (LCI) is being progressed through the City Council's new inter-departmental Active Land Management Unit set up in 2016. Property owners seeking to avail of the LCI may, in the first instance, contact the Conservation Section to discuss making an application or to discuss any perceived issues or barriers to the refurbishment of a building.

If necessary, this section will convene an advisory team, comprising relevant disciplines e.g. Planner, Architect, Engineer etc to meet with the property owner to address and hopefully resolve these issues before making an application.

The Conservation Section can be contacted at: [conservation@dublincity.ie](mailto:conservation@dublincity.ie) or 222 3090/3927

**Q.27 COUNCILLOR CIARAN CUFFE**

To ask the Chief Executive what the council policy is on Japanese knotweed and its eradication, and what could be done for council tenants and property owners in the city who have Japanese knotweed on their lands?

**CHIEF EXECUTIVE'S REPLY:**

Dublin City Council's policy with regard to Japanese Knotweed is to comply with the relevant legislation. Under the EU Birds and Habitats Regulations, it is an offence to plant, disperse, allow or cause to disperse, spread or otherwise cause to grow, Japanese Knotweed. Each Department of Dublin City Council is responsible for controlling Japanese Knotweed in its own area, e.g. Parks and Landscape Services control Japanese Knotweed in the Public Parks and Open Spaces they manage.

Dublin City Council does not have a role in the control of Japanese Knotweed on private property. Private landowners are advised to contact their local NPWS Ranger who enforce the relevant legislation regarding Invasive Species, and who can provide advice and guidance on the control of same.



**Q.28 COUNCILLOR CIARAN CUFFE**

To ask the Chief Executive to request the Law Agent to provide a briefing note on what action can be taken to prevent property owners or others from parking in front of high street buildings in areas such as Aungier Street, South Richmond Street or elsewhere, noting that access to these lands is only possible by travelling across the public footpath, and that such action detracts from the appearance of the lands and streetscape, and may presents a danger to pedestrians.

**CHIEF EXECUTIVE'S REPLY:**

There are several areas in Dublin City where you are not allowed to park. It is also illegal to park on the footpath. People who ignore parking restrictions can be issued with a parking ticket, be clamped or towed away. Direct complaints about illegal parking can be made to the Gardai or to Dublin City Parking Services.

**Q.29 COUNCILLOR CIARAN CUFFE**

To ask the Chief Executive to consider adding Drumcondra Railway Station to the list of Protected Structures.

**CHIEF EXECUTIVE'S REPLY:**

Given that the City already has a Record of Protected Structures (RPS) with, in excess of 8,500 entries, it is considered both prudent and good practice to await any recommendation regarding proposed additions to the Record of Protected Structures (RPS), including Drumcondra Railway Station, to be made by the National Inventory of Architectural Heritage (NIAH), arising from their current survey of Dublin City, including the formal recommendation to be made by the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

The assessment of additions to (or indeed deletions from) the Record of Protected Structures is intended to commence in 2017, in association with:

- the consideration of recommendations for additions to the RPS published by the NIAH/Ministerial Recommendation, and
- the sequential surveying of 10 priority areas to be considered for potential designation as an Architectural Conservation Area (ACA) in the Dublin City Development Plan 2016-2022, which came into effect on the 21<sup>st</sup> October 2016.

In addition to Statutory and grant tasks, the survey, review and drafting work associated with the programme for the preparation of 10 priority ACAs for the historic core of the city as provided in the newly adopted City Development Plan will be focussed on over the next 5 years. A file for the proposed addition of Drumcondra Railway Station will be opened and added to the list of candidate additions to the RPS to await consideration in the future.

**Q.30 COUNCILLOR RUAIRI MCGINLEY**

To ask Chief Executive to confirm that Tymon Park attenuation project to relieve flooding in Harolds Cross will be proceeding in 2017 as per Capital Plan 2017-2019

**CHIEF EXECUTIVE'S REPLY:**

South Dublin County Council is the lead authority for the Poddle Flood Alleviation Scheme, as the majority of proposed flood alleviation works are in its area. Tymon Park is also in their administrative area. Dublin City Council is represented on the steering group for this project. The current project programme is to appoint a consultant to review the Poddle Flood Study recommendations and progress proposals to planning stage in 2017/2018.

The consultant will look at fast-tracking planning procurement of storage in Tymon Park but construction of this element is unlikely to occur in 2017.

**Q.31 COUNCILLOR PAUL MCAULIFFE**

Can the Chief Executive please provide a report on **(details attached)?**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.32 COUNCILLOR CHRIS ANDREWS**

Can the Chief Executive arrange to have the Traffic lights in Donnybrook at the Spar also made overhead signals as it seems that when the bus stops at these lights in the bus lane it makes the red light difficult to see and there would seem to be a lot of accidents and dangerous incidents at this crossing?

**CHIEF EXECUTIVE'S REPLY:**

Dublin City Council ITS are aware of some issues re visibility of the pedestrian lights at SPAR in Main Street, Donnybrook and intend installing additional signal heads at height of 7 metres next year, subject to available funding. Overhead (cantilever) signal heads cannot be accommodated due to restrictions on site.

**Q.33 COUNCILLOR CHRIS ANDREWS**

What arrangements are in place between DCC and local businesses on Camden Street to ensure the huge amount of rubbish that gathers during the week and particularly weekends is gathered and is there not more that can be done to address the serious amount of rubbish on this road?

**CHIEF EXECUTIVE'S REPLY:**

Waste Management Services remove the rubbish for the casual traders on Camden Street on a daily basis, Monday to Saturday, when they are working at their pitches. All the shops and premises on Camden Street employ private waste collectors to collect their rubbish. Street cleaning is carried out on a daily basis, every morning and every afternoon on Camden Street, to ensure that this street is kept as litter-free as possible.

**Q.34 COUNCILLOR CHRIS ANDREWS**

Will the Chief Executive have the bollard outside **(details supplied?)**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.35 COUNCILLOR CHRIS ANDREWS**

Can the Chief Executive have the gully cleaned in Beechill now that the leaves have fallen and drains are often filled up and being blocked with these leaves?

**CHIEF EXECUTIVE'S REPLY:**

Gully cleaning in Beechill Estate has commenced and will be completed over the coming weeks.

**Q.36 COUNCILLOR MANNIX FLYNN**

Can the Chief Executive issue a full report regarding all the legal proceedings taken by DCC against the Badass Cafe Temple Bar, under planning enforcement. This

report to include all costs legal and otherwise incurred by DCC. The judgement on the case and what is proposed for the future in relation to this issue.

**CHIEF EXECUTIVE'S REPLY:**

An Bord Pleanála granted planning permission on 16 December 2013 for retention of internal alterations, including a bar, at the Bad Ass Café restaurant' at 9-11 Crown Alley, Dublin 2. (Planning Register reference 2199/13 refers)

Condition 2 of the permission stated:

“(a) this permission solely authorises the retention of the internal works to the proposed development described in the documentation submitted with the planning application (register reference number 2199/13) and appeal. No permission is granted for a change of use of the Protected Structure from its primary use as a restaurant to that of a public house.

(b) Any use of the bar areas for the sale and consumption of alcohol shall be strictly ancillary to the principal use of the premises as a restaurant.

(c) No permission is granted for the erection of any external signage advertising the restaurant premises or any alcoholic beverage

**Reason:** In the interest of clarity having regard to the nature of the development for retention permitted.”

In March 2014, a complaint was received that Bad Ass Café was operating as a public house, serving alcohol to customers who were not partaking of food.

Following a number of inspections at different hours, the Case Officer determined that it is possible to attend the Café, to order and to consume alcohol without having any meal or food. As a result of his findings an enforcement notice was served on the proprietors requiring:

“Full compliance with Condition 2 of planning permission granted by An Bord Pleanála (Reference PL.29S.242458) under Planning Register reference No. 2199/13 by;

1. The cessation of the sale of alcohol other than in conjunction with or ancillary to a meal being consumed on the premises.
2. The removal of the three illuminated projecting signs (two advertising 'Guinness' and one advertising 'Heineken') from the Crown Alley façade of the building.

Further inspections showed that the situation did not change and legal proceedings in the District Court were initiated. During the hearing of the case, Counsel for the Defendants sought, and was granted, a 'case stated' to the High Court. The High Court determined that the requirements of the Enforcement Notice exceeded the requirements of condition 2 of the permission. In addition, the Court also stated that insufficient evidence was provided to show whether there was, in fact, a breach of the said condition. On that finding, the case was dismissed in the District Court. However, no order has been made on costs.

A breach of planning permission is an offence. Legal Advice following the Court's decision was that further summary or indictable action may not be viable in respect of this condition. In particular, the wording of condition 2(b) is itself vague. 'Ancillary' is

not defined in planning legislation. The normal dictionary definition is 'subsidiary' or 'secondary'. As a secondary use is open to interpretation in respect of measurement, it follows that an enforcement notice, to be sufficiently clear for the purposes of planning legislation, must determine one interpretation, leading to a counter charge that a different measurement is more appropriate.

The Council is examining its options with respect to this case. Meanwhile, the Council's difficulties in addressing this issue does not serve to prevent any affected person from taking their own civil case under section 160 of the Act.

**Q.37 COUNCILLOR MANNIX FLYNN**

Can the Chief Executive issue a full report regarding the costs of the workshop public consultation process on College Green Plaza held at the mansion house round rooms? This report to include all staff overtime costs, costs of any external services, cost of the hiring of the round room, a full list of all of those that attended.

**CHIEF EXECUTIVE'S REPLY:**

The details requested by the Councillor are not yet available. A further report will issue to the Councillor as soon as the information becomes available.

**Q.38 COUNCILLOR MANNIX FLYNN**

Can the Chief Executive issue a full report regarding the health and safety issues that occurred around the Christmas lighting event on Grafton St that was organised by Dublin Town / BIDS. This report to include all relevant documents for the staging of this event. All event management and emergency services report, all permits of health and safety for this event.

**CHIEF EXECUTIVE'S REPLY:**

The event organiser for the Grafton Street Christmas lighting ceremony was Dublin Town and they had overall responsibility for the event including, event production and safety management. Dublin Town engaged Catapult, an Event Production Company, who submitted the Event Management Plan on their behalf.

The Events Unit received the Draft Event Management Plan on the 21<sup>st</sup> of October 2016 and this plan was circulated to both internal and external stakeholders on 24<sup>th</sup> of October 2016 (This 48 page plan is available on request). The stakeholders who received the plan included An Garda Síochána, Dublin Fire Brigade, Health Service Executive, Emergency Planning, Bus Éireann, Dublin Bus, Transdev Ireland, and Irish Rail. Internal Dublin City Council Departments also received the plan, including Planning, Building Control, Roads, Waste Management, Casual Trading, Public Domain Officers, Area Offices, Civil Defence, and Environment and Transportation. All of these Departments and statutory agencies were invited to attend a meeting on the 1<sup>st</sup> of November 2016 as per protocol.

At this meeting both Grafton Street and Henry Street lights ceremonies were discussed and following this meeting the National Transport Authority and Transport for Ireland were also included in the circulation of the Event Plans for both Grafton Street and Henry Street.

A follow up meeting was held on Grafton Street on 7<sup>th</sup> November 2016, which was attended by representatives from Transport for Ireland, An Garda Síochána, Luas Cross City Office, Dublin Town, Health & Safety Consultant Safents Consulting Ltd., Catapult and the DCC Events Team.

The final event plan was circulated for comment and review to all of the internal and external stakeholders listed above on the 10<sup>th</sup> of November. Having received no further comments or requests for additional information the Events Team issued their “letter of no objection to Dublin Town” with the following terms and conditions; Dublin City Council has no objection to this Festival/Event as outlined in the Event Management Plan submitted, subject to the following conditions:-

- Submission of Public Liability Insurance indemnifying Dublin City Council up to €6.4million.
- Event to take place at the stated locations dates and times only.
- Any additional requirements of the statutory agencies shall be resolved directly with them prior to holding of this event.
- The requirements of the Building Control Section, Dublin City Council must be complied with in full. The certificate of the event structural engineer, in relation to the erection of temporary structures must be submitted to [buildingcontrol@dublincity.ie](mailto:buildingcontrol@dublincity.ie) prior to commencement of the event.
- No obstruction of fire exits of any surrounding premises.
- All litter to be cleaned up post event.
- Adequate provision, where practicable should be made for spectators and participants with disabilities.
- Parking permits/suspension of parking if required must be applied for and permits granted prior to commencement of event.
- Positioning of equipment/vehicle applications if required must be applied for and granted prior to commencement of event.
- All consultation with business/residents and other premises to be complete prior to commencement of event.
- It is the responsibility of the event organiser to ensure that any copyright music being played is appropriately licensed by IMRO.
- The applicant is responsible for all and any claims that may arise directly from this event.
- The applicant must satisfy themselves that the person responsible for drawing up and implementing their Health & Safety Statement & Risk Assessment Plan for their event is competent to do so. Sole responsibility lies with the applicant to ensure that all elements of plans are carried out as stated in the documentation submitted to Dublin City Council for the duration of the event.
- Dublin City Council bears no responsibility for the management of safety for the duration of the event.
- Comply with all Health & Safety Legislation, the Safety, Health & Welfare at work Act 2005, Health & Welfare at work Act (Construction) 2013, Health & Welfare at work Act(General)2007, Fire Services Act 1981 and 2003. All regulations made there under, and all other relevant legislation, regulations and approved Codes of Practice, to ensure the safe running of this event.

On the evening of the event, the weather conditions were particularly good and much larger numbers than in previous years, and many more than had been anticipated, arrived. In the interest of public safety and comfort for those in attendance, it was decided that the usual programme format be shortened, and the turning on of the Christmas lights take place earlier than had been scheduled.

**Q.39 COUNCILLOR MANNIX FLYNN**

Can the Chief Executive issue a full report and breakdown of expenditures of all area discretionary funds and where these monies were spent in the last two years? This report to include all applications regarding the discretionary fund, all outcomes of

projects funded under the discretionary fund and also that this report on discretionary funding form part of the monthly management report of the DCC meetings.

### **CHIEF EXECUTIVE'S REPLY:**

In Budget 2015 there is a total of €1.4m allocated to the areas as 'discretionary funding'. It is analysed as follows;

Area	2014 Budget	2015 Budget	Total
North West	136,000	80,000	216,000
South East	216,000	80,000	296,000
South Central Area	216,000	80,000	296,000
Central Area	216,000	80,000	296,000
North Central Area	216,000	80,000	296,000
<b>Total</b>	<b>1,000,000</b>	<b>400,000</b>	<b>1,400,000</b>

At the Budget Meeting held on 10<sup>th</sup> November 2014, it was agreed that additional funding of €400k, as proposed by members through an amendment to the Chief Executive's budget, would be allocated equally across the five areas.

At a meeting of the Budget Consultative Group held in December 2015 it was agreed that it would be recommended to the Corporate Policy Group that this additional once-off fund would be allocated equally to the 5 Area Committees, along with the existing recurring Area Budget of €1.4m (see Table 1)

Table 1

	Recurring Budget (Existing) €	Once off Budget (New) €	Total available in 2016 €
<b>Each Area</b>	280,000	637,642	917,642
<b>Total (5 Areas)</b>	1,400,000	3,188,211	4,588,211

This matter was discussed at each Area Committee and the basis of allocation as agreed across the service divisions is set out in Table 2.

Table 2

Division	A Housing	B Road Transport	E Environmental Services	F Culture	Total
<b>Area Allocation</b>	€567,000	€977,000	€1,207,000	€1,833,000	€4,585,000

Area discretionary budgets are subject to area committee agreement and approval at city council meeting. Updates on area budgets can be included at area committee meetings.

#### **Q.40 COUNCILLOR JANE HORGAN JONES**

Could the Chief Executive please confirm with specific reference to Sections 4, 5 and 57 of the Planning and Development Act 2000 (as amended), as to whether the

erection of 6No. 15m high free-standing CCTV poles within the curtilage of Ballybough House (a protected structure), Poplar Row, Dublin 3 constitutes Development?

**CHIEF EXECUTIVE'S REPLY:**

The issue raised would require a formal assessment in relation to whether it is or is not exempted development within the meaning of the Planning and Development Act, 2000 (as amended). The appropriate mechanism for such assessment is a formal application for a Section 5 Declaration under that Act. Details are available on the City Council's website at <http://www.dublincity.ie/main-menu-services-planning-heritage-and-conservation-conservation/section-5-declaration>

**Q.41 COUNCILLOR JANE HORGAN JONES**

To ask the Chief Executive the following question regarding the relocation of the bus stop from opposite 318 Clontarf Road to opposite 315 Clontarf Road  
**(Details supplied).**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.42 COUNCILLOR RUAIRI MCGINLEY**

To ask the Chief Executive to report on the number of people in temporary permanent accommodation who pay towards their accommodation and the number who do not.

**CHIEF EXECUTIVE'S REPLY:**

The figure raised in the budget for 2015 was for a collection rate of €663,468. The total payments received in 2015 were €513,187.34. This figure represents a collection rate of 77%. A person's inability to pay usually arises where an adult service user placed in emergency accommodation does not yet have receipt of a social welfare income at the point of presentation or where their payment rates and circumstances are under review (or appeal) by the DSP.

**Q.43 COUNCILLOR EDEL MORAN**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.44 COUNCILLOR EDEL MORAN**

To ask the Area Manager **(details supplied).**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.45 COUNCILLOR EDEL MORAN**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.46 COUNCILLOR EDEL MORAN**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.47 COUNCILLOR ALISON GILLILAND**

To ask the Chief Executive to indicate the whereabouts of the plaque to Cathal Brugha that was on the building now renovated and occupied by the Holiday Inn and to indicate when this plaque will be re-instated.

**CHIEF EXECUTIVE'S REPLY:**

The Central Area Public Domain Officer is in discussions with the Manager of the Holiday Inn and a report will issue directly to the Councillor.

**Q.48 COUNCILLOR ALISON GILLILAND**

To ask the Chief Executive to outline the plan for the wall of the old distillery at Marrowbone Lane. The relatives of the 4th battalion are of the strong view that this wall is of huge historical value and should be preserved at all cost. This is the wall of the site where apart from all of the men, 29 of the women of 1916 were active. A plaque was unveiled at the back of the site where the volunteers would have entered the distillery. However, the remaining wall at the side of the site is original, historical and of architectural value and should be preserved for the future.

**CHIEF EXECUTIVE'S REPLY:**

The Planning & Property Development Department will commission research and site investigations from the team that is engaged in partnership with the City Council on The Archaeology of the 1916 Project; <https://thearchaeologyof1916.wordpress.com/>

This project has already investigated a number of 1916 battlefield sites across the city, including the South Dublin Union, and reported on the significance of the buildings, structures and features that remain today and how these assist in understanding the narrative of the conflict at these locations. The investigation at the former Jameson Distillery on Marrowbone Lane, will examine the structures and features remaining on Marrowbone Lane, Forbes Lane and James's Walk, of the former Jameson Distillery, which in 1916 was in charge of Captain Seamus Murphy, later joined by Captain Con Colbert, and included members of Cumann na mBan. The report will be commissioned early in 2017 and will include recommendations on the significance and any special interest of the built fabric remaining from that period.

**Q.49 COUNCILLOR ALISON GILLILAND**

To ask the Chief Executive to outline **(Details supplied)**.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.50 COUNCILLOR ALISON GILLILAND**

To ask the Chief Executive to provide a report on **(details supplied)**.

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.51 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.52 COUNCILLOR LARRY O'TOOLE**

To ask the Chief Executive to indicate this applicant's status on the housing list. **(Details supplied).**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.53 COUNCILLOR PAUL HAND**

To ask the Chief Executive at what stage are the plans for Dalymount Park at, if there is any drawings that can be provided to this Councillor on any works and if there is a proposed timeline on when the redevelopment can be completed. All useful information would be appreciated on this matter and hopefully it can be complete for Euro 2020, where Dublin is a host city and a redeveloped Dalymount would make an ideal training base for any international team based here during the competition.

**CHIEF EXECUTIVE'S REPLY:**

Following the recent purchase of Tolka Park, Dublin City Council is now in the position to move the Dalymount project forward. The Council is in the process of drawing up tender documents and putting together a business case to be in a position to procure an integrated design team once funding has been sourced from National Government. The exact timeline is still to be confirmed.

Secondly, a steering group has been put in place with representatives from Bohemian FC, Shelbourne FC (who both will become the anchor tenants of the new stadium), Football Association of Ireland, and Dublin City Council's local area office. This group will help advise the Council on design issues and requirements.

The original feasibility study is available and if required please contact me.

**Q.54 COUNCILLOR PAUL HAND**

To ask the Chief Executive that following on from my first question if there are any proposals for Tolka Park football stadium in the event Shelbourne ground share. Ideally there would be no residential or commercial development there considering the grounds propensity for flooding see attached link **(Details supplied).**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.55 COUNCILLOR PAUL HAND**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.56 COUNCILLOR PAUL HAND**

To ask the Chief Executive how many if he could do a diagram in tabular form for the ratio of staff per area office on one side and how many queries answered on the other. For example if the North West Area Office has 10 staff and deals with 1000 queries per year the ratio for staff to public query would be 1:100. I would request

that you do this for all area offices for the past 3 years, so I can compile the effectiveness of the Area Offices in the Dublin City Council administrative area.

**CHIEF EXECUTIVE'S REPLY:**

The Area offices were established in 2001.

The purpose of these offices was to:

- Better co ordinate the various services of the City Council at a local level.
- Develop working relationships with the other statutory agencies operating in the areas e.g. Gardai, HSE, DSP etc at a local level.
- Develop working relationships with all the various non statutory agencies operating in the areas e.g. Partnership Companies, Community Development Projects, Family Resource Centres etc at a local level.
- Develop working relationships with Community/Residents Groups, Voluntary Groups and Sporting/recreational organisations at a local level.
- Co Ordinate DCC involvement in a range of different projects including regeneration projects at a local level. Such projects have varied from area to area.
- To manage the work of the Local Area Committees and the Local Joint Policing Committees.
- Work with Local Councillors on the formation of area budgets.
- Provide a general enquiry service for the general public in the area augmenting the Customer Care Services of the City Council at Central office level.

Initially there were five Area Managers for the five DCC administrative areas, because of the significant reduction of major projects in recent years the number of Area Managers has been reduced to 3:

- Dave Dinnigan – North West and North Central Areas
- Rose Kenny South East and Central Areas
- Peter J Finnegan – South Central Area

A small number of the original offices are now closed but the following remain in place :

- Ballymun Civic Centre
- Bunratty Road Civic Centre (Coolock)
- Finglas Civic Centre
- Cabra Area Office
- Sean McDermott Street (also Dominick St)
- Eblana House, Marrowbone Lane
- Ballyfermot Civic Centre
- Crumlin Area Office

Originally a complement of staff were assigned to each area office which was based roughly on the size of the area, size of social housing stock and live projects at that time, it was not based on potential level of enquiries etc. it was not intended that these offices would become separate to DCC office head quarters but rather to augment and co ordinate existing services and this remains the main objective.

The range of enquiries to local area offices vary significantly and no detailed records are retained on such enquiries so we cannot compare and such comparisons would not reflect the different circumstances involved between the five areas.

The staffing resources in each area are constantly under review and in some there has been significant restructuring in order to adapt to new issues.

This is the case with the South Central Area where such restructuring is currently taking place and additional staff have been assigned there.

We are satisfied there are sufficient staffing resources assigned to each of the area offices including South Central and each Area Manager has the full authority to assign his/her staff to functions/demands of greatest priority in his/her area.

If the councillor has a particular matter that he is concerned about then I am willing to address it in conjunction with the relevant Area Manager.

**Q.57 COUNCILLOR CHRISTY BURKE**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.58 COUNCILLOR CHRISTY BURKE**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.59 COUNCILLOR CHRISTY BURKE**

To ask the Chief Executive what progress is being made by DCC and the Fire Chiefs Department regards the poor and dangerous conditions (**details supplied**).

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.60 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.61 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.62 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.63 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.64 COUNCILLOR CLAIRE BYRNE**

To ask the Chief Executive for an update on the progress of the following motion which was agreed and passed in February 2016?

*“That this Council calls on The Minister for Environment, Community and Local Government, Alan Kelly, to introduce legislation as matter of urgency to improve tenancy rights for the private rental sector and to introduce proper rent control legislation that would limit annual housing increases and prevent overheating in the rental market in the City” Councillor Byrne requested that she be allowed amend the motion to remove the name ‘Alan Kelly’ and this was agreed. The amended motion was then put and carried.*

**CHIEF EXECUTIVE’S REPLY:**

Following the adoption of the above-mentioned motion in February, a letter was sent to Minister Alan Kelly on the 4<sup>th</sup> February 2016. To date, no reply has been received from the DoHPC&LG to this letter.

**Q.65 COUNCILLOR CLAIRE BYRNE**

To ask the Chief Executive to outline the reasons why there are no street Christmas Markets in Dublin City this year.

**CHIEF EXECUTIVE’S REPLY:**

With the Luas Cross City works taking place at the moment, there are limited options for suitable locations for outdoor Christmas Markets in the city. A request was submitted for a Christmas Market but the application was received too late for all of the relevant Health and Safety requirements to be put in place. Consideration will be given to holding a quality Christmas market at a suitable location in 2017.

The following markets are taking place in Dublin this Christmas:-

**Henry Street/Mary Street Christmas Trading Stalls**

Annual Christmas Street trading stalls on Henry Street and Mary Street from 1<sup>st</sup> December to 30<sup>th</sup> December.

**Smithfield Market Fair**

This market takes place in the Generator Hostel. As part of Dublin City Council’s Smithfield Christmas Tree Lighting Ceremony on Thursday 24<sup>th</sup> December, the market will come out onto the plaza from 4 p.m. until 9 p.m. This will show case the stall holders’ gifts and goods, like vintage clothing, jewellery, fine crafts, baked goods and lots more festive gifts.

**Dublin Designer Market – Bank of Ireland College Green Forecourt**

The Designer Christmas Market will take place on the 9<sup>th</sup> and 10<sup>th</sup> December. The stall holders’ fees go directly to St. Vincent de Paul.

**Ha’Penny Christmas Market**

Every Sunday at Grand Social, Liffey Street, a Christmas Market will take place, selling items from vintage clothing, food, jewellery and arts and crafts.

**Christmas Market CHQ**

A Christmas Market will take place in the CHQ building from 8<sup>th</sup> – 23<sup>rd</sup> December, on Thursdays to Sundays.

**Dublin Christmas Flea Market - Point Village**

Friday 9<sup>th</sup> December, 12 p.m. – 7 p.m.

Saturday, 10<sup>th</sup> December, 11 a.m. – 6 p.m.

Sunday, 11<sup>th</sup> December, 11 a.m. – 6 p.m.

Dublin Flea Christmas Market is a three day bumper market in Dublin, supporting local independent traders and offering a great selection of design, craft, vintage, second hand, upcycled, downcycled and handmade gifts for Christmas. This market is being supported by Dublin City Council.

**Q.66 COUNCILLOR CLAIRE BYRNE**

To ask the Chief Executive if Dublin City Council would consider acquiring the following site (**Details Supplied**)

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.67 COUNCILLOR CLAIRE BYRNE**

To ask the Chief Executive, since June 2014, how many restaurants, bars, cafes and food market traders in Dublin City have been examined to assess whether they are acting in compliance with the Food Waste Regulations, how often such audits are carried out and how many fines have been issued for non compliance within this time period and to what value.

**CHIEF EXECUTIVE'S REPLY:**

Please see stats below outlining how many restaurants, bars, cafes and food market traders in Dublin City have been examined to assess whether they are acting in compliance with the Food Waste Regulations.

All Food Audits are carried out on an annual basis by Waste Enforcement Officers within Dublin City Councils Waste Enforcement Unit.

Waste Enforcement do not issue fines for non compliances. However they can issue directions for certain breaches and non compliances under "The Waste Management Act 1996" and failure to adhere to certain directions could lead to the initiation of legal proceedings.

**Food Waste Audits 2014 - 2016**

<b>Annual Food Audits</b>	<b>Annual Total Food Audits</b>	<b>Non Compliance</b>	<b>Direction Letter</b>	<b>Advisory Letter</b>	<b>Legal</b>
2014	477	150	1	5	0
2015	392	129	33	51	0
2016	434	209	87	63	0

**Q.68 COUNCILLOR PAT DUNNE**

Can the Chief Executive address the concerns of residents on Slievemore Road in Drimnagh who live in close proximity to the Children's Hospital they want to make a case for bollards on 6 corners along this road. The parking on these corners makes it impossible for people with disabilities to access these sections of pathway. On the corner of Cooley Road and Errigal Gardens bollards were installed. Was there a particular reason that corner has them and why cannot similar be done on Slievemore Road.

Residents who live on Slievemore Road raised the issue. They live in one of the cul-de-sacs and experience every day trying to manoeuvre out of the cul-de-sac and have been totally blindsided by the cars parked on the corners.

**CHIEF EXECUTIVE'S REPLY:**

Under DCC's current policy, Bollards are no longer provided on footpaths as a measure to prevent parking as it is illegal to park on a footpath. Illegal parking should be reported to the Gardai or Dublin Street Parking Services Ph.6022500, for enforcement under the law.

Parking within 5 metres of a junction is also illegal and should also be reported to same. It is not current policy to provide restrictions where restrictions already exist.

Under The Road Traffic (Traffic & Parking) Regulations, Section 36 paragraph (2)  
*(i) It is illegal to park on a footway, a grass margin or a median strip.*  
*(c) Within 5 meters of a road junction.*

Bollards are also considered to be a hindrance to the disabled, the mobility impaired and the visually impaired. For these reasons the installation of bollards is not recommended. The Area Office will notify Dublin Street Parking Services that there appears to be a particular problem at these locations and request additional monitoring and enforcement.

**Q.69 COUNCILLOR PAT DUNNE**

Can the Chief Executive explain why there will be dramatic increases in the charges for Passport for Leisure users of our Leisure Centres? Does the Chief Executive agree that a proposed increase from €11 to €20 monthly and €110 to €150 yearly is penal?

**CHIEF EXECUTIVE'S REPLY:**

The Passport for Leisure Scheme is a discount scheme operated by a private company who upon payment of a membership fee (currently €10) issue a Passport for Leisure discount card. The scheme is available to all adults over 55 years of age. The scheme entitles the members to avail of a range of special discounts for access and use of Dublin City Council Sports and Fitness facilities as well as a range of discounts offered by the business sector including travel, eating out, theatre, cultural events etc.

Dublin City Council offers a range of discounts to Passport for Leisure members in its various Sports and Fitness facilities to encourage usage by those over 55 years of age. The scheme is not restricted to people living within the City of Dublin and when it was launched in 2007 it was proposed that the adjoining local authorities would also participate in the scheme under the same terms of discounts as Dublin City Council. This has not happened to date

This year as part of the review of the discounts offered by Dublin City Council it was considered appropriate that the age related availability of the scheme should be increased from 55 years to 60 years and that the pricing structure for the discounts should be broadly brought into line to reflect a 50% discount on the normal admission price with no time restrictions on access to the facilities. The discounts offered by the business sector in the scheme are usually in the range of 5% to 10% discounts with restrictions on availability.

The outcome of the review is that the age eligibility criteria will not be adjusted and that the discount price being offered will fall in line with the normal pricing structure but be discounted down by on average 50%. An example of these discounts is shown below.

Centre	Passport FOR Leisure 2016			Normal Price 2016			
	PAYG	Monthly	Annual	PAYG	Monthly	Monthly D/D	Yearly
St. Catherines Cabra, Irishtown, Ballybough	€1.10	€6	€55	€6 /€7	€30		€220
<b>Passport FOR Leisure 2017</b>	<b>€2.50</b>	<b>€10</b>	<b>€100</b>				
Coolock,Crumlin, Sean Mac Dermott	€2.20			€4.50			
<b>Passport FOR Leisure 2017</b>	<b>€2.50</b>						
Ballyfermot,Ballymun,Fin glas Markievicz	€2.20	€11	€110	€6.50 /€7.50	€50	€30	€299
<b>Passport FOR Leisure 2017</b>	<b>€3.50</b>	<b>€20</b>	<b>€150</b>				

**Q.70 COUNCILLOR TOM BRABAZON**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.71 COUNCILLOR TOM BRABAZON**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.72 COUNCILLOR TOM BRABAZON**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.73 COUNCILLOR TOM BRABAZON**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.74 COUNCILLOR MICHAEL O'BRIEN**

To ask the Chief Executive how many people who have selected area B and two bedroom accommodation on their housing application form became homeless between February 2015 and July 2015.

**CHIEF EXECUTIVE'S REPLY:**

The following Tables show the changes in the Homeless Waiting List figures from January 2015 to July 2015 for two bed accommodation in Area B only.

The figures would indicate that there was 22 additional applications made requesting two bed accommodation within Area B between these dates.

January 2015 Figures		
Waiting List Code	Bedsizes Required	Area B
Homeless	2 bed	40
July 2015 Figures		
Waiting List Code	Bedsizes Required	Area B
Homeless	2 bed	62

**Q.75 COUNCILLOR MICHAEL O'BRIEN**

To ask the Chief Executive to account for the wrong information given to homeless applicant (**details supplied**)

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.76 COUNCILLOR MICHAEL O'BRIEN**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.77 COUNCILLOR MICHAEL O'BRIEN**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.78 COUNCILLOR DECLAN FLANAGAN**

To ask the Chief Executive to reply to the following (**detail supplied**)

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.79 COUNCILLOR DECLAN FLANAGAN**

To ask the Chief Executive to reply to the following (**detail supplied**)

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.80 COUNCILLOR DECLAN FLANAGAN**

To ask the Chief Executive to reply to the following (**detail supplied**)

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.81 COUNCILLOR DECLAN FLANAGAN**

To ask the Chief Executive to reply to the following (**detail supplied**)



**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.82 COUNCILLOR VINCENT JACKSON**

Can the following serious issue be looked into **(details supplied?)**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.83 COUNCILLOR VINCENT JACKSON**

That the following house repairs be looked into **(details supplied)**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.84 COUNCILLOR VINCENT JACKSON**

That DCC look upon the following **(details supplied)**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.85 COUNCILLOR VINCENT JACKSON**

Can DCC please tell me who is responsible for the removal of fly tipped waste from outside my local school, shops, houses etc? I recently had a situation outside a local school here in Ballyfermot where a computer monitor was left uncollected for 5 days, I asked DCC staff to remove same however I was informed he was told that he could not remove same. It was eventually collected after 8 days can I ask would this be the same approach in Ballsbridge or Grafton St. I cannot understand why materials are not photographed & removed when seen at first hand.

**CHIEF EXECUTIVE'S REPLY:**

Waste Management Services remove fly tipped waste from public areas after it has been checked for any evidence as to who was responsible for dumping same. If our staff come upon fly tipped waste in their street cleaning duties, they report it to their supervisor who arranges for it to be dealt with. Members of the public or elected representatives can call our Customer Services Centre Tel 222 2222 or the litter hotline at Tel 1800 251 500 to report instances of fly tipping. They also report same to our email address at [waste.management@dublincity.ie](mailto:waste.management@dublincity.ie). This is how fly tipping is dealt with citywide and every effort is made to avoid undue delay in removing same.

**Q.86 COUNCILLOR RAY MCADAM**

To ask the Chief Executive to respond to **(Details Attached)?**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.87 COUNCILLOR RAY MCADAM**

To ask the Chief Executive to respond to **(Details Attached)?**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.88 COUNCILLOR RAY MCADAM**

To ask the Chief Executive to respond to **(Details Attached)**?

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.89 COUNCILLOR JOHN LYONS**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.90 COUNCILLOR CRIONA NI DHALAIGH**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.91 COUNCILLOR CRIONA NI DHALAIGH**

To ask the Chief Executive the following with regard to **(details supplied)**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.92 COUNCILLOR EMMA MURPHY**

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 **(details supplied)**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**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 TINA MACVEIGH**

To ask our Housing Maintenance Manager for a full report on the condition of windows at Oliver Bond House to include an estimate of how many require repair, how many need replacing and the estimated cost of each of these. Could the manager also indicate when the last full audit of window standards was undertaken in the estate?

**CHIEF EXECUTIVE'S REPLY:**

There are approximately 400 units in Oliver Bond House. Most of these units have single glazed uPVC windows which were installed in the 1980's except for units which were refurbished during 2016 which had double glazed units installed as part of their refurbishment. Window repair requests, in the majority, tend to be for defective handles, hinges and latches and are dealt with as they are received.

**Q.97 COUNCILLOR TINA MACVEIGH**

To ask our Housing Manager how much it would cost to repair our property currently derelict in the Ceannt Fort estate, number 74 O'Reilly Ave.

**CHIEF EXECUTIVE'S REPLY:**

Architectural drawings have been completed to refurbish this dwelling. Prices are currently being sought. It is expected that this dwelling will be turned around by the end of the first quarter of 2017.

**Q.98 COUNCILLOR TINA MACVEIGH**

To ask our Housing Maintenance team **(details supplied)**

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.99 COUNCILLOR CRIONA NI DHALAIGH**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.100 COUNCILLOR CRIONA NI DHALAIGH**

To ask the Chief Executive is he aware that we have applicants on the medical priority list for 4 years and more without even an offer of any suitable accommodation. Some are in very high positions for a long time and still not making any advance up that list. Can he please report on the following?

1. How many are on our medical priority list and breakdown in bedroom need
2. How many have been on the list for 4 years or more
3. What is the average length of time for an applicant to be waiting for an offer of accommodation on the medical priority list?

**CHIEF EXECUTIVE'S REPLY:**

Please see attached for answer to questions 1 & 2.

3. It is not possible to determine the average length for an offer of accommodation for an applicant on the medical priority list. There are so many varying factors i.e. the amount of vacancies arising in applicants' area of choice, specific housing requirements of applicants on the medical priority list etc.

Following an examination of applicants with medical priority for Area L (taken as a sample area), applicants on this list have refused offers of accommodation for the following reasons:

1. Refusal for personal reasons
2. Only want an apartment
3. Only want a house
4. Want to change areas
5. Only wants to be housed in a particular part of the area
6. Too far from family
7. Location not suitable.

However, it should also be noted that some applicants have not had an offer as they are in need of adapted or specialised units which are in short supply throughout the city. If the Councillor is referring to any particular applicant, she should contact the Allocations Officer who will be happy to check any case about which she might have concerns.

**Q.101 COUNCILLOR ANDREW MONTAGUE**

Will the Council fix the hole on the road on Lorcan Avenue Extension at the ramp that is adjacent to the bookies (the bookies beside SuperValu)?

**CHIEF EXECUTIVE'S REPLY:**

Road Maintenance Services will carry out an inspection at this address with a view to completing the necessary repairs.

**Q.102 COUNCILLOR ANDREW MONTAGUE**

Will the Council remove the wasps' nest from the garden of (details supplied?)

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.103 COUNCILLOR ANDREW MONTAGUE**

Will the Council upgrade the public lighting on Coolatree Park, to brighter, white LED lights? The residents association are reporting that the street is very dark at night.

**CHIEF EXECUTIVE'S REPLY:**

The lighting on Coolatree Park will be assessed and will be considered for an upgrade in 2017.

**Q.104 COUNCILLOR ANDREW MONTAGUE**

Will the Council fill the pothole outside 6 St. David's Terrace?

**CHIEF EXECUTIVE'S REPLY:**

Road Maintenance Services will carry out an inspection at this address with a view to completing the necessary repairs.

**Q.105 COUNCILLOR NIAL RING**

To ask the Chief Executive for all details in relation to the building of the wall on front of Broadstone Station by Luas / NCT, including planning permissions, conditions attaching thereto, commencement notices required / provided, architectural considerations, public realm considerations, public consultation process and legal avenues available to DCC to have this wall removed.

**CHIEF EXECUTIVE'S REPLY:**

This matter has been referred to Transport Infrastructure Ireland and a full report will issue to the Councillor within the next month.

**Q.106 COUNCILLOR NIAL RING**

To ask the Chief Executive to confirm how much has been included in the budgeted income for 2017 in relation to the outstanding amount due to DCC from the NTA in respect of the annual loss of income, estimated by DCC at €1.8m p.a., due to the loss of over 400 car parking spaces arising from the Luas cross city works. Also, to ask the Chief Executive to detail the time elapsed since the loss of these spaces and to indicate the cumulative amount due.

**CHIEF EXECUTIVE'S REPLY:**

The situation remains fluid while works are ongoing along the route with spaces suspended and reinstated as works progress. The final total loss of spaces can only be determined when all works are completed and associated traffic management issues are addressed and no final settlement will be possible until that time. While budgeted parking income for 2017 has increased generally no specific allowance can be made for settlement with regard to loss of parking spaces.

**Q.107 COUNCILLOR NIAL RING**

In light of the answer given to my question No 78 at the City Council Meeting of 3rd October last, can the Chief Executive outline the process whereby DCC can re-designate bus lanes to allow all city bus lanes to be used by all traffic during off-peak hours. Also, to ask the Chief Executive if studies have been carried out at bus lanes already thus designated on the benefits of such designation, on traffic flow as well as on motorist mental wellbeing.

**CHIEF EXECUTIVE'S REPLY:**

The majority of bus lanes in Dublin City operate on a 07:00 – 19:00 basis, however in a number of locations loading windows for commercial activity were introduced from 10:00- 12:00 to mitigate any adverse impacts on local businesses due to lack of loading activity.

The main purpose of the bus lanes operating 07:00- 19:00 is to ensure efficient and optimal utilisation of the bus fleet such that journey times throughout the day vary as little as possible and that accurate scheduling of services is achieved, while allowing for driver breaks and ensuring that drivers are getting their scheduled breaks.

In general to ensure optimal operation and to provide consistency to all motorists the standard hours of operation of 07:-19:00 are as much as possible adhered to when making bus lane orders except where some specific issue arises.

**Q.108 COUNCILLOR NIAL RING**

To ask the Chief Executive to give an estimate of the timescale involved in providing the 8,200 (approx) residential units which could be built on DCC owned strategic development areas on the assumption that funding was available immediately.

**CHIEF EXECUTIVE'S REPLY:**

*The following SDRA's in the new City Development Plan which are DCC owned are as follows:*

*SDRA 1: Clongriffin / Belmayne (parts of)*

*SDRA 2: Ballymun*

*SDRA 4: Park West / Cherry Orchard*

*SDRA 9: St. Michaels*

*SDRA 10: Dominick Street*

*SDRA 11: O'Devaney Gardens*

*SDRA 12: St. Theresa's Gardens*

*SDRA 13: Dolphins Barn*

*SDRA 14: Croke Villas*

*SDRA 16: Liberties (parts of)*

*SDRA 17: Oscar Traynor*

The general process by which DCC manage and deliver housing construction projects is broadly as follows;

- Identify a suitable site for residential development
- Agree an outline development proposal for the site with DECLG
- Initiate a tender process to procure a Design Team to develop outline plans for the site
- Seek DECLG approval to the completed outline design
- Undertake Part 8 Planning Approval to the development proposal
- Following Part 8 approval the Design Team will then prepare detailed plans for construction
- Seek DECLG approval to go to tender (for the construction phase)
- Initiate tender process to procure a contractor for construction.
- Following completion of tender process seek DECLG approval to award a contract
- Appoint a contractor to commence construction and deliver the housing units. Construction contracts will normally take between 18 – 24 months to complete.

As regards the timescale for delivery and provision of completed dwellings it will take, in the normal course of events, approximately 9 - 12 months from the finalisation of Part 8 plans (for Area Committee notification and City Council approval) to the award of a contract for construction. Added to a typical construction period of 1.5 to 2 years it is reasonable to conclude that typical construction projects will take in excess of 3 - 5 years from initial concept to completion stage. Each project will also bring its own specific challenges and factors that affect both the cost and timescale for delivery of a complete housing scheme and there is always the potential for significant time delays at the varying stages of each construction scheme.

**Q.109 COUNCILLOR HAZEL DE NORTUIN**

Regarding Bernard Curtis House Complex, Bluebell, Dublin 10, Huband Road Maisonettes, Bluebell, Dublin 10, Bluebell Road Maisonettes, Bluebell, Dublin 10, Tyrone Place, Inchicore, Dublin 8. Can I have the figure of the amount of maintenance complaints registered with DCC from 2008 to 2016? How many are vacant? Are there any costings for plans to refurbish any of these in the near future?

**CHIEF EXECUTIVE'S REPLY:**

A reply will issue directly to the Councillor within two weeks.

**Q.110 COUNCILLOR HAZEL DE NORTUIN**

Regarding the Traveller accommodation being sold in Bason Lane, James St. Can I request that all or part of this funding be allocated to the TAP funding?

**CHIEF EXECUTIVE'S REPLY:**

Grand Canal Harbour was opened as a 13 bay Traveller Halting site in 1991. The site capacity was reduced in the mid-2000s due to under-occupancy and ongoing complaints the site was being used for illegal dumping. The reduced capacity of the site was for 8 bays.

For a number of years only 3 families remained on the site and in 2014 a 4th bay was fully refurbished to accommodate an extended family member. In the summer of 2015 feuding broke out between family members, which was brought under control following intervention by An Garda Síochána. The newly refurbished bay was completely gutted and there was fire-damage and debris throughout the site with a number of caravans left beyond use.

DCC received requests from all remaining tenants to leave the site. Given the historic low demand for the site and the unresolved issues between family members, a decision was taken to assist the tenants with finding alternative accommodation. By February 2016 all remaining tenants had left the site and the site was closed.

DCC raised the future of the site with the Local Traveller Accommodation Consultative Committee on the 29/02/16 and - while reiterating the need for alternative Traveller Specific accommodation - members were supportive of the closure and asked DCC's Traveller Accommodation Unit to develop a proposal for the disposal of the site on the understanding that there will be a benefit to Traveller accommodation generally as a result.

The site is currently being assessed for either disposal or use as a housing site. There will be a benefit to Traveller accommodation irrespective of which option is taken.

**Q.111 COUNCILLOR HAZEL DE NORTUIN**

What expressions of interest have been received so far, for the section of land between the canal and Labre Park? What time frame is allocated for the expressions of interested?

**CHIEF EXECUTIVE'S REPLY:**

The section of land referred to has not been advertised for expressions of interest and while discussions are ongoing with interested parties it is considered premature to report on these discussions at this stage. Should these discussions result in a proposal for future use of this site it will be brought before the members for approval as is required under S183 of the Local Government Act 2001.

**Q.112 COUNCILLOR HAZEL DE NORTUIN**

Can I request a map / list of all land owned by DCC in the North East constituency which can be used for housing?

**CHIEF EXECUTIVE'S REPLY:**

A map/list of all the lands owned by the City Council in the North east constituency is not currently available. The Active Land Management team is systematically progressing through the city to create a complete register of vacant sites within the functional area of Dublin City Council. As soon as this register has been completed the information will become available and it can be investigated if the City Council owned vacant land would be suitable for housing purposes.

**Q.113 COUNCILLOR GREG KELLY**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.114 COUNCILLOR GREG KELLY**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.115 COUNCILLOR GREG KELLY**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.116 COUNCILLOR GREG KELLY**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.117 COUNCILLOR DAMIAN O'FARRELL**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.118 COUNCILLOR DAMIAN O'FARRELL**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.119 COUNCILLOR DAMIAN O'FARRELL**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.120 COUNCILLOR DAMIAN O'FARRELL**

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

**CHIEF EXECUTIVE'S REPLY:**

A reply has been issued to the Councillor.

**Q.121 COUNCILLOR TINA MACVEIGH**

To ask the Chief Executive to provide this councillor with a report on the proposed construction of 62 Local Authority housing units on Bunratty Road, Dublin 17: the report to include details on design, the technology to be used and when the decision was made to use rapid build technology, and to which type of applicant will these units be offered.

**CHIEF EXECUTIVE'S REPLY:**

Dublin City Council will be advertising shortly for expressions of interest for design teams with experience of designing System Built Apartments on a number of Council owned sites across the City.

Further information on the design and building systems under consideration will be forwarded to the member once the tender process is complete.

In the current homeless crises System Built Apartments can be delivered in a shorter time frame than traditional building methods.

The new homes will be allocated as per the Council's Scheme of Lettings.