



Breviate of the Protocol Committee meeting held on 23rd March 2023

In accordance with Standing Orders of the City Council, the Breviate of the Meeting of the Protocol Committee held 23rd March 2023 is submitted herewith.

1 Minutes of the meeting held on 23rd March 2023 and matters arising

Order: Agreed.

2 Access to Legal Documents in relation to Judicial Review of Development Plan (Y. Kelly, Law Agent)

The Law Agent, Yvonne Kelly briefed the Members on the process that had been agreed and followed in relation to the Judicial Review of the Development Plan. A summary of the position had been circulated to Members and a briefing and question and answer session was provided by Senior Counsel Stephen Dodd. Access to the legal documentation for Councillors was facilitated in the Law Department of the Civic Offices. For reasons of security and confidentiality it would not be appropriate to provide all 62 Members of the City Council with hard copies of the files. She was of the view that the approach that was taken was legally robust.

The Members thanked Yvonne for her presentation and were supportive of the approach that had been adopted in relation to the Judicial Review and access to the legal documentation.

Cllr. Flynn expressed his disappointment with the position of the Law Agent. He believed that it was his legal right to receive hard copies of the legal documentation so that he could be fully informed on the matter before the courts.

On a separate matter Cllr. Naoise Ó Muirí raised the issue of financial liability for decisions made by elected representatives. During the briefing on the Judicial Review the Senior Counsel expressed the view that financial liability was a very high bar and that specific intent and malice would have to be demonstrated in such circumstances. Cllr. Ó Muirí requested that the Law Agent prepare and circulate a written position on this matter.

Order: Noted. The Law Agent would also investigate the issue surrounding Councillor liability and would report back to the Members in due course.

3 O'Connell Plinth (Ruairi Ó Cuiv)

The Public Art Manager, Ruairí Ó Cuív briefed the Members in relation to the current installation on the O'Connell Plinth and future plans for its use. He also

addressed the request to wrap the Plinth in sandbags to highlight the destruction of public art in Ukraine. The Members thanked Ruairí for his report and agreed the following actions:

- The current sculpture could remain in situ until the end of May after which it would be relocated to TU Dublin.
- The proposal to “wrap” the Plinth in sandbags was put to a vote and the Members opposed it 8 to 6. While the Committee was unanimous in its solidarity with Ukraine, Members felt that the proposal was not the most suitable way to express their support.
- The Members supported the proposal for the commissioning of a new temporary installation on the O’Connell Plinth. Going forward they welcomed an ongoing commissioning process but had reservations in relation to the length of time the plinth would be remain empty.

The Members also raised the possibility of the long-term reinstatement of the statue of Daniel O’Connell to the plinth if modern conservation techniques could be used to protect the stonework from weathering and erosion.

Cllr. Costello suggested that enquiries should be made with the OPW to determine if they have sculptures and other pieces of art work in storage which could be put on display.

Order: Ruairí Ó Cuív thanked the Members for their feedback and agreed to investigate the suggestions in relation to the Daniel O’Connell statue and the OPW art works. He would also discuss with senior management the feasibility of reducing the time the plinth would remain empty as there were resourcing issues to address.

4 Motion agreed by Sligo County Council in relation to anonymous online abuse and bullying as noted by the City Council on 6th March 2023

The Members agreed that the issue of online abuse and bullying was a serious matter and more should be done to address it. They supported the motion passed by Sligo County Council on the issue.

Order: It was agreed to write the relevant Ministers and Dublin MEP’s supporting the call for EU wide legislation to combat online abuse. It was also agreed to request the City Council’s EU Office to investigate what actions if any were being undertaken at EU level in relation to this matter.

5 Conference Reports:

Councillors Alison Gilliland & Dermot Lacey, “Association of Irish Regions Seminar – Regions in Focus, Shaping Ireland’s Regional Development”. Four Seasons Hotel, County Monaghan. 7th – 9th February 2023.

Councillor Declan Flanagan, “Briefing on the Electoral Reform Act 2022”. Radisson Blu Hotel, County Limerick. 25th February 2023

Order: Conference Reports Noted

6 **Conference Approval:**

Inspiring Rural Creativity Conference Wednesday 5th & Thursday 6th April 2023
Abbey Hotel, Roscommon Town, County Roscommon.

“Connecting, Communicating and Collaborating - Irish Regions Cooperating across the EU: How local authorities can engage in European Programmes” on Wednesday 19th April in the Radisson Blu Hotel in Athlone.

Order: Conference Attendance agreed and recommended to Council.

7 **City Hall Lighting Requests:**

- a) **Illumination of City Hall to commemorate Greek National Day on 24th & 25th March 2023**

Order: Not agreed as per the Illumination Policy for City Hall, an existing lighting request for the month of March had previously been approved.

- b) **Illumination of City Hall in support of World Multiple Sclerosis Day on 30th May 2023**

Order: Agreed

- c) **Illumination of City Hall in support of the "Shine a Light" campaign for Neurofibromatosis on May 17th 2023.**

Order: Not agreed as another lighting request from a charitable organisation for the month of May had been approved.

- d) **Illumination of City Hall in support of World Elder Abuse Awareness Day on 15th June 2023.**

Order: Agreed

8 **Requests to use the Council Chamber from outside organisations:**

- a) **TU Dublin Student Council Event on 19th April 2023**

Order: Agreed

- b) **Youth Group Conference to discuss Climate Change issues on 23rd April 2023**

Order: Agreed

9 **Manager's Report**

- a) **Voting at Council Meetings**

The Manager encouraged all Councillors to support the technology as running two voting systems was problematic and increases the risk of double voting.

- b) **Update on Councillor Facilities & BCAR**
The Manager reported that the new party rooms for Sinn Fein and the Social Democrats were now completed and ready for use. The new meetings room would also be coming on-stream shortly once the furniture was installed. She would be circulating guidance on health and safety for the new facilities as well information on booking the meeting rooms.
- c) **LM Awards - 30th March 2023 @ 7 p.m.**
The Manager asked that all Members confirm with the Mansion House if they are attending the Lord Mayor's Awards as numbers have to be finalised for catering purposes.

10 **A.O.B.**

- The Lord Mayor informed Members that she had received an invitation to a conference in Ramallah which had been conveyed to her via Cllr. Daithi Doolan. She would make a decision about her attendance once all relevant details surrounding the invitation and conference and been clarified by her office.
Order: Noted
- The Members congratulated Dublin City Council staff for their contribution to the St. Patricks' Day Festival. However, they were concerned that the Council's role was not fully acknowledged by the media. They expressed the view that as a significant sponsor Dublin City Council should receive greater recognition for the vital part it plays in making the Festival such a success. Cllr. Flynn also requested an update in relation to the release of the unredacted report into the governance of St. Patricks Festival.
Order: The Manager agreed to prepare a report on the Council's involvement and sponsorship of the St. Patrick's Festival. She would also follow up with the Department regarding the governance report.
- Cllr. Mícheál MacDonncha highlighted the imbalanced reporting in relation to the closure of Coolock Swimming Pool. The emphasis was on the pool closure and not on the proposals for a new state-of-the-art facility which was to replace it.
Order: The Manager agreed to raise the issue with Media Relations.
- The Members raised concerns about the St. Patrick's Day event "Me Auld Flower" which was held in the Fruit and Vegetable Market. They noted the high cost of entry and limited attractions provided which consisted primarily of food and drink stalls.
Order: The Manager agreed to clarify the approval process for the event and follow up directly with the Members.

11 **Proposed date of next meeting: 27th April 2023 at 8am**

Order: Agreed.

Councillor Deirdre Heney
Chairperson
Thursday 23 March 2023

Attendance:

Members:

Deirdre Heney (Chairperson)
Racheal Batten
Donna Cooney
Mannix Flynn
Micheál MacDonncha
Cat O'Driscoll

Members:

Anthony Connaghan
Joe Costello
Dermot Lacey
Briega MacOscar
Michael Pidgeon

Members:

Caroline Conroy
Anne Feeney
Darcy Lonergan
Naoise Ó Muirí
Noeleen Reilly

Officers

Ruairí Ó Cuív
Yvonne Kelly

Ruth Dowling

Michael Gallagher

Non-Members:

Daithí Doolan