

COMHAIRLE CHONTAE DHÚN LAOGHAIRE-RÁTH AN DÚIN
DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

Phone: 2054700

**County Hall
Dún Laoghaire
Co. Dublin
09 November 2020**

To Each Member of the County Council

Dear Councillor

I am to inform you that the Meeting of the **County Council Meeting** will be held in the **Ferry Terminal, Dún Laoghaire, Co. Dublin on Monday, November 9, 2020 at 5:00 PM to 7:00 PM** to consider the following agenda.

Yours Faithfully

Leonora Earls

Leonora Earls

**Meetings Administrator
Corporate Affairs**

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Therefore by entering the Ferry Terminal you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting.

If you have any queries regarding this, please contact the Corporate Affairs Department on Extns. 4007/4382.

CLÁR/AGENDA

PART 1

INITIAL BUSINESS

1. Confirmation of Minutes

a) Minutes of County Council meeting held on 12 October 2020

(circulated herewith)

2. Questions (see attached Appendix)

PART 2

CHIEF EXECUTIVE'S BUSINESS FOR DECISION (RESERVED FUNCTIONS)

3. Conferences and Training For Councillors

in accordance with Section 142 (5) of the Local Government Act 2001 as amended by Sections 53 (2) of the Local Government Reform Act 2014.

3.1. List of Conferences and Training for Councillors

3.2. Approval of Nominations for Conferences and Training Courses

3.3. Conferences and Training Report Documents Submitted

(circulated herewith)

4. Proposed Disposal of Properties

4.1. Proposed Disposal of the Council's Freehold Interest in a plot of land adjacent to 78 Lynwood, Dundrum, Dublin 16

4.2. Proposed Disposal of the Council's Leasehold Interest in a plot of land at Shanganagh Castle, Shankill, Co. Dublin to the Land Development Agency

(already circulated)

5. Casual Vacancy arising from the Resignation of Deirdre Ní Fhloinn, Green Party Pursuant to Section 19 of the Local Government Act, 2001

(circulated herewith)

6. Vacancies arising from the resignation of Deirdre Ní Fhloinn, Green Party

6.1. Vacancy on the Housing Strategic Policy Committee arising from the resignation of Deirdre Ní Fhloinn, Green Party

(circulated herewith)

6.2. Vacancy on the Community, Culture and Welbeing Strategic Policy Committee arising from the resignation of Deirdre Ní Fhloinn, Green Party
(circulated herewith)

6.3. Vacancy on Board of dlr Leisure Services arising from the resignation of Deirdre Ní Fhloinn, Green Party
(circulated herewith)

6.4. Vacancy on Board of dlr Properties arising from the resignation of Deirdre Ní Fhloinn, Green Party
(circulated herewith)

6.5. Vacancy on Joint Policing Committee arising from the resignation of Deirdre Ní Fhloinn, Green Party
(circulated herewith)

7. Part 8 Proposed Housing Development at Moyola Court, Churchtown, Dublin 14

Report submitted in accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001-2018 (as amended), the Planning and Development Acts 2000, (as amended), and Section 138 of the Local Government Act, 2001 (as amended)
(circulated herewith)

8. Part 8 Proposed Housing and Library Development at St. Laurence's Park, Stillorgan, Co. Dublin

Report submitted in accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001-2018 (as amended), the Planning and Development Acts 2000, (as amended), and Section 138 of the Local Government Act, 2001 (as amended)
(circulated herewith)

PART 3

**CHIEF EXECUTIVE'S BUSINESS FOR NOTING
[SUBJECT TO A STATUTORY DEADLINE/OF AN URGENT NATURE]**

No Business

PART 4

CATHAOIRLEACH'S BUSINESS

9. Cathaoirleach's Business: Councillor U. Power

No Business

PART 5

ALL OTHER CHIEF EXECUTIVE'S BUSINESS FOR NOTING

10. October Monthly Management Report

(circulated herewith)

11. Ministerial/Department Correspondence

11.1. Ministerial Correspondence Received

- a) Email received from Department of Education dated Friday 16th October 2020 regarding the provision of more secondary schools within the County.
- b) Email received from Department of Education dated Friday 16th October 2020 regarding capacity in secondary schools within the Killiney-Shankill Local Electoral Area.
- c) Email received from Department of Finance dated Friday 16th October 2020 regarding Local Property Tax.
- d) Email received from Office of Peter Burke, Minister of State for Local Government and Planning dated 21st October 2020 regarding Local Property Tax.
- e) Letter received from Senator Robbie Gallagher dated 6th October 2020, received 20th October 2020, regarding correspondence issued by An Tánaiste Leo Varadkar T.D. - Restart Grant Scheme
- f) Correspondence received from Office of Peter Burke, Minister of State for Local Government and Planning dated 21st October 2020 - Remote Meetings
- g) Email received from Department of Climate Action, Communications, Network and Transport dated 22nd October regarding recent correspondence received.
- h) Correspondence received from Department of Housing, Local Government and Heritage dated 30th October 2020 - Guidelines for Supplementary Standing Orders
(circulated herewith)

11.2. Ministerial Correspondence Issued on foot of a Council Decision

- a) Letter issued to An Taoiseach dated 16th October detailing resolution passed at the County Council Meeting on 12 October 2020 - Debenhams Workers
- b) Letter issued to Department of Housing, Local Government and Heritage dated 16th October detailing resolution passed at the County Council Meeting on 12 October 2020 - Remote Meeting
- c) Letter issued to Minister for Environment, Climate and Communications dated 21st October detailing resolution passed at the County Council Meeting on 12 October 2020 - E-Transport

d) Letters issued to Minister for Justice and Minister for Children, Equality, Disability, Integration and Youth dated 29th October detailing resolution passed at the County Council Meeting on 12 October 2020 - Children access to Separated Parents
(circulated herewith)

12. Other Correspondence

12.1. Other Correspondence Received

a) Letter received from Wexford County Council, dated 9th October 2020 regarding a resolution passed at their September meeting - Irish Water.

b) Letter received from dlr Properties Ltd. dated 18th August 2020 regarding DLR Properties (DLRP Legal Fees)
(circulated herewith)

12.2. Other Correspondence Issued on foot of a Council Decision

a) Letter issued to Local Community Development Committee dated 16th October 2020 informing them of the appointment of Councillor Tom Kivlehan to their Committee.

b) Letter issued to Councillor Tom Kivlehan dated 16th October informing them of their appointment to the Local Community Development Committee.

c) Letter issued to Chairperson of dlr Leisure Services Ltd. dated 16th October informing them of resolution passed at County Council Meeting 12 October 2020.

d) Letter issued to Ballybrack Shopping Centre dated 21st October informing them of resolution passed at County Council Meeting 12 October 2020 - Bicycle Stands

e) Letter issued to Tesco HQ dated 21st October informing them of resolution passed at County Council Meeting 12 October 2020 - Bicycle Stands

f) Letter issued to Robert Burns, Director, dated 22nd October informing them of the appointment of Mr. Reji Chacko Jacob to the Environment and Climate Change SPC.

g) Letter issued to Mr. Reji Chacko Jacob, dated 22nd October informing them of their appointment to the Environment and Climate Change SPC.
(circulated herewith)

PART 6

REPORTS FROM AREA COMMITTEES AND SPC'S

13. Chairperson's Report from the Community, Culture & Wellbeing Strategic Policy Committee held on the 14th October 2020

(circulated herewith)

PART 7

MEMBERS MOTIONS

RUIN/MOTIONS

14. Councillor K. Ahmed

"That the Chief Executive would consider a bigger community centre with facilities for multicultural and recreational activities in the Dun Laoghaire Rathdown area for the integration of diverse communities." [1 July 2019]

15. Councillor M. Halpin

"That this Council agrees to commence a programme of retrofitting all Council homes and other Council owned buildings over the next 3 years to bring them up to the highest BER rating." [1 July 2019]

16. Councillor D. Donnelly

"That the Chief Executive complete negotiations with the owners of the land around the landlocked Glenalbyn Swimming Pool site in Stillorgan and commence works to re-open the pool without delay." [1 July 2019]

17. Councillor H. Lewis

"That this Council reaffirms its position that Rebuilding Ireland is failing in the provision of social and affordable housing for the people of Dún Laoghaire Rathdown and calls on central government to initiate an emergency construction programme of social and affordable housing." [1 July 2019]

18. Councillor E. Blain

"That this Council, in recognition of the historic gender balance of the current Chamber, would task the Monuments Committee with erecting a public statue, bust or appropriate memorial to commemorate one, or more, of the many women from our County who have made significant contributions to Politics, the Arts or the community, for example the Overend Sisters, Monica Barnes or Maeve Binchy." [11 November 2019]

19. Councillor L. McCarthy

"That this Council will insist that all planning applications, especially on virgin sites will retain tree belts and wildlife corridors as a matter of urgency." [9 March 2020]

20. Councillor J. Kennedy

That this Council writes to the Minister for Housing, Planning and Local Government to recommend that augmented/virtual reality montages of how new Strategic Housing Development (SHD) planning proposals would be juxtaposed with existing background surroundings should be incorporated as a requirement for future SHD applications, in order for An Bord Pleanála to more accurately judge upon whether such applications ought to be approved or rejected. [9 March 2020] **[LETTER]**

21. Councillor J. Gildea

"That the Chief Executive takes whatever action is necessary to ensure that the Weekly Planning List issued by the Planning Department contains the name of the town/village in the 'Location' line of the notice." [9 March 2020]

22. Councillor B. Saul

That this Council supports the roll out of best practise segregated cycle lanes throughout the Cherrywood SDZ. Cherrywood SDZ as a greenfield site should contain best practice and innovative design concepts for pedestrians and cyclists which exceed minimum national guidelines.[9 March 2020]

23. Councillor A. Colgan

"That the Chief Executive bring forward proposals to proactively increase the options available to private home owners and social housing tenants for downsizing/rightsizing."[15 April 2020]

24. Councillor C. Smyth

"That this Council discuss measures to ease the pressures of COVID 19 on our tenants, rate payers etc."[15 April 2020]

25. Councillor M. Clark

"That the Chief Executive would consider compiling a new list of Priority Roads for Traffic Calming across the County and if so, when will it begin and how can areas apply to be considered for same."[11 May 2020]

26. Councillor D. Dunne

"That this Council hereby amends Schedule 9 of the Road Traffic Special Speed Limit Bye Laws (2017) to include the following streets;

Dundrum Main Street

Sandyford Road, section from Dundrum Main Street to junction with OverendWay

Ballinteer Road, section from Dundrum Main Street to junction with The Gables

Kilmacud Road Upper, section from Dundrum Main Street to junction with Eglinton Terrace."[8 June 2020]

27. Councillor A. Grainger

"That this Council would support and task the Monuments Committee to erect a Civic Memorial to the great Irish poet and educator Eavan Boland RIP, who passed away suddenly at her home in Ballinteer, Dundrum, by way of a statue, bust or the naming of a building in Dundrum to celebrate and commemorate her legacy and enormous contribution and achievements locally, nationally and internationally to literature, women, equality, Irish society, poetry, artists and students worldwide,"[8 June 2020]

28. Councillor M. O'Connell

"That all proposed changes to standing orders arising from COVID19 restrictions and health advice are first approved by the Organisation, Procedure and Protocol Committee members prior to implementation."[8 June 2020]

29. Councillor J. O'Leary

"That the Council provide to residents and Residents Associations within estates where the speed limit has been set at 30km/hr stickers to be attached to bins showing the 30km speed limit to remind motorists of the speed limit within that area."[6 July 2020]

30. Councillor S. Ó Faoláin

"That Dún Laoghaire-Rathdown County Council, for the same reasons that Ireland has already banned fracking on health and environmental grounds and in solidarity with affected communities in Pennsylvania, Texas and worldwide, is opposed to the importation of fracked gas into Ireland via LNG import terminals, which runs contrary to our goal of a 40% reduction in the Council's greenhouse gas emissions by 2030. Dún Laoghaire-Rathdown County Council will work constructively to prevent fracking from taking place throughout the Integrated Single Electricity Market for the island of Ireland." [6 July 2020]

31. Councillor S. Brennan

"To ask the Chief Executive, in light of recent reports and a Garda investigation into the treatment of animals at the Ashton Pound, to fully review the contract between DLR County Council and the Ashton Pound and seek to terminate this contract if the dogs are found to be receiving anything short of the most compassionate of care" [14 September 2020]

32. Councillor D. O'Callaghan

That this Council, recognising the contribution by Saint John of God Community Services in providing essential daily services at various locations within the local catchment for Disability, Mental Health and Services for Older People and their families, notes the recent announcement because of funding shortages the intention of Saint John of Gods Board to terminate its contract with the H.S.E for the provision of these services. Resolves to write to the Minister and Ministers of State at the Department of Health, Public Expenditure and Finance and the H.S.E outlining our concerns at this critical development and calls on all stakeholders to work together to resolve the issue. [9 November 2020] [LETTER]

33. Councillor E. Dowling

That this Council writes to the Minister for Housing, Local Government and Heritage requesting the introduction of maternity and paternity leave for Local Representatives. [9 November 2020] [LETTER]

34. Councillor P. O'Brien

That the Chief Executive to install public water fountains across the County in high fall areas to help reduce plastic bottle waste. [9 November 2020]

35. Councillor H. Lewis

"That this Council supports the international boycott divestment and sanctions campaign against the state of Israel." [1 July 2019]

36. Councillor M. Halpin

"That this Council acknowledges the benefits that came from the Festival of World Cultures and agrees to bring a report to the next Council meeting on the re-establishment of an annual Multicultural Festival." [13 January 2020]

37. Councillor K. Ahmed

"That this Council in conjunction with the Chief Executive adopt a policy to tackle homelessness within the remit of this Council, with special consideration to families, so that no families with children live in emergency accommodation outside the County in stressful situation." [11 November 2019]

38. Councillor J. Kennedy

That this Council, in recognition of the unfortunate effect of the COVID-19 crisis whereby funerals of all those who have passed away within the County have had limited attendance instructions applied (since lockdown measures were started in the interests of public safety and health), and in recognising the importance to the grieving process in the normal course of events as regards full attendances of family members and friends at funerals to mark someone's passing, recommends as some form of empathetic response to the families of those bereaved the following;

A) That a minute's silence for all those who have passed away within the County since lockdown measures were nationally applied be held at the County Council meeting immediately subsequent to the one where this motion would be approved if agreed by members.

B) That a special memorial ceremony on the first anniversary of COVID-19 lockdown measures beginning be convened to mark and celebrate the lives of those concerned residing within the County who passed away while COVID-19 lockdown measures were ongoing, where invitations would be extended to the families of those concerned to such a ceremony.”[8 June 2020]

39. Councillor L. McCarthy

“That the Chief Executive would please report on the number of planning applications for ‘retention of planning’ that were received in the last year and please state what is the procedure if planning is refused.”[8 June 2020]

40. Councillor B. Saul

“That this Council requests that the current Class 1 Community and Parks facilities and amenities of 37.9% be increased to at least 55%(countywide) in the 2020-2024 Draft Dun Laoghaire Rathdown County Council Development Contribution Scheme.[8 June 2020]

41. Councillor A. Grainger

“That this Council agrees to prioritise, facilitate and implement a 30km/hour speed limit in residential estates County wide, taking into consideration that many estates and Resident Associations already requested this following its initial implementation in 2017, in advance of looking at any other temporary speed reduction initiatives on other adjoining commuter roads.”[6 July 2020]

42. Councillor A. Colgan

“That the Chief Executive makes arrangements for the provision of free public Wifi in Dundrum Village”[6 July 2020]

43. Councillor C. Smyth

“That this Council in light of the media coverage regarding the pound used by Dublin City Council, which is also used by Dun Laoghaire Rathdown County Council, immediately bring a report to this Council Meeting.”[14 September 2020]

44. Councillor M. Clark

That this Council requests the Chief Executive to obtain a second independent legal opinion for councillors to ensure that the Executive possessed the necessary legal powers to proceed with the number, scope and scale of emergency mobility interventions carried out in the absence of the normal public consultation and other usual processes required by law and usual practice?[12 October 2020]

45. Councillor M. O'Connell

That this Council supports trialling e-scooter sharing in the County and writes to the Minister for Climate Action, Communication Networks and Transport to request the associated enabling legislation[9 November 2020][**LETTER**]

46. Councillor J. O'Leary

That this Council writes to the Department of Defence requesting that the 5 Military Medals for Gallantry and 27 Distinguished Conduct Medals be awarded to those Irish Troops on UN Mission stationed in Jadotville that were recommended for these awards for Bravery by their commanding Officer Commandant Quinlan[9 November 2020][**LETTER**]

47. Councillor D. O'Callaghan

This Council agrees to write to the Minister for Housing, Local Government and Heritage to consider overhauling the legislation associated with the Derelict Sites Act. That the current legislation on derelict sites and properties is not fit for purpose and hampers the ability of Local Authorities to acquire such properties for social housing.[9 November 2020][**LETTER**]

48. Councillor H. Lewis

"That this Council discusses the Living Over the Shop Scheme." [11 November 2019]

49. Councillor J. Kennedy

That this Council writes to the Minister for Housing, Planning and Local Government to indicate its view that the frequent usage of the material contravention statement procedure within this County in planning applications is relegating the status of the County Development Plan (CDP) to such an extent that reform ought to be initiated by the Government (noting that a comprehensive consultation process is undertaken in obtaining input from Elected Members of this Council and citizens in this County to help formulate the CDP) to bridge the growing disparity between the intended vision of the CDP and what the overwrought overriding of the CDP by material contravention statements can permit in approved applications.[6 July 2020][**LETTER**]

50. Councillor K. Ahmed

"That this Council writes a letter to the Minister for Education to keep reserve seats in the local primary and secondary schools within the county, so that parents coming from outside the Community, County or Country do not struggle to find a seat in the local schools for their school going kids "[14 September 2020][**LETTER**]

51. Councillor C. Smyth

"That this Council in light of the following reply I received to question A14 submitted to the 6th of July meeting begin the discussion of the provision of litter bins in dlr Parks at the relevant Strategic Policy Committee meetings -

"We would welcome the opportunity to discuss the litter issue in more detail in order to evaluate the possibility of providing more sustainable solutions for the problem." [14 September 2020]

52. Councillor L. McCarthy

That the Chief Executive would consider erecting CCTV cameras at bicycle stations in order to reduce the number of pedal bike thefts within our County.[12 October 2020]

53. Councillor A. Colgan

That the Chief Executive develop and run a public education programme for the prevention of food waste in the County.[9 November 2020]

54. Councillor M. Clark

That this Council agrees to write to the property owner(s) of the Solas Power Estate in Woodbrook Glen to ask them to paint the Solas Water Tower as it appears to have been neglected and is becoming an eyesore in the area.[9 November 2020][**LETTER**]

55. Councillor M. O'Connell

That this Council votes to approve, prior to implementation, semi-permanent or permanent changes to road infrastructure in the County, that include closure of roads that currently carry vehicle traffic or restrictions on the direction of vehicle traffic, as such changes and potential displacement of traffic have significant implications for the wider community in addition to the immediate residents.[9 November 2020]

56. Councillor D. O'Callaghan

This Council agrees that the public site notices associated with Strategic Housing Developments (SHDs) is flawed and confusing both for the public and public representatives to interpret and creates a disadvantage for the public especially, to make representations as the notice does not contain a reference Number or lodgement date of the application. Further agrees to write to An Bord Pleanala and the Minister for Housing, Local Government and Heritage to urgently rectify this confusion and that all future public site notices contain a reference number and the date lodged with An Bord Pleanala. [9 November][**LETTER**]

Appendix

MEMBERS QUESTIONS

1. Councillor K. Ahmed

To ask the Chief Executive to publish a list of bye-laws adopted by DLR County Council since 2014 to date?

2. Councillor K. Ahmed

To ask the Chief Executive to give us a report of total number of EV charging points in Dun Laoghaire-Rathdown County.

3. Councillor K. Ahmed

To ask the Chief Executive if DLR Harbour appointed any limnologist to survey the ecological study of the sea water.

4. Councillor K. Ahmed

To ask the Chief Executive of the total fund allocated to DLRCOCO (65m Euro total national budget) for deep retrofitting social housing stock.

5. Councillor M. Clark

To ask the Chief Executive to provide a report on the Cherrywood Master Plan Development, pertaining to the area from Brennanstown Road, Cabinteely to Loughlinstown. giving a detailed breakdown of the main elements that have been achieved to-date and what elements are still outstanding (giving a time frame for each)?

6. Councillor A. Colgan

To ask the Chief Executive to provide in tabular form the following -

- The number of Part V units purchased by the Council in 2019 and to date in 2020
- The breakdown of units purchased by numbers of studio, 1-bed, 2-bed, 3-bed, 4-bed units
- The average price paid for studio, 1-bed, 2-bed, 3-bed and 4-bed units

7. Councillor A. Colgan

To ask the Chief Executive to provide a report on progress towards developing a cross departmental group to oversee implementation of the Public Sector Equality and Human Rights Duty, as provided for in Corporate Goal 7, and an outline of the work of the Group to date, if it has been established.

8. Councillor M. Fanning

To ask the Chief Executive to provide a report on the trial of free period products in County buildings and the feasibility of rolling this out to all Council owned, public buildings for 2021.

9. Councillor J. Gildea

To ask the Chief Executive to list the individual projects, with the amount of contribution, which are being funded in 2020 by the Social Inclusion and Community Activation Programme and furthermore to state if the full amount of €962.5 thousand provided by the Department of Rural and Community Development and the European Social Fund has been allocated and to indicate if all allocated funds will be spent in the current year.

10. Councillor L. McCarthy

To ask the Chief Executive to please advise if defibrillators have been installed in any public places following my agreed motion in February 2020.

11. Councillor L. McCarthy

To ask the Chief Executive if additional drinking water fountains have been installed in any public areas since the one we installed in Marlay Park.

12. Councillor D. O'Callaghan

To ask the Chief Executive to report on the number of Derelict and Vacant Sites currently on the Councils Derelict Sites and Vacant Sites Registers, the dates of each entry and the number of cases resolved.

13. Councillor D. O'Callaghan

To ask the Chief Executive to report on the following completed surveys carried out in the County and that the reports be made available to the elected members.

(a) Biodiversity mapping of Locally Important Biodiversity Sites.

(b) County Otter Survey Phase 11.

(c) County Hedgerow Mapping and Ecosystem services.

14. Councillor D. O'Callaghan

To ask the Chief Executive to report on and list the 5 projects under Sports Partnership to be selected for Dormant Accounts Funding over the coming year and if the Council will be advertising for project applications.

15. Councillor J. O'Leary

To ask the Chief Executive to outline staff costs by Division as at end 2019 and projected end 2020 to assist Councillors understand the costs of service provision as part of the 2021 budgetary process?

16. Councillor D. Quinn

To ask the Chief Executive to provide in table format quarterly figures for the years 2015-2020 to-date for the number of homes allocated to persons with disabilities, across each of the 4 pillars of disability (physical, sensory, mental health and intellectual disability), noting also if and when any such allocations refer to persons coming from congregated settings.

17. Councillor D. Quinn

To ask the Chief Executive to advise by what means social housing applications reflect any social care requirements of the applicant and by what means DLRCoCo follow up and monitor whether those social care services are evaluated and available for applicants.

18. Councillor D. Quinn

To ask the Chief Executive to advise by what means, if any, DLRCoCo matches up individual social housing applications with other applicants when determining if a group home unit is appropriate for more than one applicant.

19. Councillor D. Quinn

To ask the Chief Executive to provide an up-to-date summary of the total need for housing for persons with disability, across the 4 pillars of disability (physical, sensory, mental health and intellectual disability), across the various categories (eg. persons requiring purpose-built or designed accommodation, persons requiring standard accommodation with supports, etc).

20. Councillor D. Quinn

To ask the Chief Executive to provide in table format quarterly figures for the period 2015-2020 to-date for the number of homes allocated by DLRCoCo.

21. Councillor C. Smyth

To ask the Chief Executive when will the Council's Play Policy/provision of playgrounds throughout the County be presented to the Council?

22. Councillor C. Smyth

To ask the Chief Executive for a progress report on the introduction of the second phase of the 30km/h speed limits in residential estates?

23. Councillor C. Smyth

To ask the Chief Executive if other play facilities such as Skate Parks will be in the Council's Play Policy?

24. Councillor C. Smyth

To ask the Chief Executive if new playgrounds are inclusive of all abilities and if there will be a review of existing playgrounds to form a programme of making them all inclusive?