

**COMHAIRLE CONTAE FHINE GALL
FINGAL COUNTY COUNCIL**

Email: Corporate.Services@fingal.ie

County Hall
Swords
Fingal
Co. Dublin

Tuesday 2nd March 2021

To Each Member of the County Council

Dear Councillor

The Meeting of the **County Council** will be held on **MS Teams** at **5.00 pm** on **Monday, 8th March, 2021** to consider the following Agenda.

Yours faithfully

B. Buckley
Meetings Administrator
Corporate Affairs and Governance

.....
This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is subject to the Freedom of Information Act 2014 and the Data Protection Act 1988 - 2018 and data collected during this webcast will be retained in accordance with legislation.

Therefore by joining the MS Teams meeting, 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 Services Department at Corporate.Services@fingal.ie

A G E N D A

1 **Consideration of resolutions pursuant to Section 140 of the Local Government Act 2001, as amended.**

Call for Judicial Review - Councillors Dean Mulligan, Ann Graves, Joe Newman, Ian Carey and James Humphreys.

"That the Council hereby resolves, under Section 140 of the Local Government Act 2001, as amended, to require the Chief Executive, to seek leave to challenge the decision of An Bord Pleanála ABP-308366-20 by way of a judicial review as an executive function, as the Bord's decision is contrary to Development Plan objectives incorporated in the site specific master plan, including, but not limited to, building heights adjoining the Forest Road and mass overdevelopment in terms of net densities and a primary school site not being secured as a condition of the new housing."

2 **Confirmation and Re-Affirmation of Minutes of Council meeting held on 8th February 2021** (Pages 1 - 12)

QUESTIONS

3 **Councillor H. Mahony - Use of Weed Killer**

"To ask the Chief Executive to report on the reduction in the use of vinegar as a weed killer in preference to more toxic weed killers?"

4 **Councillor H. Mahony - Housing acquisitions**

"To ask the Chief Executive, based on Fingal's recent press release indicating that 6,151 units were procured in the County between 2015 and 2019, to report year by year on how many new builds and second hand houses were purchased and how many were purchased or managed by Housing Agencies to facilitate Fingal's housing list and how many HAP and RAS houses were acquired during that period?"

5 **Councillor P. Mulville - New Dublin City Council super depot, St. Margaret's Road, Ballymun, Dublin 11 - development levies**

"To ask the Chief Executive if the €1,386,694 which Dublin City Council will pay to the Council in development levies for the new super depot on St. Margaret's Road, Ballymun, Dublin 11 (Planning Ref. No. F17A/0686) will be spent along the Fingal / Dublin North-West fringe area to improve critical local infrastructure and facilities?"

6 Councillor K. Power - Diversity on the Council

"To ask the Chief Executive for a breakdown of Elected Representatives on the last five Councils on the basis of gender, age, disability, additional employment and if possible, details on those Members who have / had carer and childcare responsibilities?"

7 Councillor J. Hopkins - Insurance for Tidy Towns and Community Groups

"To ask the Chief Executive to report on the viability of providing insurance cover for Tidy Towns and Community Groups who are members of the Council's PPN as this insurance would cover low risk activities such as planting and litter picking and would allow these groups carry out community work which provides a significant cost saving to the Council without the burden of fund raising for insurance?"

8 Councillor E. O'Brien - Outline in detail how parking enforcement staff are operating outside of Pay and Display areas

"To ask the Chief Executive to outline in detail how parking enforcement staff are operating outside of Pay and Display areas in line with the new parking enforcement powers?"

9 Councillor C. Boland - Green Roofs in the County

"To ask the Chief Executive to advise on the number, style and anticipated advantages of the introduction of Green Roofs in the County and will she make a statement on her intention to promote the roll out of such roofs in the County?"

10 Councillor C. Boland - Overcrowding Signage at Open Spaces

"To ask if the Chief Executive is going to undertake a review, in light of the large numbers attending at open spaces such as beaches and Regional Parks etc., of finding an advance signage warning which can be easily deployed alerting those traveling to these venues of their overpopulation?"

11 Councillor A. Graves - Domestic Waste Collection

"To ask the Chief Executive for an update on the Sinn Féin Motion

discussed by Council in September 2019 in relation to Domestic Waste Collection being taken back under control of the Council as it was agreed that this would be referred to the following meeting of the Climate Action, Biodiversity and the Environment SPC. What progress has been made and when will a report be available?"

12 Councillor D. Mulligan - Open Market Information

"To ask the Chief Executive can the Councillors be informed by way of email in regard to any properties ascertained on the open market?"

13 Councillor P. Rane - Locations for New Schools in Fingal

"To ask the Chief Executive to provide an update on locations in Fingal under consideration for schools and the schedule for their completion?"

14 Councillor D. Healy - Direct Vision Standard

"To ask the Chief Executive to report on progress in discussions with the other three Local Authorities in the Dublin Area with a view to agreeing to introduce a common Direct Vision Standard and HGV Safety Permit system similar to that being introduced in London?"

15 Councillor D. Healy - Coastal monitoring programme

"To ask the Chief Executive to report on progress in relation to Development Plan Objective NH62:
"Establish, within one year of the making of this Development Plan, a coastal monitoring programme to provide information on coastal erosion on an ongoing basis?"

16 Councillor D. Butler - New Scramblers and Quads Legislation

"To ask the Chief Executive, with regard to the very welcome new legislation introduced by the Government to allow An Garda Síochána seize scramblers and quads, that in order to make our parks and roads safer for Fingal residents and families, to outline how the Council will work with An Garda Síochána to ensure that this new legislation is immediately utilised to its fullest potential?"

17 Councillor B. Manton - Roads for repairs in the County

"To ask the Chief Executive how many engineers the Council have overseeing the activities of utility companies who wish to take up our

roads for repairs to their own networks and to advise what are the arrangements for the re-instatement of our roads across the County and who manages it?"

18 Councillor B. Manton - Grants information in the Chief Executives Report

"To ask the Chief Executive if an item on grants can be added to the Chief Executive's Report every month which would indicate what grants are available at any given time, from which funding streams, including the European ones and how successful were we in our applications?"

19 Councillor A. Tormey - FOI requests

"To ask the Chief Executive how many FOI requests were delivered on time and how many required an extension during the time period from the beginning of 2020 to the present date?"

20 Councillor S. Ó Rodaigh - Infrastructure to support sea swimming communities in Fingal

"To ask the Chief Executive to investigate the possibility of supporting sea swimming communities across the County, in the absence of a municipal swimming pool, in the form of sheltered areas for clothes at designated bathing areas?"

21 Councillor T. Murphy - Staffing levels

"To ask the Chief Executive how many professional staff in the Council on the pay role broken down by profession, grade and Department in 2015 2017 and 2020 shown in table format and what was the maximum staffing levels allowable in these years show as a comparison and currently are there any requests with the Department for new staff at professional grades and if so how many and when requested?"

22 Councillor J. Walsh - Vacant Sites Register

"To ask the Chief Executive to indicate in tabular format the sites placed on the Vacant Sites Register across the County since its introduction and to indicate whether any of these sites have subsequently been developed for housing?"

23 Councillor N. Treacy - Housing List

"To ask the Chief Executive what measures can be put in place to protect those on the Housing list to ensure that the reason for their removal is where they've been housed or there is a valid reason other than a temporary change to their income limit until such time as we are out of this global pandemic?"

24 Councillor A. O'Rourke - Building Regulations

"To ask the Chief Executive whether there is any circumstance under which the Council would allow a private resident to build an extension on the party wall of a Fingal property?"

25 Councillor A. O'Rourke - Housing Figures

"To ask the Chief Executive how many tenants are currently availing of HAP (breakdown in each LEA), how many tenants are currently in RAS accommodation (breakdown in each LEA), and how many tenants are currently in long term lease accommodation (breakdown in each LEA)?"

26 Councillor B. Dennehy - Affordable Housing Schemes

"To ask the Chief Executive regarding any enquiries to date in relation to the Affordable Housing Schemes due to be launched throughout the County if the following information can be given;

- . A list of contacts requesting information being retained by the Council,
- . Will the list of contacts be contacted closer to the launch of the Schemes regarding applications,
- . A number available of the amount of people who have contacted the Council regarding information on the Schemes to date?"

27 Councillor B. Dennehy - Outdoor Public Space Scheme 2021

"To ask the Chief Executive if the Council intends on applying for funding from the Outdoor Public Space Scheme 2021?"

28 Councillor J. Humphreys - Dog Fouling

"To ask the Chief Executive if it is possible to amend the Park Bye-Laws and any other Bye-Laws relating to public land to stipulate that anyone walking a dog in a public place must carry suitable receptacles to remove and dispose of the droppings immediately and can the fine

of €150 be increased without further legislative changes by Central Government?"

29 Councillor B. Hanaphy - Housing adaptations

"To ask the Chief Executive what is the total spend for housing adaptations for 2018, 2019, 2020, and what is the proposed funding for housing adaptations for 2021?"

30 Report of Committees

- a Report of Committee of Balbriggan/Rush-Lusk/Swords (B) Meeting held on 11th February 2021
- b Report of Committee from Howth/Malahide Area Committee Services B meeting held on Wednesday 3rd March 2021

31 Financial Matters

- a Statutory Audit Report for Year Ending 31/12/2019

32 Audit Committee

- a Annual Report 2020
- b Annual Works Programme 2021

33 Proposed Disposal of Properties.

34 Draft Castlelands Masterplan

35 Extension of Donabate Local Area Plan

36 Report on Heritage Signage Guidance

37 Section 85 Remedial Works - N2/M50 Interchange Footbridge.

38 Report on National Transport Authority Programme

39 Chief Executive's Report

40 Mayor's Business - Councillor D. Healy - Online planning files

"That the Council recommends that where possible, particularly in the case of planning applications involving Environmental Impact Assessment, fully electronic copies (as opposed to scans of printed copies) of planning documents be put on the online file, to assist the public in searching and analysing what are often extensive quantities of documents, and that fully electronic copies of documents generated by the Council be put on the online file as a matter of

course in relation to all applications.”

41 Departmental/Ministerial Correspondence

- a Letter from Minister McEntee dated 12th February 2021 re response to correspondence re parental alienation

42 Correspondence.

- a Letter from Limerick City & County Council dated 2nd February 2021 re Mother and Baby homes and establish a day of recognition
- b Letter from Limerick City & County Council dated 2nd February 2021 re statutory time period for the preparation of the Draft Limerick Development Plan 2022 - 2028
- c Letter from Clare County Council dated 3rd February 2021 re motions re 1) Active and sustainable travel officer 2) Planning policy regarding development of residential property 3) Recognition of front line staff
- d Letter dated 4th February 2021 from Dublin City Council Women's Committee to Minister O'Brien re maternity leave for Councillors
- e Letter from Clare County Council dated 9th February 2021 re review of the current National Planning Framework
- f Letter from Tipperary County Council dated 16th February 2021 re extra supports to regional newspapers
- g Letter from South Dublin County Council dated 16th February 2021 re offering support for the implementation of the Duffy/Cahill report (2016)
- h Letter from Kerry County Council dated 16th February 2021 re writing to Head of US Aid to address the Council
- i Letter from Kerry County Council dated 16th February 2021 re utilising seat on the UN Security Council to deliver statehood to the Palestinian people
- j Letter from Tipperary County Council dated 23rd February 2021 re national day of recognition for the survivors and victims of Mother and Baby homes
- k Letter dated 1st March 2021 from Laois County Council to Minister O'Brien re Land Development Agency Bill 2021

**MOTIONS -
STATUTORY
FUNCTIONS**

43 Councillor A. Henchy - Housing in Fingal

"That the Chief Executive write to the Department of Housing, Local Government and Heritage to outline this Council's full support for the proposed measures that have been introduced by the Government around the provision of housing for all, that includes the introduction of the first ever cost rental scheme, the continuation of the help to buy scheme and the introduction of affordable purchase shared equity housing."

44 Councillor A. Tormey - Fingal County Council's Freedom of Information (FOI) Process

"That the Chief Executive reviews the Council's FOI process, in particular to the collating and checking of information."

45 Councillor K. Power - Request to EPA regarding bathing season extension.

"That the Chief Executive writes to the EPA and request an extension of the testing of bathing water quality in Fingal beyond the traditional bathing season given the significant increase in open water sports such as sea swimming, kayaking etc."

46 Councillor M. McCamley - Write to Minister regarding Affordable Purchase Scheme

"That the Chief Executive writes to Minister for Housing reminding him of the promise to enact the Affordable Purchase Scheme by the end of September and to ask that the Government might include said scheme in the Programme for Government."

47 Councillor J. Humphreys - Dog Fouling

"That the Chief Executive report back to the Climate Action, Biodiversity and Environment SPC within 6 months with a full-costed plan to set up a DNA database of canine DNA to combat the increase of owners not cleaning up their dog's excrement."

48 Councillor N. Treacy - National Transport Authority Funding

"That the Chief Executive gives a report as to why out of the four

Dublin Local Authorities that Fingal received the lowest amount of funding in the recently announced €240 million funding from the NTA to support sustainable transport projects across the Country and to ask if we will be seeking further funding from this latest announced funding from the NTA"

49 Councillor K. Dennison - Inspection of private rented properties

"That the Chief Executive provide a detailed report on the inspection of private rented properties for 2019 and 2020, to include the number that failed to meet regulatory requirements, the number of improvement notices served and any legal actions initiated."

**MOTIONS - NON
STATUTORY
FUNCTIONS**

50 Councillor T. Doyle - Awarding of Military and Distinguished Service Medals "A" Company 35TH Infantry Battalion ONUC

"That the Chief Executive acknowledges, that the Elected Members of the Council adopt, promote and call for the advancement of the awarding of the recommended 5 Military Medals for Gallantry and the 27 Distinguished Service Medals for the Irish Soldiers of A Company 35th Infantry Battalion ONUC who whilst operating under a UN mandate defended their post at Jadotville, DRC. Should this Motion be carried, the Executive on behalf of the Elected Members shall write to An Taoiseach agus An tAire Cosanta requesting the awarding be undertaken at the earliest opportunity given the ages of the remaining Members of A Company 35th in line with the recommendation by the then Taoiseach Enda Kenny in 2017."

51 Councillor J. Walsh - Withdrawal of Co-Living Guidelines

"That This Council condemns the continuing facilitation and approval of applications for Co-Living development by An Bord Pleanála despite the decision of the Minister for Housing to amend the statutory guidelines."

52 Councillor D. Mulligan - Repeal of the increase in carbon tax

"That the Chief Executive calls on the Government to repeal the increase in carbon tax, in the context of the thousands of excess winter deaths in Ireland (as Ireland is amongst the highest per EU

capita since 2015) and instead introduce an aviation tax and big emitters tax with the proceeds used for retrofitting dwellings in an energy efficient manner."

53 Councillor B. Hanaphy - Advancing Irish Unity

"That this Council, in view of the centenary of the passing by the British Parliament at Westminster of the Government of Ireland Act in December 1920, the Act which provided for the Partition of Ireland, calls on both the Irish and British governments to fully implement the Good Friday Agreement, including the setting of a date for Irish unity referendum, as provided for and all their obligations with regard to the rights of citizens."

54 Councillor D. Whooley - Request for a Joint Oireachtas Committee on trade agreements, such as Comprehensive and Economic and Trade Agreement (CETA)

"That the Council agrees to write to the Minister for Enterprise, Trade and Employment that international trade agreements, such as Comprehensive and Economic and Trade Agreement (CETA) providing a right to multinational corporations to take recourse against the State outside of ordinary legal systems, should be fully and properly scrutinised by a Joint Oireachtas Committee before any Dáil vote on ratification."

55 Councillors J. Hopkins and P. Mulville - Mother and Baby Homes

"That the Council acknowledges the final report of the Commission of Investigation into Mother and Baby Homes and in so doing apologises to those who suffered due to Local Authority run services under Dublin County Council, or predecessor Council and proactively reaches out to survivors and survivor groups to offer support through our Council Community Forum so as to understand how the Council can best support their needs as well as acknowledge this dark period in our Nation's and County's history, in a sensitive and appropriate manner."

56 Councillor A. Graves - Mother and Baby Homes records

"That Fingal County Council recognises the upset and distress that the destruction of records by the Commission of Investigation into Mother and Baby homes has caused to women, their families and their

representative groups, that survivors have already waited far too long to access their records and that the Council calls on the Minister for Children to publish without delay access to records legislation by fully supporting Deputy Kathleen Funchion's Civil Registration (Amendment) Bill 2021 to ensure that all adopted people are given unconditional access to their birth certs."

57 Councillor T. Kitt - Memorial for those who lost their lives due to CoVid 19

"That the Chief Executive gives consideration to the installation of a memorial for all those who lost their lives due to the CoVid19 pandemic."
