Comhairle Contae Fhine Gall
Fingal County Council

Minutes of the County Council Meeting held on Monday, 8th March, 2021 in the MS Teams, at 5.00 pm

MEMBERS PRESENT

Councillors:

Boland, Cathal
Burtchaell, John
Butler, Darragh
Carey, Ian
Conroy, Pamela
Dennehy, Brian
Dennison, Kieran
Doyle, Tania
Graves, Ann
Guerin, Jimmy
Hanaphy, Breda
Healy, David
Henchy, Adrian
Hopkins, Joan
Humphreys, James
Kitt, Tom
Lavin, Anthony
Leddy, Ted
Maguire, Grainne
Mahony, Howard

Councillors:

Manton, Brigid
McCamley, Mary
McDonagh, Brian
Mulligan, Dean
Mulville, Paul
Murphy, Tony
Newman, Joe
O'Brien, Eoghan
O'Donoghue, Robert
O'Leary, Tom
Ó Rodaigh, Seána
O'Rourke, Aaron
Power, Karen
Rane, Punam
Shovlin, Siobhán
Tormey, Aoibhinn
Walsh, John
Whooley, Daniel

Apologies were received for Councillors

Cllrs Natalie Treacy and Freddie Cooper

The Mayor, Councillor David Healy, presided.

OFFICIALS PRESENT

AnnMarie Farrelly (Chief Executive), John Quinlivan (Director of Services/Corporate Affairs & Governance), Emer O'Gorman (Director of Services/EETD), David Storey (Director of Services/Environment, Climate Action & Active Mobility); Mary Daly (Director of Services/Operations & Water Services); Matthew McAleese (Director of Services/Planning & Strategic Infrastructure), Brian Buckley (Senior Executive Officer), Sinead Murphy (Senior Engineer), Paul Carroll (Senior Engineer), Roisin Burke (A/Senior Engineer), Christine Baker (Heritage Officer), Bronagh Corry (Administrative Officer).

F/84/21 (Agenda Item No 1)

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

The attached motion, in the name of Councillor D. Mulligan was proposed by Councillor D. Mulligan and seconded by Councillor J. Newman.

During the course of discussion, the following amendment was proposed by Cllr. J. Newman and seconded by Cllr A. Graves:

"That this elected council, under Section 140 of the 2001 Local Government Act (as amended by Section 52 the 2014 Local Government Reform Act) instruct the Chief Executive, under Section 153 of the 2001 Local Government Act, to commence judicial review proceedings against the decision of An Bord Pleanála in relation to granting permission for ABP-308366-20 as the Bord's decision is contrary to Development Plan objectives incorporated in the site specific masterplan, including, but not limited to, building heights adjoining the Forest Rd, & mass overdevelopment in terms of net densities & a primary school site not being secured as a condition of the new housing."

Following consideration, the amendment to the motion was **AGREED**.

Following further discussion, the Mayor instructed that a roll call vote be taken on the amended motion and on a division the voting resulted as follows:

FOR: 9 NINE

AGAINST: 29 TWENTY-NINE

FOR: Councillors Burtchaell, John; Carey, Ian; Doyle, Tania; Graves, Ann; Hanaphy, Breda; Humphreys, James; Mulligan, Dean; Newman, Joe; O'Rourke, Aaron.

AGAINST: Councillors Boland, Cathal; Butler, Darragh; Conroy, Pamela; Dennehy, Brian; Dennison, Kieran; Guerin, Jimmy; Healy, David; Henchy, Adrian; Hopkins, Joan; Kitt, Tom; Lavin, Anthony; Leddy, Ted; Maguire, Grainne; Mahony, Howard; Manton, Brigid; McCamley, Mary; McDonagh, Brian; Mulville, Paul; Murphy, Tony; O'Brien, Eoghan; O'Donoghue, Robert; O'Leary, Tom; Ó Rodaigh, Seána; Power, Karen; Rane, Punam; Shovlin, Siobhan; Tormey, Aoibhinn; Walsh, John; Whooley, Daniel.

The Mayor then declared the motion, as amended, **LOST**.

F/85/21 (Agenda Item No 2)

Confirmation and Re-Affirmation of Minutes of Council meeting held on 8th February 2021

Minutes of the County Council Meeting held on 8th February 2021 at 5pm which had been circulated were considered.

It was **PROPOSED** by Councillor D. Healy, seconded by Councillor H. Mahony and **RESOLVED –**

"That the minutes of the County Council Meeting held on 8th February 2021 be **ADOPTED.**"

F/86/21 (Agenda Item No)

QUESTIONS

It was proposed by Councillor D. Healy, seconded by Councillor K. Dennison and **RESOLVED**:

"That in accordance with Standing Order No. 53, Questions numbered 3 to 29 be **ADOPTED**."

F/87/21 (Agenda Item No 3)

Councillor H. Mahony - Use of Weed Killer

F/88/21 (Agenda Item No 4)

Councillor H. Mahony - Housing acquisitions

F/89/21 (Agenda Item No 5)

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

F/90/21 (Agenda Item No 6)
Councillor K. Power - Diversity on the Council

F/91/21 (Agenda Item No 7)
Councillor J. Hopkins - Insurance for Tidy Towns and Community Groups

F/92/21 (Agenda Item No 8)
Councillor E. O'Brien - Outline in detail how parking enforcement staff are operating outside of Pay and Display areas

F/93/21 (Agenda Item No 9)
Councillor C. Boland - Green Roofs in the County

F/94/21 (Agenda Item No 10)
Councillor C. Boland - Overcrowding Signage at Open Spaces

F/95/21 (Agenda Item No 11)
Councillor A. Graves - Domestic Waste Collection

F/96/21 (Agenda Item No 12)
Councillor D. Mulligan - Open Market Information

F/97/21 (Agenda Item No 13)
Councillor P. Rane - Locations for New Schools in Fingal

F/98/21 (Agenda Item No 14)
Councillor D. Healy - Direct Vision Standard

F/99/21 (Agenda Item No 15)
Councillor D. Healy - Coastal monitoring programme

F/100/21 (Agenda Item No 16)
Councillor D. Butler - New Scramblers and Quads Legislation

F/101/21 (Agenda Item No 17)
Councillor B. Manton - Roads for repairs in the County

F/102/21 (Agenda Item No 18)
Councillor B. Manton - Grants information in the Chief Executives Report

F/103/21 (Agenda Item No 19)
Councillor A. Tormey - FOI requests

F/104/21 (Agenda Item No 20)

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

F/105/21 (Agenda Item No 21)

Councillor T. Murphy - Staffing levels

F/106/21 (Agenda Item No 22)

Councillor J. Walsh - Vacant Sites Register

F/107/21 (Agenda Item No 23)

Councillor N. Treacy - Housing List

F/108/21 (Agenda Item No 24)

Councillor A. O'Rourke - Building Regulations

F/109/21 (Agenda Item No 25)

Councillor A. O'Rourke - Housing Figures

F/110/21 (Agenda Item No 26)

Councillor B. Dennehy - Affordable Housing Schemes

F/111/21 (Agenda Item No 27)

Councillor B. Dennehy - Outdoor Public Space Scheme 2021

F/112/21 (Agenda Item No 28)

Councillor J. Humphreys - Dog Fouling

F/113/21 (Agenda Item No 29)

Councillor B. Hanaphy - Housing adaptations

F/114/21 (Agenda Item No 30)

Report of Committees

F/115/21 (Agenda Item No 30a)

Report of Committee of Balbriggan/Rush-Lusk/Swords (B) Meeting held on 11th February 2021

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor J. Newman, seconded by Councillor K. Power and **RESOLVED:**

"That the recommendations contained in the attached report of Committee from Balbriggan/Rush-Lusk/Swords (B) Meeting held on 11th February 2021, be **ADOPTED.**"

F/116/21 (Agenda Item No 30b)

Report of Committee from Howth/Malahide Area Committee Services B meeting held on Wednesday 3rd March 2021

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor A. Lavin, seconded by Councillor E. O'Brien and **RESOLVED:**

"That the recommendations contained in the attached report of Committee from Howth-Malahide (B) Meeting held on 3rd March 2021, be **ADOPTED.**"

F/117/21 (Agenda Item No 31)

Financial Matters

F/118/21 (Agenda Item No 31a)

Statutory Audit Report for Year Ending 31/12/2019

The attached report by the Chief Executive, which had been circulated, was **CONSIDERED** and following discussion, the report was **NOTED**.

F/119/21 (Agenda Item No 32)

Audit Committee

F/120/21 (Agenda Item No 32a)

Annual Report 2020

The attached report by the Chief Executive, which had been circulated, was **CONSIDERED** and following discussion, the report was **NOTED**.

a **<u>Annual Works Programme 2021</u>**

The attached report by the Chief Executive, which had been circulated, was **CONSIDERED** and following discussion, the report was **NOTED**.

F/121/21 (Agenda Item No 33)

Proposed Disposal of Properties.

It was **NOTED** that there was no business under this heading.

F/122/21 (Agenda Item No 34)

Draft Castlelands Masterplan

The attached report by the Chief Executive which had been circulated was **CONSIDERED**.

Following discussion, it was proposed by Cllr. T. Murphy and seconded by Cllr. G. Maguire:

"That the Draft Castlelands Masterplan is **AGREED**."

Following discussion, the motion was **PASSED**.

F/123/21 (Agenda Item No 35)

Extension of Donabate Local Area Plan

The attached report by the Chief Executive which had been circulated was **CONSIDERED**.

Following discussion, it was proposed by Cllr. A. Henchy, seconded by Cllr. P. Mulville and **RESOLVED** that –

"Having considered the Chief Executive's Report under Section 19(1)(e)(ii) and having addressed the provisions of Section 19(1)(e)(i); the deferral of the required notice under Section 20(3)(a)(i) and the publication of a notice under Section 20(3)(a)(ii) for a period not exceeding 5 years, the extension of the life of the Donabate Local Area Plan 2016, for a further period of 5 years from 8th March 2021 to 7th March 2026 is hereby approved."

F/124/21 (Agenda Item No 36)

Report on Heritage Signage Guidance

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. Following discussion, the report was **NOTED**.

F/125/21 (Agenda Item No 37)

Section 85 Remedial Works - N2/M50 Interchange Footbridge.

The attached report by the Chief Executive which had been circulated was **CONSIDERED**.

Following discussion, it was proposed by Cllr. D. Healy, seconded by Cllr. J. Newman and **RESOLVED** that –

"In accordance with the provisions of Section 85 of the Local Government Act 2001, the remedial works at the N2/M50 interchange footbridge, as part of Leinster Embankment & Footbridges Contract 2021, is hereby agreed."

F/126/21 (Agenda Item No 38)

Report on National Transport Authority Programme

The attached report by the Chief Executive which had been circulated was **CONSIDERED**.

Following discussion, it was **AGREED** to refer area specific issues to the Area Committees for further consideration and the report was **NOTED.**

F/127/21 (Agenda Item No 39)

Chief Executive's Report

The attached report which had been circulated was **CONSIDERED**.
A motion was submitted by Cllr. J. Guerin in relation to gender balance. Following consideration, it was proposed by Cllr. D. Healy, seconded by Cllr. J. Walsh and **AGREED** that the matter would be referred to the April meeting of the Organisation, Procedures and Finance Committee.

Following discussion, the report was **NOTED**.

F/128/21 (Agenda Item No 40)

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

The attached motion, in the name of the Mayor, Councillor D. Healy was proposed by Councillor D. Healy, seconded by Councillor T. O' Leary and **PASSED**.

F/129/21 (Agenda Item No 41)

Departmental/Ministerial Correspondence

F/130/21 (Agenda Item No 41a)

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

The correspondence which had been received was **NOTED**.

F/131/21 (Agenda Item No 42)

Correspondence.

F/132/21 (Agenda Item No 42a)

Letter from Limerick City & County Council dated 2nd February 2021 re Mother and Baby homes and establish a day of recognition

The correspondence which had been received was **NOTED**.

F/133/21 (Agenda Item No 42b)

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

The correspondence which had been received was **NOTED**.

F/134/21 (Agenda Item No 42c)

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

The correspondence which had been received was **NOTED**.

F/135/21 (Agenda Item No 42d)

Letter dated 4th February 2021 from Dublin City Council Women's Committee to Minister O'Brien re maternity leave for Councillors

The correspondence which had been received was **NOTED**.

F/136/21 (Agenda Item No 42e)

Letter from Clare County Council dated 9th February 2021 re review of the current National Planning Framework

The correspondence which had been received was **NOTED**.

F/137/21 (Agenda Item No 42f)

Letter from Tipperary County Council dated 16th February 2021 re extra supports to regional newspapers

The correspondence which had been received was **NOTED**.

F/138/21 (Agenda Item No 42g)

Letter from South Dublin County Council dated 16th February 2021 re offering support for the implementation of the Duffy/Cahill report (2016)

The correspondence which had been received was **NOTED**.

F/139/21 (Agenda Item No 42h)

Letter from Kerry County Council dated 16th February 2021 re writing to Head of US Aid to address the Council

The correspondence which had been received was **NOTED**.

F/140/21 (Agenda Item No 42i)

Letter from Kerry County Council dated 16th February 2021 re utilising seat on the UN Security Council to deliver statehood to the Palestinian people

The correspondence which had been received was **NOTED**.

F/141/21 (Agenda Item No 42j)

Letter from Tipperary County Council dated 23rd February 2021 re national day of recognition for the survivors and victims of Mother and Baby homes

The correspondence which had been received was **NOTED**.

F/142/21 (Agenda Item No 42k)

Letter dated 1st March 2021 from Laois County Council to Minister O'Brien re Land Development Agency Bill 2021

The correspondence which had been received was **NOTED**.

The Meeting concluded at 8.15pm

MAYOR _____ DATE _____