

**Comhairle Contae Fhine Gall
Fingal County Council**

Minutes of the County Council Meeting held on Monday, 13th December, 2021 in the MS Teams, at 5.00 pm

MEMBERS PRESENT

Councillors:

Boland, Cathal
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
Onwumereh, JK
O'Rourke, Aaron
Power, Karen
Rane, Punam
Shovlin, Siobhan
Tormey, Aoibhinn
Treacy, Natalie
Walsh, John
Whooley, Daniel

Apologies were received from the Mayor, Councillor S. Ó Rodaigh.
In the absence of the Mayor, the Deputy Mayor, Cllr. D. Whooley, 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); Oliver Hunt (Head of Finance); Liam Burke (A/Director of Services/Housing and Community), Brian Buckley (Senior Executive Officer); Mary Egan (Senior Executive Officer); Bronagh Corry (Administrative Officer); Pat Lonergan (Administrative Officer).

F/284/21 (Agenda Item No)

ANNOUNCEMENTS

The Deputy Mayor, Cllr. Daniel Whooley, informed the Members that apologies had been received from the Mayor due to a family bereavement and extended sympathies on behalf of the Members to Cllr. Ó Rodaigh and her family.

Cllr. T. Murphy sought clarification regarding a conflict of interest which had arisen in relation to Cllr. T. Murphy sought clarification regarding a conflict of interest which had arisen in relation to Item 26 of the November County Council meeting which was clarified by Cllr K. Power who stated that she was working for a company which was tendering for business from the Land Development Agency. Cllr. Power further clarified that in so doing she erred on the side of caution as the work being tendered for did not involve Fingal County Council.

F/285/21 (Agenda Item No 1)

Confirmation and Re-Affirmation of Minutes of County Council meeting held on Monday 8th November 2021

Minutes of the County Council Meeting held on 8th November 2021 which had been circulated were considered.

It was **PROPOSED** by Councillor P. Conroy, seconded by Councillor H. Mahony and **RESOLVED** –

“That the minutes of the County Council Meeting held on 8th November 2021 be **ADOPTED.**”

F/286/21 (Agenda Item No 2)

Confirmation and Re-Affirmation of Minutes of Budget Meeting held on Tuesday 9th November 2021

Minutes of the Annual Budget Meeting held on 9th November 2021 which had been circulated were considered.

It was **PROPOSED** by Councillor P. Conroy, seconded by Councillor H. Mahony and **RESOLVED** –

“That the minutes of the Annual Budget Meeting held on 9th November 2021 be **ADOPTED.**”

F/287/21 (Agenda Item No 3)

Election of Chairpersons for the Strategic Policy Committees

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

Mr. John Quinlivan, Director of Services, advised the Members that the group voting system applied to the nomination of the Chairperson for this Committee, as set out in Schedule 10 of the LG Act 2001, as amended. In accordance with the group voting system a group had been formed comprising of the Fine Gael Councillors and this group put forward the name of Councillor Tom O’Leary. It was proposed by Councillor K. Dennison, seconded by Councillor P. Rane and **AGREED:**

“That Councillor T. O’Leary be elected as the Chairperson of the Transport and Infrastructure Management Strategic Policy Committee.”

Following the appointment of Cllr. T. O’Leary, a vacancy existed on the Economic, Enterprise and Tourism Development SPC and it was **AGREED** that Cllr T. Leddy would fill this vacancy.

F/288/21 (Agenda Item No)

QUESTIONS

It was proposed by Councillor R. O’Donoghue, seconded by Councillor K. Dennison and **RESOLVED:**

“That in accordance with Standing Order No. 53, Questions numbered 4 to 15, be **ADOPTED.**”

F/289/21 (Agenda Item No 4)

Councillor B. Manton - ERDF Funding 2022

F/290/21 (Agenda Item No 5)

Councillor B. Manton - Sports Clubs and division of resources

F/291/21 (Agenda Item No 6)

Councillor B. Dennehy - New Public toilets in Fingal Coastal areas

F/292/21 (Agenda Item No 7)

Councillor K. Power - Environmentally friendly practices in Procurement

F/293/21 (Agenda Item No 8)

Councillor P. Mulville - Public toilets

F/294/21 (Agenda Item No 9)

Councillor E. O'Brien - Pedestrianisation of Swords Main Street.

F/295/21 (Agenda Item No 10)

Councillor E. O'Brien - Cycle lanes from the M1 Holywell junction into and through Airside.

F/296/21 (Agenda Item No 11)

Councillor A. Henchy - Graduates in Fingal County Council.

F/297/21 (Agenda Item No 12)

Councillor J. Hopkins - High Amenity Zoned Lands.

F/298/21 (Agenda Item No 13)

Councillor J. Walsh - Social Housing.

F/299/21 (Agenda Item No 14)

Councillor J. Humphreys - Traffic Control Centre Project.

F/300/21 (Agenda Item No 15)

Councillor J. Humphreys - VAS Data Collection

F/301/21 (Agenda Item No 16)

Report of Committees

a Report of Balbriggan/Rush-Lusk/Swords Area Committee Services B meeting held on 11th November 2021

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor G. Maguire, seconded by Councillor P. Mulville and **RESOLVED:**

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

b Report of Howth/Malahide Area Committee Services B meeting held on 1st December 2021

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

"That the recommendations contained in the report of Committee of Howth/Malahide Area Committee Services (B) meeting held on 1st December 2021, be **ADOPTED**."

c Report of Blanchardstown-Mulhuddart/Castleknock/Ongar Area Committee Services B meeting held on 2nd December 2021

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor T. Kitt, seconded by Councillor H. Mahony and **RESOLVED:**

"That the recommendations contained in the report of Committee of Blanchardstown-Mulhuddart/Castleknock/Ongar Services (B) meeting held on 2nd December 2021, be **ADOPTED**."

d Report of CPG Meeting held on 8th December 2021

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

e Report of Balbriggan/Rush-Lusk/Swords Area Committee Services B meeting held on 9th December 2021

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor T. Murphy, seconded by Councillor P. Mulville and **RESOLVED**:

"That the recommendations contained in the report of Committee of Balbriggan/Rush-Lusk/Swords Services (B) meeting held on 9th December 2021, be **ADOPTED**."

f Strategic Policy Committees Chairpersons Annual Report

The reports by the Strategic Policy Committee Chairpersons which had been circulated were **CONSIDERED** and **NOTED**.

F/302/21 (Agenda Item No 17)

Financial Matters

a Financial assistance to Approved Housing Bodies under the Capital Assistance Scheme - Call for CAS 2017 to provide units of living accommodation in the Fingal area

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was then proposed by Councillor P. Rane, seconded by Councillor K. Dennison and **RESOLVED**:

"That the recommendations contained in the report be **ADOPTED**."

F/303/21 (Agenda Item No 18)

Proposed Disposal of Properties.

a Proposed disposal of land at rear of Whitestown Avenue, Dublin 15 and the granting of a Right of Way to Gas Networks Ireland

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor D. Whooley and seconded by Councillor T. Kitt and **RESOLVED**:

"That the land and right of way referred to in the attached report be disposed of and granted in accordance with the terms specified therein."

b Proposed Lease of Property at the Casino Model Railway Museum, Malahide to Malahide Castle and Newbridge House Limited

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

"That the property referred to in the attached report be leased in accordance with the terms specified therein."

c Proposed exchange of lands at Shoreline Hotel, Donabate between Fingal County Council and Shoreline Hospitality limited (formerly known as Waterside Hospitality limited)

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor P. Mulville and seconded by Councillor A. Henchy and **RESOLVED**:

"That the lands referred to in the attached report be exchanged in accordance with the terms specified therein."

d Proposed Grant of Wayleave at Ballyhavil, Loughshinny, Co. Dublin to Irish Water

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor D. Whooley and seconded by Councillor T. O'Leary and **RESOLVED**:

"That the wayleave referred to in the attached report be granted in accordance with the terms specified therein."

e Proposed disposal of lands at Clarehall, Malahide Road, Dublin 17 to Claregrove Development Ltd.

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

"That the lands referred to in the attached report be disposed of in accordance with the terms specified therein."

f Proposed Grant of Wayleave on lands at Reamont Roundabout, Rathmore Road, Rush, Co. Dublin to ESB Networks

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor R. O'Donoghue and seconded by Councillor B. Dennehy and **RESOLVED**:

"That the wayleave referred to in the attached report be granted of in accordance with the terms specified therein."

g Proposed disposal of land at Dun Emer, Lusk, Co Dublin to Ó Cualann Co-housing Alliance Company Limited by Guarantee

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor K. Power and seconded by Councillor R. O'Donoghue and **RESOLVED**:

"That the lands referred to in the attached report be disposed of in accordance with the terms specified therein."

F/304/21 (Agenda Item No 19)

Declaration of Roads

a Hampton Green, Balbriggan, Co. Dublin

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor G. Maguire, seconded by Councillor T. Murphy, and **RESOLVED**:

"That the roads referred to in the attached report be, and are hereby declared to be, public roads."

b Rahillion Estate, Phase 1, Donabate, Co. Dublin.

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor A. Henchy, seconded by Councillor P. Mulville, and **RESOLVED**:

"That the roads referred to in the attached report be, and are hereby declared to be, public roads."

F/305/21 (Agenda Item No 20)

Establishment of Marine & Coastal Management Strategic Policy Committee

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

Following discussion, it was proposed by Cllr. C. Boland, seconded by Cllr. T. O'Leary and **RESOLVED** that –

"In accordance with Section 41 of the Local Government Reform Act 2001 (as amended), it is hereby resolved that Fingal County Council establish a Marine and Coastal Management Strategic Policy Committee and that membership and remit of this SPC be included within the Strategic Policy Scheme 2019 – 2024 as set out in the foregoing report."

It was then proposed by Cllr. C. Boland, seconded by Cllr. T. O'Leary and **RESOLVED** that -

"It is hereby resolved that the amendment contained in the draft Fingal County Council Standing Orders (Dec 2021) be made and that the amended Standing Orders be adopted as the Standing Orders of Fingal County Council."

F/306/21 (Agenda Item No 21)

Draft Annual Service Delivery Plan 2022

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

It was proposed by Councillor H. Mahony, seconded by Councillor T. Kitt and **RESOLVED**:

"In accordance with Section 134a of the Local Government Act 2001, as amended, the Annual Service Delivery Plan 2022 as recommended by the Chief Executive is hereby **ADOPTED**."

F/307/21 (Agenda Item No 22)

Youth Sports Grants 2021

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Cllr S. Shovlin, seconded by Cllr. JK Onwumereh and **RESOLVED** that -

“The award of the Youth Sports Grants as set out in the foregoing report is hereby **APPROVED**.”

F/308/21 (Agenda Item No 23)

Festivals and Events Funding Scheme 2022

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. A presentation was given to the Members by Emer O’Gorman, Director of Services. It was proposed by Cllr A. Henchy, seconded by Cllr. M. McCamley and **RESOLVED** that -

“The Festivals and Events Funding Scheme 2022, as set out in the foregoing report, is hereby **APPROVED**.”

F/309/21 (Agenda Item No 24)

Section 85 Remedial Works - M50/N3 Interchange Bridge North and South

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

Following discussion, it was proposed by Cllr. D. Whooley, seconded by Cllr. M. McCamley 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/310/21 (Agenda Item No 25)

Report pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended) for Proposed Lanesborough Park Development Project

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. Following discussion, it was proposed by Councillor D. Whooley, seconded by Councillor JK Onwumereh and **RESOLVED**:

"That Fingal County Council hereby resolves, pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended), that the proposed Lanesborough Park Development Project be proceeded with as set out in the foregoing report."

F/311/21 (Agenda Item No 26)

Report pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended) for Proposed Naul Village Park Development Project:

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. Following discussion, it was proposed by Councillor D. Whooley, seconded by Councillor C. Boland and **RESOLVED**:

"That Fingal County Council hereby resolves, pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended), that the proposed Naul Village Park Development Project be proceeded with as set out in the foregoing report."

F/312/21 (Agenda Item No 27)

Report pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended) for Proposed Public Play Space Project at Garristown Library

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. Following discussion, it was proposed by Councillor D. Whooley, seconded by Councillor C. Boland and **RESOLVED**:

"That Fingal County Council hereby resolves, pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended), that the proposed Public Play Space Project at Garristown Library be proceeded with as set out in the foregoing report."

F/313/21 (Agenda Item No 28)

Report pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended) for Proposed sheltered housing for the elderly, consisting of 31 no. dwellings, 1.no communal facility and all associated site development works at Kilhedge Lane, Lusk, Co Dublin.

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. Following discussion, it was proposed by Councillor D. Whooley, seconded by Councillor R. O'Donoghue and **RESOLVED**:

"That Fingal County Council hereby resolves, pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended), that the proposed sheltered housing for the elderly, consisting of 31 no. dwellings, 1.no communal facility and all associated site development works at Kilhedge Lane, Lusk, Co. Dublin, be proceeded with as set out in the foregoing report."

F/314/21 (Agenda Item No 29)

Dublin Agglomeration Air Quality Plan

The report which had been circulated was **CONSIDERED**. Following discussion, it was proposed by Cllr. D. Healy, seconded by Cllr. E. O'Brien and **AGREED** –

"That Fingal County Council will use personal air pollution exposure monitoring as part of our Safe Routes to School Programme."

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

F/315/21 (Agenda Item No 30)

Mayors Business - Councillor S. Ó Rodaigh - 15 minute City or Town Centre First approach Feasibility Studies.

This item was **DEFERRED** to the January meeting of the County Council.

F/316/21 (Agenda Item No 31)

Chief Executive's Report

The report which had been circulated was **CONSIDERED**. Following discussion, it was proposed by Cllr J. Humphreys and seconded by Cllr J. Walsh –

“That this Council dissatisfied with the awarding of a contract on 16th of November to Aramark Service Provider to operate maintain and manage three Fingal Heritage Properties Malahide Castle, Newbridge House and Casino Model Railway.”

During the course of discussion, following clarification from Cllr J. Humphreys and in accordance with Standing Orders the motion was ruled **OUT OF ORDER**.

It was then proposed by Cllr. J. Guerin and seconded by Cllr. J. Newman –

“That the CE confirms that the Development Plan is a matter for the Members alone and that the position in relation to reports prepared or guidelines issued with the Draft Plan and subsequent reports to be issued by the Executive following the submission of motions are not in any way binding on Members but merely advice for consideration.”

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

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

F/317/21 (Agenda Item No 32)
Conference Report.

a **Renewable Energy Conference 2021, 2nd December 2021**

The notice which had been circulated was **NOTED**.

b **IRL 30th Anniversary Conference, 3rd December 2021**

The notice which had been circulated was **NOTED**.

F/318/21 (Agenda Item No 33)

Departmental/Ministerial Correspondence

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

F/319/21 (Agenda Item No 34)

Correspondence.

- a** **Letter from Sligo County Council dated 16th November 2021 re: Refuge Centre for victims and survivors of domestic violence in Sligo and surrounding area**

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

- b** **Letter from Waterford City and County Council dated 25th November 2021 - Visual Communication Boards available in public playgrounds**

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

- c** **Letter from Galway County Council - Boycott of goods from occupied territories**

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

MOTIONS - STATUTORY FUNCTIONS

F/320/21 (Agenda Item No 35)

Councillor D. Whooley - Establish a Working Group to discuss the proposal for a directly elected Mayor

The motion, in the name of Councillor D. Whooley was proposed by Councillor D. Whooley and seconded by Councillor K. Power.

F/321/21 (Agenda Item No)

SUSPENSION OF STANDING ORDERS

At this stage the Mayor suspended Standing Orders and it was **AGREED** by the Members to extend the meeting until 8.10pm.

F/322/21 (Agenda Item No)

Councillor D. Whooley - Establish a Working Group to discuss the proposal for a directly elected Mayor

Following discussion, it was proposed by Cllr. D. Whooley, seconded by Cllr. K. Power and **AGREED** that his motion be amended to read as follows -

“That this Council establishes a Working Group to discuss the proposal of a directly elected Mayor in Dublin and its consequences for the citizens of Fingal and to create a report of any changes that the role might bring to the Council with the terms of reference to be agreed at the next scheduled OP&F Committee meeting.”

F/323/21 (Agenda Item No)

SUSPENSION OF STANDING ORDERS

At this stage the Mayor suspended Standing Orders and it was **AGREED** by the Members to extend the meeting until the conclusion of Item No. 35.

F/324/21 (Agenda Item No)

Councillor D. Whooley - Establish a Working Group to discuss the proposal for a directly elected Mayor

The motion, as amended, in the name of Councillor D. Whooley was proposed by Councillor D. Whooley and seconded by Councillor J. Walsh.

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

FOR: 14 FOURTEEN

AGAINST: 12 TWELVE

ABSTAIN: 2 TWO

FOR: Councillors Carey, Ian; Conroy, Pamela; Healy, David; Hopkins, Joan; Leddy, Ted; Mulligan, Dean; Mulville, Paul; O'Brien, Eoghan; O'Donoghue, Robert; O'Rourke, Aaron; Power, Karen; Treacy, Natalie; Walsh, John; Whooley, Daniel.

AGAINST: Councillors Boland, Cathal; Dennhey, Brian; Lavin, Anthony; Maguire, Grainne; Mahony, Howard; Manton, Brigid; McDonagh, Brian; Murphy, Tony; O'Leary, Tom; Onwumereh, JK; Rane, Punam; Shovlin, Siobhan.

ABSTAIN: Councillors Burtchaell, John; Humphreys, James.

The Deputy Mayor then declared the amended Motion **PASSED**.

The Meeting concluded at 20.35.

DEPUTY
MAYOR

DATE