

Comhairle Contae Fhine Gall Fingal County Council

Minutes of the County Council Meeting held on Monday, 12th September, 2022
in the Council Chamber - County Hall, Swords, at 5.00 pm

MEMBERS PRESENT

Councillors:

Boland, Cathal
Butler, Darragh
Burtchaell, John
Carey, Ian
Dennehy, Brian
Dennison, Kieran
Donnelly, Angela
Doyle, Tania
Graves, Ann
Guerin, Jimmy
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, Pádraig
Mulvihy, Pádraig
Murphy, Tony
Newman, Eoghan
O'Brien, Hugh, Robert
O'Donoghue, Robert
O'Leary, Tom, JK
Ó Rodaigh, Séamus
Ó Rodaigh, Seana
Rane, Pádraig
Rane, Pádraig
Shovlin, Siobhán
Tormey, Niall
Treacy, Natalie
Walsh, Daniel
Whooley, Daniel

Councillors:

Manton, Brigid
McCamley, Mary
McDonagh, Brian
Mulligan, Pádraig
Mulvihy, Pádraig
Murphy, Tony
Newman, Eoghan
O'Brien, Hugh, Robert
O'Donoghue, Robert
O'Leary, Tom, JK
Ó Rodaigh, Séamus
Ó Rodaigh, Seana
Power, Pádraig
Rane, Pádraig
Shovlin, Siobhán
Tormey, Niall
Treacy, Natalie
Walsh, Daniel
Whooley, Daniel

Apologies were received for Councillors Pamela Conroy and Breda Hanaphy.

The Mayor Cllr H. Mahony presided.

OFFICIALS PRESENT

AnnMarie Farrelly (Chief Executive); Emer O’Gorman (Director of Services/People, Corporate & Digital Services); John Quinlivan (Director of Services/Economic, Enterprise, Tourism and Cultural Development); 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); Robert Burns (Director of Services Housing and Community); Oliver Hunt (Head of Finance); Brian Buckley (Senior Executive Officer); Fionnuala May (County Architect); Pat Boyle (Senior Architect).

F/243/22 (Agenda Item No)

ANNOUNCEMENTS

The Mayor, Cllr. H. Mahony, reminded Members that Standing Orders would apply to all aspects of the meeting.

F/244/22 (Agenda Item No 1)

Confirmation and Re-Affirmation of Minutes of Council Meeting held on Monday 4th July 2022

Minutes of the County Council Meeting held on 4th July 2022 which had been circulated were considered.

It was **PROPOSED** by Councillor H. Mahony, seconded by Councillor T. Kitt and **RESOLVED –**

“That the minutes of the County Council Meeting held on 4th July 2022 be **ADOPTED.**”

F/245/22 (Agenda Item No)

QUESTIONS

It was proposed by Councillor H. Mahony, seconded by Councillor J. Walsh and **RESOLVED:**

“That in accordance with Standing Order No. 53, Questions numbered 2 to 10, be **ADOPTED.**”

- F/246/22** (Agenda Item No 2)
Councillor J. Hopkins - Planting of Wild Flowers
- F/247/22** (Agenda Item No 3)
Councillor P. Mulville - Regular Meetings with Directors of Estate Management Companies
- F/248/22** (Agenda Item No 4)
Councillor A. Lavin - Sea Swimming Competitions at Fingal Blue Flag Beaches
- F/249/22** (Agenda Item No 5)
Councillor S. Shovlin - Recycling Dates for Halloween Amnesty and any Other Significant Dates
- F/250/22** (Agenda Item No 6)
Councillor S. Shovlin - Bike and Scooter Racks for Schools
- F/251/22** (Agenda Item No 7)
Councillor A. Graves - On-line Portal - Access Council Housing List
- F/252/22** (Agenda Item No 8)
Councillor T. O'Leary - Court Costs and Legal Fees - Planning Cases
- F/253/22** (Agenda Item No 9)
Councillor S. Ó Rodaigh - Communication Boards in Playgrounds in Fingal
- F/254/22** (Agenda Item No 10)
Councillor A. Henchy - Fingal Hockey Development Officer
- F/255/22** (Agenda Item No 11)
Report of Committees
- a** **Report of Blanchardstown-Mulhuddart/Castleknock/Ongar Services**
(B) Meeting held on Thursday 1st September 2022

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor N. Treacy, seconded by Councillor T. Doyle and **RESOLVED:**

"That the recommendations contained in the report of the Blanchardstown-Mulhuddart/Castleknock/Ongar Area Committee Services B meeting held on 1st September be **ADOPTED.**"

F/256/22 (Agenda Item No 11b)

Report of Howth/Malahide Area Committee Meeting Services (B) held on Wednesday 7th September 2022

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor J. Hopkins, seconded by Councillor B. McDonagh and **RESOLVED:**

"That the recommendations contained in the report of the Howth Malahide Area Committee Services B meeting held on 7th September 2022 be **ADOPTED.**"

a Report of Balbriggan/Rush-Lusk/Swords Services (B) Meeting held on Thursday 8th September 2022

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

"That the recommendations contained in the report of the Balbriggan/Rush-Lusk/Swords Area Committee Services B meeting held on 8th September 2022 be **ADOPTED.**"

F/257/22 (Agenda Item No 12)

Financial Matters

F/258/22 (Agenda Item No 12a)

Fixing of Date for Consideration of Capital Programme

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

It was proposed by Councillor H. Mahony, seconded by Councillor B. McDonagh and **RESOLVED:**

"That in accordance with Section 135 of the Local Government Act 2001 the Council hereby resolves to consider the Three Year Capital Programme at the Meeting of the County Council to be held on the 10th October 2022."

a Financial Assistance to Approved Housing Bodies under the Capital Assistance Scheme - Call for CAS 2017 to provide units of living accommodation in the Blanchardstown-Mulhuddart/Castleknock/Ongar living area

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

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

b Application for Loan Approval from the Housing Finance Agency for Housing Purposes 2022

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

"That Fingal County Council hereby resolves to raise loans to a limit of €19million from the Housing Finance Agency for any purpose authorised under the Housing Acts during the period ending 31/12/2022."

c Application for Loan Approval from the Housing Finance Agency for Housing Purposes 2023

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

"That Fingal County Council hereby resolves to raise loans to a limit of €30.5million from the Housing Finance Agency for any purpose authorised under the Housing Acts during the period ending 31/12/2023."

F/259/22 (Agenda Item No 13)

Proposed Disposal of Properties/WayLeaves/Grant of Right of Way

a **Proposed disposal of lands at Godamendy, Dublin 15, to Channor Limited**

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

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

b **Proposed disposal of land and grant of Wayleave at Churchfields Mulhuddart, Dublin 15 to ESB Networks**

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

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

F/260/22 (Agenda Item No 13c)

Proposed Disposal of Fee Simple Interest of Dwellings

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

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

F/261/22 (Agenda Item No 14)

Declaration of Roads/Taking in Charge

F/262/22 (Agenda Item No 14a)

Blackthorn Place, Kinsealy, Co Dublin

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

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

a Chieftain's Way, Balbriggan, Co Dublin

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

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

F/263/22 (Agenda Item No 14c)

Baymeadows, Phase 1, Co Dublin

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

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

F/264/22 (Agenda Item No 14d)

Hollywoodrath, Phase 1, Mulhuddart, Dublin 15

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

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

F/265/22 (Agenda Item No 14e)

Castleknock Lawn Tennis Club, Plaza Area, Castleknock, Dublin 15

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor T. Leddy, seconded by Councillor J. Walsh, and **RESOLVED:**

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

F/266/22 (Agenda Item No 15)

Report pursuant to Part XI of the Planning & Development Act 2000 and Part VIII of the Local Government Planning & Development Regulations 2001 (as amended) for - Red Barn Skerries Mills

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. Following a presentation and discussion, it was proposed by Councillor T. O’Leary, seconded by Councillor S. Ó’Rodaigh 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 Red Barn Skerries Mills Project be proceeded with as set out in the foregoing report.”

F/267/22 (Agenda Item No 16)

Report pursuant to Part XI of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 - 2015 (as amended) for proposed Swords Cultural Quarter development incorporating a new County Library and Arts Venue, and public realm upgrades including the forecourt to County Hall in vicinity of Main Street Swords Castle, North Street and Seatown Road, Swords, Co Dublin

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. Following a presentation and discussion, it was proposed by Councillor D. Butler, seconded by Councillor J. Humphreys, 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 Swords Cultural Quarter development incorporating a new County Library and Arts Venue, and public realm upgrades including the forecourt to County Hall in vicinity of Main Street Swords Castle, North Street and Seatown Road, Swords, Co Dublin Project be proceeded with as set out in the foregoing report."

F/268/22 (Agenda Item No 17)

Chief Executive's Report

The report which had been circulated was **CONSIDERED**.

Following discussion, it was proposed by Cllr A. Graves and seconded by Cllr N. Tracey –

"That this Council requests the Chief Executive of the DAA to meet with Councillors to discuss issues arising from westerly flights from the new runway diverging northwards upon reaching a height of 650ft; and furthermore that the FCC Executive seeks independent legal advice for Councillors to provide assurances that FCC is indemnified should any financial claims arise on foot of this."

Following discussion, an amendment to the motion was proposed by Cllr. A. Graves and seconded by Cllr. N. Tracey –

"To remove the words: "and furthermore that the FCC Executive seeks independent legal advice for Councillors to provide assurances that FCC is indemnified should any financial claims arise on foot of this."

To read

"That this Council requests the Chief Executive of the DAA to meet with Councillors to discuss issues arising from westerly flights from the new runway diverging northwards upon reaching a height of 650ft."

The amendment to the motion was agreed. Following discussion, the motion, as amended, was **PASSED**.

Following further discussion, the Chief Executive's Report was **NOTED**.

F/269/22 (Agenda Item No 18)

Mayor's Business

a Councillor H. Mahony - Lighting in Public Parks

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

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

b Councillor H. Mahony - Section 254 Licence Applications

The motion, in the name of Councillor H. Mahony was proposed by Councillor H. Mahony and seconded by Councillor A. Lavin.

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

F/270/22 (Agenda Item No 19)

Conference Report

F/271/22 (Agenda Item No 19a)

AILG - Autumn Training Conference - Celebrating Local Government 14th - 15th September, 2022 - Knightsbrook, Trim, Co. Meath

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

F/272/22 (Agenda Item No 19b)

A Practical Guide to Budget 2023 - Carlingford, Co Louth - 30th September - 2nd October 2022

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

F/273/22 (Agenda Item No 19c)

**Irish State Retirement Pensions and Benefits - Clonakilty, Co Cork - 7th -
9th October 2022**

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

- a **National PPN Conference, Midlands Park Hotel Jessop Street,
Portlaoise Co. Laois - 21st and 22nd October 2022**

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

- F/274/22** (Agenda Item No 19e)
**Innovation in Solar Energy Technology - Clonakilty, Co. Cork - 28th - 30th
October 2022**

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

- F/275/22** (Agenda Item No 19f)
**The role of Local Authorities in addressing the needs of Older People -
Carlingford, Co. Louth - 11th - 13th November 2022**

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

- F/276/22** (Agenda Item No 20)
Departmental/Ministerial Correspondence

- a **Reply received from Office of the Minister dated 6th July 2022 re Item
39 - Representation on the Citizens' Assembly 14th March 2022
Council Meeting**

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

- F/277/22** (Agenda Item No 21)
Correspondence

- a **Letter from Cork County Council dated 27th June 2022 - re Support
Fishing Fleet**

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

b Letter from Donegal County Council dated 22nd July 2022 re Review of the Rules on Inheritance Tax

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

F/278/22 (Agenda Item No 21c)

Letter from Wexford County Council dated 26th July 2022 re Long Covid Clinics retained and expanded

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

F/279/22 (Agenda Item No 22)

Councillor A. Donnelly - Local Post Office Viability

The motion, in the name of Councillor A. Donnelly was proposed by Councillor A. Donnelly and seconded by Councillor N. Tracey.

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

F/280/22 (Agenda Item No 23)

Councillor J. Walsh - Adoption of the European Circular Cities Declaration 2020

The motion, in the name of Councillor J. Walsh, was proposed by Councillor J. Walsh, seconded by Councillor R. O'Donoghue.

Following consideration the report was **NOTED**.

The Meeting concluded at 7.57pm.

MAYOR _____

DATE _____