

Comhairle Contae Fhine Gall Fingal County Council

Minutes of the County Council Meeting held on Monday, 13th March, 2023 in the Council Chamber - County Hall, Swords, at 5.00 pm

MEMBERS PRESENT

Councillors:

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

Councillors:

Maguire, Grainne
Mahony, Howard
Manton, Brigid
McDonagh, Brian
Mulligan, Dean
Mulville, Paul
Murphy, Tony
Newman, Joe
O'Brien, Eoghan
O'Donoghue, Robert
O'Leary, Tom
Onwumereh, JK
Ó Rodaigh, Seána
Power, Karen
Shovlin, Siobhan
Treacy, Natalie
Walsh, John
Whooley, Daniel

Apologies for inability to attend were received for Councillors

John Burtchaell and Mary McCamley.

The Mayor, Councillor Howard Mahony, presided.

OFFICIALS PRESENT

AnnMarie Farrelly (Chief Executive); Mary Egan (Director of Services/People, Corporate & Digital); John Quinlivan (Director of Services/Economic, Enterprise, Tourism and Cultural Development); David Storey (Director of

Services/Environment, Climate Action & Active Travel); Mary T Daly (Director of Services/Operations & Water); Oliver Hunt (Head of Finance); Robert Burns (Director of Housing Services and Community Development); Matthew McAleese (Director of Services Planning and Strategic Infrastructure); Nikki Halleran (A/Senior Executive Officer); Annamie Pretorius, (Senior Executive Architect); Carmel Brennan, (Senior Architect)

F/79/23 (Agenda Item No)

ANNOUNCEMENT

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

F/80/23 (Agenda Item No)

EMERGENCY MOTIONS

The Mayor, Councillor. H. Mahony, advised the Members that two emergency motions had been received prior to the meeting.

The motion from Councillor J. Guerin was ruled in order and would be heard during the meeting.

The motion from Councillors A. Graves, A. Donnelly, B. Hanaphy and N. Treacy was ruled out of order.

F/81/23 (Agenda Item No)

MINUTES SILENCE

It was agreed to hold a minute's silence for the former Mayor of Fingal, Gerry McGuire, who passed away on 12th March. The Members and Chief Executive expressed their condolences to his family.

F/82/23 (Agenda Item No 1)

Confirmation and Re-Affirmation of Minutes

- a **Confirmation and Re-Affirmation of Minutes of Council Meeting held on Monday 13th February 2023**

Minutes of the County Council Meeting held on 13th February 2023 which had been circulated were considered.

It was **PROPOSED** by Councillor K. Dennison, seconded by Councillor B. McDonagh and **RESOLVED** –

“That the minutes of the County Council Meeting held on 13th February 2023 be **ADOPTED.**”

b Confirmation and re-affirmation of Minutes of Fingal Development Plan Meetings held between Wednesday 15th February 2023 - Wednesday 22nd February 2023

Minutes of the Fingal Development Plan Meetings held between Wednesday 15th February 2023 and Wednesday 22nd February 2023 which had been circulated were considered.

It was **PROPOSED** by Councillor J. Guerin, seconded by Councillor J. Newman and **RESOLVED** –

“That the minutes of the be Fingal Development Plan Meetings held between Wednesday 15th February 2023 and Wednesday 22nd February 2023 be **ADOPTED.**”

c Amendment to Minute FDP2/345/22 Fingal Development Plan held between Tuesday 20th September 2022 - Wednesday 19th October 2022

Amendment to Minute FDP2/345/22 Fingal Development Plan Meetings held between Tuesday 20th September 2022 and Wednesday 19th October 2022 which had been circulated was considered.

It was **PROPOSED** by Councillor K. Power, seconded by Councillor K. Dennison and **RESOLVED** –

“That the amendment to Minute FDP2/345/22 Fingal Development Plan Meetings held between Tuesday 20th September 2022 and Wednesday 19th October 2022 be **ADOPTED.**”

F/83/23 (Agenda Item No 2)

Nominations

a Nomination of Members to Town Centre First - Lusk Town Team

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

It is a matter for Members of the Full Council to make such nominations as are considered appropriate.

It was proposed by Councillor J. Humphreys and seconded by Councillor J. Walsh that Councillor Robert O' Donoghue be nominated to Town Centre First – Lusk Town Team

It was proposed by Councillor D. Butler and seconded by Councillor B. Manton that Councillor Brian Dennehy be nominated to Town Centre First – Lusk Town Team

It was proposed by Councillor T. Murphy and seconded by Councillor G. Maguire that Councillor Cathal Boland be nominated to Town Centre First – Lusk Town Team

It was **AGREED** and declared by the Mayor that Councillors Robert O'Donoghue, Brian Dennehy and Cathal Boland be nominated to Town Centre First – Lusk Town Team.

b Nomination of Councillors to Fingal Biodiversity Forum

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

Following discussion, it was **AGREED** that, as the requirement was for 6 Councillors to sit on the Biodiversity Forum, the nominations would come from the following areas:

SPCs

1. Marine & Coastal Management SPC
2. Planning Strategic Transport & Infrastructure Development SPC

3. Climate Action Biodiversity Environment SPC

Area Committees

1. Balbriggan Rush Lusk Swords
2. Blanchardstown Mulhuddart Castleknock Ongar
3. Howth Malahide

Marine & Coastal Management SPC Nominations

It was proposed by Cllr. D. Butler and seconded by Cllr. K. Power that:

“Councillor Eoghan O’Brien be nominated to the Fingal Biodiversity Forum”

It was proposed by Cllr. T. Murphy and seconded by Cllr. G. Maguire that:

“Councillor Cathal Boland be nominated to the Fingal Biodiversity Forum”

Planning Strategic Transport & Infrastructure Development SPC Nominations

It was proposed by Cllr. B. McDonagh and seconded by Cllr. T. O’Leary that:

“Councillor Punam Rane be nominated to the Fingal Biodiversity Forum”

It was proposed by Cllr. A. Graves and seconded by Cllr. B. Hanaphy that:

“Councillor Tania Doyle be nominated to the Fingal Biodiversity Forum”

Climate Action Biodiversity Environment SPC Nominations

It was proposed by Cllr. D. Healy and seconded by Cllr. P. Conroy that:

“Councillor Joe Newman be nominated to the Fingal Biodiversity Forum”

Balbriggan Rush Lusk Swords ACM Nominations

It was proposed by Cllr. K. Power and seconded by Cllr. J. Humphreys that:

“Councillor Ian Carey be nominated to the Fingal Biodiversity Forum”

It was proposed by Cllr. D. Mulligan and seconded by Cllr. A. Donnelly that:

“Councillor Ann Graves be nominated to the Fingal Biodiversity Forum”

Blanchardstown Mulhuddart Castleknock Ongar ACM Nominations

It was proposed by Cllr. P. Conroy and seconded by Cllr. E. O’Brien that:

“Councillor John Walsh be nominated to the Fingal Biodiversity Forum”

Howth Malahide ACM Nominations

It was proposed by Cllr. P. Mulville and seconded by Cllr. B. McDonagh that:

“Councillor Joan Hopkins be nominated to the Fingal Biodiversity Forum”

The Mayor then instructed that a roll call vote be taken on the following nominations:

1. Marine & Coastal Management SPC
2. Planning Strategic Transport & Infrastructure Development SPC
3. Balbriggan Rush Lusk Swords ACM

Vote 1

-
BOLAND **8**
O'BRIEN **26**
ABSTAIN **2**

BOLAND: Councillors Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Treacy, Natalie; Murphy, Tony; Doyle, Tania; Boland, Cathal.

O'BRIEN: Councillors Mahony, Howard; Hopkins, Joan; Mulville, Paul; Whooley, Daniel; Carey, Ian; Power, Karen; O'Brien, Eoghan; Kitt, Tom; Manton, Brigid; ÓRodaigh, Seána; Walsh, John; O'Leary, Tom; Shovlin, Siobhan; Lavin, Anthony; Guerin, Jimmy; Healy, David; Conroy, Pamela; Henchy, Adrian; Butler, Darragh; Onwumereh, JK.; Dennehy, Brian; O'Donoghue, Robert; McDonagh, Brian, Humphreys, James; Dennison, Kieran; Leddy, Ted.

ABSTAIN: Councillors Maguire, Grainne; Newman, Joe.

Vote 2

-
RANE: 22
DOYLE 12
ABSTAIN 2

RANE: Councillors Mahony, Howard; Carey, Ian; Power, Karen; O'Brien, Eoghan; Kitt, Tom; Manton, Brigid; Ó'Rodaigh, Seána; Walsh, John; O'Leary, Tom; Shovlin, Siobhan; Lavin, Anthony; Healy, David; Conroy, Pamela; Henchy, Adrian; Butler, Darragh; Onwumereh, JK.; Dennehy, Brian; O'Donoghue, Robert; McDonagh, Brian; Humphreys, James; Dennison, Kieran; Leddy, Ted.

DOYLE: Councillors Hopkins, Joan; Mulville, Paul; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Treacy, Natalie; Murphy, Tony; Whooley, Daniel; Doyle, Tania; Newman, Joe; Guerin, Jimmy.

ABSTAIN: Councillors Maguire, Grainne; Boland, Cathal.

Vote 3

-
CAREY 23
GRAVES 10
ABSTAIN 3

CAREY: Councillors Mahony, Howard; Whooley, Daniel; Carey, Ian; Power, Karen; O'Brien, Eoghan; Kitt, Tom; Manton, Brigid; Ó'Rodaigh, Seána; Walsh, John; O'Leary, Tom; Shovlin, Siobhan; Lavin, Anthony; Healy, David; Conroy, Pamela; Henchy, Adrian; Butler, Darragh; Onwumereh, JK.; Dennehy, Brian; O'Donoghue, Robert; McDonagh, Brian; Humphreys, James; Dennison, Kieran; Leddy, Ted.

GRAVES: Councillors Hopkins, Joan; Mulville, Paul; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Treacy, Natalie; Murphy, Tony; Doyle, Tania; Guerin, Jimmy.

ABSTAIN: Councillors Maguire, Grainne; Newman, Joe; Boland, Cathal.

The Mayor then **DECLARED** the following six Councillors as nominated to the Fingal Biodiversity Forum:

Cllr. Eoghan O'Brien
 Cllr. Punam Rane
 Cllr. Joe Newman

Cllr. Ian Carey
Cllr. John Walsh
Cllr. Joan Hopkins

F/84/23 (Agenda Item No)

QUESTIONS

It was proposed by Councillor JK. Onwumereh, seconded by Councillor A. Henchy and **RESOLVED:**

"That in accordance with Standing Order No. 53, Questions numbered 3 to 20, be **ADOPTED.**"

F/85/23 (Agenda Item No 3)

Councillor A. Henchy - Active Travel Projects 2022 - 2023

F/86/23 (Agenda Item No 4)

Councillor C. Boland - Planning Department Staffing levels

F/87/23 (Agenda Item No 5)

Councillor S. Shovlin - Fund for Communities - For people from Ukraine and other countries

F/88/23 (Agenda Item No 6)

Councillor K. Power - Compulsory Purchase Orders 2018-2022

F/89/23 (Agenda Item No 7)

Councillor J. Hopkins - Forest of Fingal Policy Update

F/90/23 (Agenda Item No 8)

Councillor D. Healy - Council signing up to Climate Perks Programme

F/91/23 (Agenda Item No 9)

Councillor D. Healy - Active Travel Analysis of Planning Applications

F/92/23 (Agenda Item No 10)

Councillor A. Tormey - Fingal Coastal Way and Coastal Erosion

F/93/23 (Agenda Item No 11)

Councillor S. Ó Rodaigh - Progress on 'Space for Play'- A Play Policy for Fingal

F/94/23 (Agenda Item No 12)

Councillor S. Ó Rodaigh - Update on the Safety Audit for Women and Girls

F/95/23 (Agenda Item No 13)

Councillor B. Manton - Litter Collection at Weekends over busy Spring and Summer Seasons

F/96/23 (Agenda Item No 14)

Councillor B. Manton - Levels of Land available for Housing

F/97/23 (Agenda Item No 15)

Councillor R. O'Donoghue - Play Officer for Fingal

F/98/23 (Agenda Item No 16)

Councillor D. Mulligan - Contracts with Top Security Limited

F/99/23 (Agenda Item No 17)

Councillor D. Butler - daa and new Standard Instrument Departure (SIDs)

F/100/23 (Agenda Item No 18)

Councillor JK Onwumereh - Funding to Assist Groups - St. Patrick's Day Parade

F/101/23 (Agenda Item No 19)

Councillor J. Humphreys - Smart City Control Room and IoT Sensor Testbed for Traffic Congestion

F/102/23 (Agenda Item No 20)

Councillor A. Donnelly - Homes Purchased by the Council

F/103/23 (Agenda Item No 21)

Report of Committees

a Report of Organisation, Procedures and Finance Meeting held on Monday 13th February 2023

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

"That the recommendations contained in the report of Committee of Organisation, Procedures and Finance meeting held on 13th February 2023, are hereby **ADOPTED**."

b Report of Howth/Malahide Service B Area Committee Meeting held on Wednesday 1st March 2023

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

"That the recommendations contained in the report of Committee of Howth Malahide Services (B) meeting held on 1st March 2023, are hereby **ADOPTED**."

c Report of Blanchardstown-Mulhuddart/Castleknock-Ongar Services B Area Committee Meeting held on Thursday 2nd March 2023

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

"That the recommendations contained in the report of Committee of Blanchardstown-Mulhuddart/Castleknock/Ongar Services B meeting held on 2nd March 2023, are hereby **ADOPTED**."

d Report of Corporate Policy Group Meeting held on Tuesday 7th March 2023

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

"That the recommendations contained in the report of Committee of Corporate Policy Group Meeting held on 7th March 2023, are hereby **ADOPTED**."

e Report of Balbriggan/Rush-Lusk/Swords Area Committee Services B Meeting held on Thursday 9th March 2023

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

"That the recommendations contained in the report of Committee of Balbriggan/Rush-Lusk Swords Services B meeting held on 9th March 2023, are hereby **ADOPTED**."

F/104/23 (Agenda Item No 22)

Financial Matters

a Borrowing Approval for Swords Cultural Quarter

The report by the Chief Executive, which had been circulated, was **CONSIDERED** and the following resolution was **ADOPTED**

"It is hereby resolved that a loan in the sum of €40m be raised for the purpose of funding the delivery of the Swords Cultural Quarter building pursuant to the provisions of Section 106 of the Local Government Act, 2001."

b 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 proposed by Councillor H. Mahony, seconded by Councillor E. O'Brien and **RESOLVED**:

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

F/105/23 (Agenda Item No 23)

Proposed Disposal of Properties

a Rectification of boundary at 34 Hoar Rock, Skerries, Co. Dublin

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

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

“That the boundary referred to in the attached report be rectified in accordance with the terms specified therein.”

F/106/23 (Agenda Item No 24)

PART XI/005/22 Chief Executive Report pursuant to Part XI of the Planning and Development Act 2000 (As amended) and Part VIII of the Local Government Planning and Development Regulations 2001 (As amended) for Proposed housing development at No. 30 & 32 North Street, Swords, Co. Dublin

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

F/107/23 (Agenda Item No 25)

PART XI/006/22 Chief Executive Report pursuant to Part XI of the Planning and Development Act 2000 (As amended) and Part VIII of the Local Government Planning and Development Regulations 2001 (As amended) for Proposed demolition of 12 existing dwellings, and development of 36 new dwellings and associated site works to two sites at Seatown Road, Swords, Co. Dublin

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

F/108/23 (Agenda Item No 26)

Festival and Events Funding Scheme

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

F/109/23 (Agenda Item No 27)

Partnership between Fingal County Council and the Irish Institute of Music and Song (IIMS), Balbriggan

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

F/110/23 (Agenda Item No 28)

Chief Executive's Report

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

A motion on the Chief Executive's Report was received from Cllr. Grainne Maguire. The motion was proposed by Cllr. G. Maguire and seconded by Cllr. T. Murphy:

"To change the Terms of Reference for the Our Balbriggan Leadership Group to include 3 Councillors from the Balbriggan Local Area."

It was **AGREED** to include this matter as a headed item at the April meeting of the County Council.

F/111/23 (Agenda Item No)

MAYOR'S BUSINESS

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

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

The Mayor then advised the members that the Mayor's Awards 2023 will be taking place on 1st June, to acknowledge Community Champions. He gave a brief overview of the plan. Mr. Robert Burns, Director of Services, advised members that further details would follow.

F/112/23 (Agenda Item No 30)

Conference Report

a **AILG - Elected Members In person and Webinar Training Programmes 2023**

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

F/113/23 (Agenda Item No 31)
Departmental/Ministerial Correspondence

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

F/114/23 (Agenda Item No 32)
Correspondence

- a** **Letter dated 14th February 2023 from Wicklow County Council re-objection to Coillte decision to partner with a UK based Investment Fund, Gresham House**

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

- b** **Letter dated 22nd February 2023 from Sligo County Council re - Working Family Payment to avail of Fuel Allowance Payment Scheme**

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

- c** **Letter dated 22nd February 2023 from Sligo County Council re Inclusion of Sligo University Hospital as a Surgical Hub**

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

- d** **Letter dated 22nd February 2023 from Sligo County Council re - Amend terms of Housing Grants Schemes**

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

- e** **Letter dated 22nd February 2023 from Sligo County Council re - Legislation to protect Social Media Users**

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

f Letter dated 22nd February 2023 from Sligo County Council re Funding for Regional roads - Introduction of Scheme

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

g Letter dated 23rd February 2023 from Kerry County Council re - Award Medals to the Veterans of Jadotville

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

h Letter dated 24th February 2023 from Cavan County Council re - review Relationship between Coillte and Gresham House Fund

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

i Email dated 27th February 2023 from Ms B. Sinnott Irish Heart Foundation - re Motion 36 - Cllr A. Henchy - Defibrillators across Fingal

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

j Letter dated 27th February 2023 from Cork County Council re - Planning and Development Bill

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

k Letter dated 3rd March 2023 from Westmeath County Council re - Regional Public Banking System

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

MOTIONS

F/115/23 (Agenda Item No 33)

Councillor JK Onwumereh - Subsidised Swimming Classes

The motion, in the name of Councillor JK. Onwumereh was proposed by Councillor JK. Onwumereh and seconded by Councillor E. O'Brien.

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

F/116/23 (Agenda Item No)
SUSPENSION OF STANDING ORDERS

It was **AGREED** to extend the meeting by 15 minutes to deal with the emergency motion.

It was further **AGREED** that Motion Number 35 in the name of Councillor C. Boland would be taken in conjunction with the emergency motion received from Councillor J. Guerin.

F/117/23 (Agenda Item No 35)
Councillor C. Boland - All engagement with the daa

The motion, in the name of Councillor C. Boland was proposed by Councillor C. Boland and seconded by Councillor T. Murphy.

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

F/118/23 (Agenda Item No)
Councillor J. Guerin - daa Planning

The following emergency motion in the name of Councillor J. Guerin was proposed by Councillor J. Guerin and seconded by Councillor J. Newman:

"This Council calls on the Chief Executive to confirm the current position in relation to the DAA planning that was subject to recent enforcement measures and to state in the opinion of the Council if the DAA are still in breach of their current planning permission and that correspondence in this regard between FCC and the DAA is provided to Council members."

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

The Meeting concluded at 8:20pm.

MAYOR _____

DATE _____