

**Comhairle Contae Fhine Gall
Fingal County Council**

Minutes of the County Council Meeting held on Tuesday, 11th April, 2023 in the Council Chamber - County Hall, Swords, at 5.00 pm

MEMBERS PRESENT

Councillors:

Boland, Cathal
Burtchaell, John
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
Kitt, Tom
Leddy, Ted
Maguire, Grainne
Mahony, Howard

Councillors:

Manton, Brigid
McCamley, Mary
McDonagh, Brian
Milligan, Dean
Mulville, Paul
Murphy, Tony
Newman, Joe
O'Brien, Eoghan
O'Donoghue, Robert
O'Leary, Tom
Onwumereh, JK
Ó'Rodaigh, Seána
Power, Karen
Rane, Punam
Tormey, Aoibhinn
Treacy, Natalie
Walsh, John
Whooley, Daniel

Apologies for inability to attend were received for Councillors James Humphreys, Anthony Lavin, and Siobhan Shovlin.

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); Carmel Brennan, (Senior Architect).

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/129/23 (Agenda Item No 1)

Confirmation and Re-Affirmation of Council Minutes held on Monday 13th March 2023

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

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

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

VARY THE AGENDA

It was agreed to vary the agenda to deal with Item 18 at this stage of the meeting and in conjunction with Item 2a.

F/130/23 (Agenda Item No 18)

Change to 'Our Balbriggan' Balbriggan Leadership Group Membership Terms of Reference

Mr. John Quinlivan advised the members of a change in the Terms of Reference for the 'Our Balbriggan' Leadership Group. The revised Terms of Reference were **AGREED** by the Members.

NOMINATIONS

a Nomination of One Member from Balbriggan Local Area for Our Balbriggan Leadership Group

The Mayor called for nominations and it was proposed by Councillor T. Murphy and seconded by Councillor K. Power that Councillor Grainne Maguire be nominated to the Our Balbriggan Leadership Group.

It was **AGREED** and declared by the Mayor that Councillor Grainne Maguire be nominated.

b Nomination of a Member from the Balbriggan Local Electoral Area to the Board of the Irish Institute of Music and Song (IIMS) CLG

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 P. Conroy and seconded by Councillor I. Carey that Councillor Karen Power be nominated to the Board of the Irish Institute of Music and Song (IIMS) CLG.

It was proposed by Councillor G. Maguire and seconded by Councillor C. Boland that Councillor Tony Murphy be nominated to the Board of the Irish Institute of Music and Song (IIMS) CLG.

The Mayor then instructed that a roll call vote be taken, the result of which was as follows:

MURPHY:	20	TWENTY
POWER:	16	SIXTEEN
ABSTAIN:	1	ONE

MURPHY: Councillors Mahony, Howard; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Treacy, Natalie; Maguire, Grainne; Murphy, Tony; O'Brien, Eoghan; Kitt, Tom; Manton, Brigid; Tormey, Aoibhinn; O'Leary, Tom; Doyle, Tania; Guerin, Jimmy; Boland; Cathal; Henchy, Adrian; Butler, Darragh; Dennehy, Brain; Dennison, Kieran.

POWER: Councillors Hopkins, Joan; Mulville, Paul; Burtchaell, John; Whooley, Daniel; Carey, Ian; Power, Karen; Ó'Rodaigh, Seána; Walsh, John; McCamley, Mary; Healy, David; Conroy, Pamela; Onwumereh, JK; O'Donoghue, Robert; McDonagh Brian; Leddy, Ted; Rane, Puman.

ABSTAIN: Councillor Newman, Joe.

The Mayor then **DECLARED** Councillor Tony Murphy as nominated to the Board of the Irish Institute of Music and Song (IIMS) CLG.

c Appointment of One Member to the Regional Health Forum

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 Cllr. E. O'Brien and seconded by Cllr. A. Henchy that Councillor Tom Kitt be nominated to the Regional Health Forum.

As no further nominations were received, the Mayor then **DECLARED** Councillor Tom Kitt as nominated to the Regional Health Forum.

d Appointment of One Member to Howth Special Amenity Area Order (SAAO) Management Committee

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

As no nominations were received, it was **AGREED** to bring this item forward to the May Council Meeting.

EMERGENCY MOTIONS

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

The motions from Councillor J. Burtchaell and Councillors K. Power & R. O'Donoghue were ruled in order and would be dealt with at 7:45pm.

QUESTIONS

It was proposed by Councillor M. McCamley, seconded by Councillor K. Dennison and **RESOLVED:**

"That in accordance with Standing Order No. 53, Questions numbered 3 to 12, be **ADOPTED**."

F/131/23 (Agenda Item No 3)

Councillor C. Boland - Planning Enforcement Process

F/132/23 (Agenda Item No 5)

Councillor J. Hopkins - Road Sweeping on Main Roads in Fingal

F/133/23 (Agenda Item No 6)

Councillor N. Treacy - Tenant in-situ Applications

F/134/23 (Agenda Item No 7)

Councillor P. Conroy - Update on the Appointment of a Disability Liaison, Access and Equality Officer

F/135/23 (Agenda Item No 8)

Councillor P. Mulville - Purchasing Residential Zoned Land - Housing Policy

F/136/23 (Agenda Item No 9)

Councillor A. Donnelly - Briefing on the Planning and Development Bill

F/137/23 (Agenda Item No 10)

Councillor B. Hanaphy - Vacant Houses

F/138/23 (Agenda Item No 11)

Councillor B. Hanaphy - Fingal Housing List

F/139/23 (Agenda Item No 12)

Councillor D. Healy - Tenant in-situ

F/140/23 (Agenda Item No 13)

Report of Committees

a Quarterly Reports of Strategic Policy Committee Chairpersons

The reports by the Chief Executive, which had been circulated, were **CONSIDERED**. It was proposed by Councillor E. O'Brien, seconded by Councillor K. Power and **RESOLVED**:

"That the recommendations contained in the quarterly reports of Strategic Policy Committees are hereby **APPROVED.**"

b Report of Corporate Policy Group Meeting held on Tuesday 4th April 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 4th April 2023, are hereby **ADOPTED.**"

c Report of Howth/Malahide Services B Area Committee Meeting held on Wednesday 5th April 2023

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

"That the recommendations contained in the report of Committee of Howth Malahide Services (B) meeting held on 5th April 2023, are hereby **ADOPTED.**"

d Report of Blanchardstown-Mulhuddart/Castleknock-Ongar Services B Area Committee Meeting held on Thursday 6th April 2023

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 recommendations contained in the report of Committee of Blanchardstown-Mulhuddart/Castleknock/Ongar Services B meeting held on 6th April 2023, are hereby **ADOPTED.**"

F/141/23 (Agenda Item No 14)

Financial Matters

a Consideration of Draft Annual Financial Statement 2022 and Authorisation of Additional Expenditure

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

The following Motion from the floor was received in the name of Cllr. A. Tormey:

"That the Chief Executive amend the additional transfers to capital to the following:

Additional Transfers to Capital

	€	Note
C6261024 Libraries - Development fund for new facilities.	500,000	1
C6462133 Community Centre - Development fund for new	1,500,000	2
C5180007 Climate Change Action Fund	250,000	3
C4841068 Balbriggan Economic Regeneration	2,000,000	4
C4841074 Management of Heritage Properties and a new playground in Sutton		
2,780,500		5
Total	7,030,500	

The motion seeks to add "and a new playground in Sutton" to C4841074."

The Mayor ruled this Motion out of order under Standing Order # 70.

Following discussion, the Mayor called for a roll call vote on the Draft Annual Financial Statement 2022 and Authorisation of Additional Expenditure following a three-minute break. The results of the vote were as follows:

FOR: 35 THIRTY-FIVE
AGAINST: 2 TWO
ABSTAIN: 0 ZERO

FOR: Councillors Mahony, Howard; Hopkins, Joan; Mulville, Paul; Burtchaell, John; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Treacy, Natalie; Maguire, Grainne; Murphy, Tony; Whooley, Daniel; Carey, Ian; Power, Karen; O'Brien, Eoghan; Kitt, Tom; Manton, Brigid; Ó'Rodaigh, Seána; Walsh, John; McCamley, Mary; O'Leary, Tom; Doyle, Tania; Newman, Joe; Guerin, Jimmy; Boland, Cathal; Healy, David; Conroy, Pamela; Henchy, Adrian; Butler, Darragh; Onwumereh, JK; Dennehy, Brian; O'Donoghue, Robert; McDonagh, Brian; Dennison, Kieran; Rane, Punam.

AGAINST: Councillors Tormey, Aoibhinn; Leddy, Ted.

The Mayor then declared the report **AGREED**.

b Report on Schedule of Uncollected Rates for year ended 31/12/2022

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

F/142/23 (Agenda Item No 15)

Proposed Disposal of Properties

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

F/143/23 (Agenda Item No 16)

Declaration of Roads

a Carrick Court Close

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

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

F/144/23 (Agenda Item No 17)

PARTXI/004/22 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 of 121 dwellings, a crèche and associated site works at site in Mayeston, Poppintree, Dublin 11

The report by the Chief Executive, which had been circulated, was **CONSIDERED** 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), for Proposed housing development of 121 dwellings, a crèche and associated site works at site in Mayeston, Poppintree, Dublin 11 be proceeded with as set out in the foregoing report.”

F/145/23 (Agenda Item No 19)
Dublin Fire Brigade Section 26 Plan

The report which had been circulated was **CONSIDERED**. It was proposed by Councillor K. Dennison, seconded by Councillor M. McCamley, and **AGREED**.

F/146/23 (Agenda Item No 20)
Annual Report 2022

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

“In accordance with Section 221 of the Local Government Act 2001, as amended by the Local Government Reform Act 2014, the Annual Report of Fingal County Council for the year 2022 is hereby **ADOPTED**.”

F/147/23 (Agenda Item No 21)
Fingal Artists' Support Scheme Awards 2023

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

It was proposed by Councillor B. McDonagh, seconded by Councillor J. Walsh and **RESOLVED**:

That the award of Artists Support Scheme 2023 as set out in the foregoing report is hereby **APPROVED**

F/148/23 (Agenda Item No 22)

Chief Executive's Report

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

The following motion, in the name of Councillor Aoibhinn Tormey, was received prior to the meeting:

"That the Chief Executive initiate efforts to begin to identify public rights of way within Fingal to ensure that tourism within the county continues to thrive."

The motion was proposed by Cllr. A. Tormey, seconded by Cllr. J. Hopkins and **AGREED**.

Following discussion, the report of the Chief Executive was **NOTED**

F/149/23 (Agenda Item No 23)

Mayor's Business - Councillor H. Mahony

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

F/150/23 (Agenda Item No 24)

Conference Report

- a **The Suck Valley Way Conference 2023 (with the support of AILG) - 5th and 6th April 2023 - Gleeson's Townhouse, Market Square & The Abbey Hotel, Roscommon**

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

- b **The Irish Regions European Office Wednesday 19th April in the Radisson Blu Hotel in Athlone from 9.15 am to 4 pm - Connecting, Communicating and Collaborating - Irish Regions Cooperating across the EU: How local authorities can engage in European Programmes**

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

- c **Climate Action Economic Opportunities Conference Tullamore Court Hotel dated Wednesday 26th April 2023**

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

- d **OPR-AILG Councillor Training Webinar - Friday, 28 April 10am - 11.30am Connecting Ireland and Rural Public Transport Investment - Opportunities for Rural Regeneration**

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

- e **Planning and Promotion of Cycling in Denmark Study Trip 15th -17th May 2023**

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

F/151/23 (Agenda Item No 25)
Departmental/Ministerial Correspondence

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

F/152/23 (Agenda Item No 26)
Correspondence

- a **Letter dated 14th March 2023 from Clare County Council re - Vacant and Derelict Properties**

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

- b **Letter dated 14th March 2023 from Tipperary County Council re - Apprentice Schemes with the Council**

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

- c **Letter dated 14th March 2023 from Tipperary County Council re - Request to Government to Amend The Mother and Baby Home Redress Scheme**

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

- d **Letter dated 16th March 2023 from Sligo County Council Resolution passed at Sligo County Council March Meeting - Availability of CF medication Kaftrio to all patients who require it within the State**

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

- e **Letter dated 3rd April 2023 from Offaly County Council - Resolution Passed - Extend Eviction Ban for all 'No Fault' Tenants who face eviction**

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

MOTIONS - STATUTORY FUNCTIONS

F/153/23 (Agenda Item No 27)

Councillor P. Rane - Relocate Bottle Banks within Fingal

The motion, in the name of Councillor P. Rane was proposed by Councillor P. Rane and seconded by Councillor K. Dennison.

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

F/154/23 (Agenda Item No 28)

Councillor K. Power - Dedicated Neurodivergent Parking Spaces

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

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

EMERGENCY MOTIONS

The Mayor advised the Members that there were four emergency motions on the floor as follows:

1. Councillor John Burtchaell

“That this Committee condemns the manner in which a protest at Swords library on Thursday April 6th last was policed whereby a group of known far right agitators — who recently destroyed books in Cork city library and harassed staff there; who have publicly accused a Government Minister and TDs of being “groomers” and conflated the LGBTQ community with paedophilia; who have led aggressive and intimidatory demonstrations outside accommodation hosting asylum seekers and their children — were escorted into the library by Gardai and would potentially disrupt, harass and intimidate library workers and

users including children; and that this Council expresses concern for and solidarity with the workers in Swords library and all of the libraries across Fingal in the face of such intimidation and we call on the Chief Executive to convene a meeting between the relevant Council officials, library workers and their union representatives and relevant Garda authorities to discuss and determine how library protests of a similar nature will be policed in the future.”

The motion in the name of Cllr. J. Burtchaell was proposed by Cllr. J. Burtchaell and seconded by Cllr. J. Newman.

2. Councillors Karen Power & Robert O'Donoghue

“That the Council offer an explanation into the handling of the recent protests at Swords Library and in doing so reaffirms its commitment to providing safe spaces for our LGBTQ family and friends in our county libraries.”

The motion in the name of Cllr. K. Power was proposed by Cllr. K. Power & seconded by Cllr. R. O'Donoghue.

3. Councillors Karen Power & Robert O'Donoghue

“That the Executive commits to providing safety measures and supports for staff in Libraries across Fingal when notified of potential protests.”

The motion in the name of Cllr. K. Power was proposed by Cllr. K. Power & seconded by Cllr. D. Mulligan.

4. Councillors Karen Power & Robert O'Donoghue

“That the books removed from Swords Library are replaced as a matter of urgency and that the individuals who removed these books with the sole intent of destroying them are not permitted to withdraw books from any library in Fingal.”

The motion in the name of Cllr. K. Power was proposed by Cllr. K. Power & seconded by Cllr. P. Conroy.

As the same report was to be given to all four motions, it was **AGREED** to take the motions together.

SUSPENSION OF STANDING ORDERS

It was **AGREED** to extend the meeting until this item was concluded.

The Mayor then advised the members that an amended motion, in the name of Councillor D. Butler, proposed by Cllr. D. Butler and seconded by Cllr. K. Power, was on the floor:

“That this Committee condemns the ~~manner in which a~~ protest at Swords library on Thursday April 6th ~~last was policed whereby a group of known far right agitators — who recently destroyed books in Cork city library and harassed staff there; who have publicly accused a Government Minister and TDs of being “groomers” and conflated the LGBTQ community with paedophilia; who have led aggressive and intimidatory demonstrations outside accommodation hosting asylum seekers and their children — were escorted into the library by Gardai and would potentially disrupt, harass and intimidate library workers and users including children;~~ and that this Council expresses concern for and solidarity with the workers in Swords library and all of the libraries across Fingal in the face of such intimidation and we call on the Chief Executive to convene a meeting between the relevant Council officials, library workers and their union representatives and relevant Garda authorities to discuss and determine how library protests of a similar nature will be policed in the future.”

Mr. John Quinlivan, Director of Services, Economic, Enterprise, Tourism & Cultural Development, gave a verbal report to the members.

The Mayor called for a roll call vote on the amendment to the motion, the results of which were as follows:

FOR: 28 TWENTY-EIGHT
AGAINST: 0 ZERO
ABSTAIN: 6 SIX

FOR: Councillors Mahony, Howard; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Treacy, Natalie; Maguire, Grainne; Murphy, Tony; Whooley, Daniel; Carey, Ian; Power, Karen; O’Brien, Eoghan; Kitt, Tom; Manton, Brigid; Walsh, John; McCamley, Mary; Tormey, Aoibhinn; O’Leary, Tom; Doyle, Tania; Boland, Cathal; Healy, David; Conroy, Pamela; Henchy, Adrian; Butler, Darragh; Onwumereh, JK; Dennehy, Brian; O’Donoghue, Robert; Leddy, Ted; Rane, Punam.

ABSTAIN: Councillors Hopkins, Joan; Mulville, Paul; Burtchaell, John; Mulligan, Dean; Newman, Joe; McDonagh, Brian.

The Mayor then **DECLARED** the amendment to the motion was **AGREED**.

"That this Committee condemns the protest at Swords library on Thursday April 6th; and that this Council expresses concern for and solidarity with the workers in Swords library and all of the libraries across Fingal in the face of such intimidation and we call on the Chief Executive to convene a meeting between the relevant Council officials, library workers and their union representatives and relevant Garda authorities to discuss and determine how library protests of a similar nature will be policed in the future."

Councillor Karen Power advised the members that, as the amended motion had been **AGREED**, she would **WITHDRAW** her three motions.

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

NON-STATUTORY MOTIONS

F/162/23 (Agenda Item No 36)

Councillor M. McCamley - Condemn The Coillte Gresham House Deal

The motion in the name of Councillor M. McCamley was **WITHDRAWN** by Cllr. McCamley.

F/165/23 (Agenda Item No 39)

Councillor T. O'Leary - Vacant Property Refurbishment Grants

The report on the motion in the name of Councillor Tom O'Leary was **ACCEPTED**.

F/166/23 (Agenda Item No 40)

Councillor A. Graves - Compliance by Meath County Council in relation to Discharge Licences

The report on the motion in the name of Councillor Ann Graves was **ACCEPTED**.

The Meeting concluded at 8:32pm

MAYOR _____

DATE _____