

**Comhairle Contae Fhine Gall  
Fingal County Council**

Minutes of the County Council Meeting held on Monday, 8th May, 2023 in the Council Chamber - County Hall, Swords, at 5.00 pm

**MEMBERS PRESENT**

**Councillors:**

Boland, Cathal  
Burtchaell, John  
Butler, Darragh  
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  
Maguire, Grainne  
Mahony, Howard

**Councillors:**

McCamley, Mary  
McDonagh, Brian  
Mulligan, Dean  
Mulville, Paul  
Murphy, Tony  
O'Brien, Eoghan  
O'Donoghue, Robert  
O'Leary, Tom  
Onwumereh, JK  
Power, Karen  
Rane, Punam  
Shovlin, Siobhan  
Tormey, Aoibhinn  
Treacy, Natalie  
Walsh, John  
Whooley, Daniel

Apologies for inability to attend were received for Councillors Ian Carey, Brigid Manton, Joe Newman.

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); Fionnuala May, (County Architect), Carmel Brennan, (Senior Architect), Colm McCoy, (Senior Planner), Deirdre Fallon, (Senior Executive Planner).

## 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/168/23** (Agenda Item No 1)

## CONFIRMATION AND RE-AFFIRMATION OF MINUTES

### a Confirmation and Re-Affirmation of Minutes of Special Meeting held on Tuesday 11th April 2023

Minutes of the Special Meeting held on 11<sup>th</sup> April 2023 which had been circulated were considered.

It was **PROPOSED** by Councillor N. Tracey, seconded by Councillor P. Rane and **RESOLVED –**

“That the minutes of the Special Meeting held on 11<sup>th</sup> April 2023 be **ADOPTED.**”

### b Confirmation and Re-Affirmation of Minutes of Council Meeting held on Tuesday 11th April 2023

Minutes of the County Council Meeting held on 11<sup>th</sup> April 2023 which had been circulated were considered.

It was **PROPOSED** by Councillor K. Power, seconded by Councillor R. O'Donoghue and **RESOLVED –**

“That the minutes of the County Council Meeting held on 11<sup>th</sup> April 2023 be **ADOPTED.**”

## **ANNOUNCEMENT**

The Mayor, Councillor H. Mahony informed the members the resignation of Councillor Seána Ó Rodaigh was received and thanked her for her commitment during her time as an Elected Member.

The Mayor, Councillor H. Mahony expressed his congratulations to Councillor Siobhan Shovlin who recently got engaged.

**F/169/23** (Agenda Item No 2)

## **NOMINATIONS**

### **a     Appointment of One Member to the Howth Special Amenity Area Order (SAAO) Management Committee**

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

It was **AGREED** to **DEFER** this item to the June Council Meeting.

### **b     Nominations to the Liffey Valley Special Amenity Area Order (SAAO) Management Committee**

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

It was **AGREED** to **DEFER** this item to the June Council Meeting.

**F/170/23** (Agenda Item No )

## **QUESTIONS**

It was proposed by Councillor J. Walsh seconded by Councillor P. Conroy and **RESOLVED:**

“That in accordance with Standing Order No. 53, Questions numbered 3 to 21, be **ADOPTED.**”

**F/171/23** (Agenda Item No 3)

**Councillor C. Boland - Introduction of Electric Vehicles to the Council Fleet**

**F/172/23** (Agenda Item No 4)

**Councillor A. Henchy - Roll out of Close Circuit TV (CCTV)**

**F/173/23** (Agenda Item No 5)

**Councillor J. Hopkins - Planning Permission for Electric Vehicle Chargers for Apartment Buildings**

**F/174/23** (Agenda Item No 6)

**Councillor A. Donnelly - Tenant in-situ Acquisition Purchase Targets**

**F/175/23** (Agenda Item No 7)

**Councillor K. Power - Tenant in-situ Scheme**

**F/176/23** (Agenda Item No 8)

**Councillor J. Walsh - Fines issued by Dog Wardens under the Control of Dogs Act & Regulations 1986 and 1998**

**F/177/23** (Agenda Item No 9)

**Councillor R. O'Donoghue - Active Travel Measures in the Rural Villages of Fingal**

**F/178/23** (Agenda Item No 10)

**Councillor T. Murphy - Tenant in-situ Purchase Scheme Circular**

**F/179/23** (Agenda Item No 11)

**Councillor D. Healy - Access to results of consultations and decision-making processes on [consult@fingal.ie](mailto:consult@fingal.ie)**

**F/180/23** (Agenda Item No 12)

**Councillor JK Onwumereh - Update on the Museum of World Artefacts**

**F/181/23** (Agenda Item No 13)

**Councillor P. Mulville - Residential Units for which Planning Permission has been granted in this Council's Administrative Area**

**F/182/23** (Agenda Item No 14)

**Councillor A. Tormey - Completion date for Playground Audit**

**F/183/23** (Agenda Item No 15)

**Councillor B. Hanaphy - Choice Based Letting Scheme (CBL)**

**F/184/23** (Agenda Item No 16)

**Councillor E. O'Brien - Parking Fines issued for 2021 and 2022**

**F/185/23** (Agenda Item No 17)

**Councillor S. Shovlin - CCTV for Illegal Dumping**

**F/186/23** (Agenda Item No 18)

**Councillor B. Manton - Charging Points for Electric Vehicles**

**F/187/23** (Agenda Item No 19)

**Councillor B. Manton - Evaluation and Performance of the Customer Care Unit**

**F/188/23** (Agenda Item No 20)

**Councillor B. Dennehy - Policy of adding new additions to this Council's Residential Tenancy Book**

**F/189/23** (Agenda Item No 21)

**Councillor B. Dennehy - Insurance of Fingal County Councils' Buildings**

**F/190/23** (Agenda Item No 22)

**Report of Committees**

**a Report of Organisation, Procedure and Finance Committee Meeting held on Tuesday 11th April 2023**

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

"That the recommendations contained in the report of Organisation, Procedure and Finance Committee meeting held on Tuesday 11th April 2023 are hereby **ADOPTED.**"

**b Report of Balbriggan/Rush-Lusk/Swords Services B Area Committee Meeting held on Thursday 13th April 2023**

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

"That the recommendations contained in the report of Committee of Balbriggan/Rush-Lusk/Swords (B) meeting held on 13<sup>th</sup> April 2023, are hereby **ADOPTED.**"

**c      Report of Howth/Malahide Services B Area Committee Meeting held on Wednesday 3rd May 2023**

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

"That the recommendations contained in the report of Committee of Howth Malahide Services (B) meeting held on 3<sup>rd</sup> May 2023, are hereby **ADOPTED.**"

**d      Report of Blanchardstown-Mulhuddart/Castleknock-Ongar Services B Area Committee Meeting held on Thursday 4th May 2023**

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

"That the recommendations contained in the report of Committee of Blanchardstown-Mulhuddart/Castleknock/Ongar Services B meeting held on 4<sup>th</sup> May 2023, are hereby **ADOPTED.**"

**F/191/23      (Agenda Item No 23)**  
**Financial Matters**

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

**F/192/23      (Agenda Item No 24)**  
**Proposed Disposal of Properties**

**a      Proposed granting of wayleave at Belgee, Naul, Co. Dublin to ESB Networks**

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

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

**b     Proposed disposal of land and grant of wayleave at Coolmine Road, Coolmine, Dublin 15 to ESB Networks**

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

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

**c     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 P. Rane and seconded by Councillor K. Power and **RESOLVED:**

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

**F/193/23**     (Agenda Item No 25)

**Declaration of Roads**

**a     Miller's Glen Phase 4**

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

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

**b     Red Arches, Silverbanks, Baldoyle**

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

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

**c     Balgriffin Grove, Malahide Road**

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

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

**F/194/23**            (Agenda Item No 26)

**Strategic Infrastructure Development - Greenstar, Millennium Business Park, Cappagh Road, Dublin 11**

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was given to the Members by Deirdre Fallon, Senior Executive Planner.

The following motion was proposed by Cllr. D. Whooley and seconded by Cllr. K. Power-

“That this Council write to Panda Waste to undo these new charges on brown bin waste collection due to the policy incentivising improper waste management and increase of contamination of green bin waste.”

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

The following motion was proposed by Cllr D. Whooley and seconded by Cllr. K. Power –

"That this Council recommends that the SID application by Greenstar be made subject to a condition that the operator (Greenstar/Panda Waste) not impose a charge for collection of household brown bin waste."

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

The report was **NOTED**.

**F/195/23** (Agenda Item No 27)

**Summer Projects 2023**

The report by the Chief Executive which had been circulated was **CONSIDERED** and **AGREED** -

"That the Summer Project Funding 2023 as set out in the foregoing report is hereby **APPROVED**."

**F/196/23** (Agenda Item No 28)

**Chief Executive's Report update for PARTXI/004/22 proposed housing development of 121 dwellings, a crèche and associated site works at site in Mayeston, Poppintree, Dublin 11. Approved at Council meeting April 2023**

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

**F/197/23** (Agenda Item No 29)

**Chief Executive's Report**

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

During the course of the discussion the following motion was proposed by Councillor J. Humphreys and seconded by Councillor J. Walsh.

“That this Chamber in response to the IPA report on waste collection that stated that “There is no indicating that other Local Authorities want to change waste collection arrangements.”

That the Executive write to the Minister and Councils across the country stating that the Elected Members of this chamber are in favour of changes to the primary legislation that would allow the option to re-municipalise waste collection in Fingal County Council.”

### **SUSPENSION OF STANDING ORDERS**

The Mayor called for a 3 minute break.

### **VARY ORDER OF BUSINESS**

It was **AGREED** to take Item No. 42 and Item No. 43 in conjunction with the motion submitted from the floor under the Chief Executive’s Report.

Following discussion, the Mayor instructed that a roll call vote be taken on Cllr J. Humphreys motion and on a division the voting resulted as follows:

**FOR:            24     TWENTY-FOUR**

**AGAINST:   11     ELEVEN**

**ABSTAIN:     0     ZERO**

**FOR:** Councillors Hopkins, Joan; Mulville, Paul; Burtchaell, John; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Tracey, Natalie; Maguire, Grainne; Murphy, Tony; Whooley, Daniel; Power, Karen; Walsh, John; McCamley, Mary; O’Leary, Tom; Doyle, Tania; Guerin, Jimmy; Healy, David; Conroy, Pamela; Onwumereh, JK; Dennehy, Brian; O’Donoghue, Robert; McDonagh, Brian; Humphreys, James.

**AGAINST:** Councillors Mahony, Howard; O’Brien, Eoghan; Kitt, Tom; Tormey, Aoibhinn; Shovlin, Siobhan; Lavin, Anthony; Henchy, Adrian; Butler, Darragh; Dennison, Kieran; Leddy, Ted; Rane, Punam.

The Mayor then **DECLARED** the Motion **PASSED**.

The motion in the name of Councillor T. Doyle was proposed by Councillor T. Doyle and seconded by Councillor D. Mulligan.

“That the Elected Members of this Council calls for the return of Domestic Bin collections to this Local Authority.”

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

**FOR:            15       FIFTEEN**

**AGAINST:    12       TWELVE**

**ABSTAIN:    8          EIGHT**

**FOR:** Councillors Hopkins, Joan; Mulville, Paul; Burtchaell, John; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Tracey, Natalie; Maguire, Grainne; Whooley, Daniel; Walsh, John; McCamley, Mary; Doyle, Tania; McDonagh, Brian; Humphreys, James.

**AGAINST:** Councillors Mahony, Howard; Murphy, Tony; O'Brien, Eoghan; Kitt, Tom; Tormey, Aoibhinn; Shovlin, Siobhan; Lavin, Anthony; Henchy, Adrian; Butler, Darragh; Onwumereh, JK; Dennison, Kieran; Rane, Punam.

**ABSTAIN:** Councillors Power, Karen; O'Leary, Tom; Guerin, Jimmy; Healy, David; Conroy, Pamela; Dennehy, Brian; O'Donoghue, Robert; Leddy, Ted.

The Mayor then **DECLARED** the Motion **PASSED**.

During the course of the meeting, an amended motion was received from Cllr. B. McDonagh. The amended motion was proposed by Councillor B. McDonagh and seconded by Councillor J. Walsh.

Amendment to Item 43:

Delete “by setting up a cross-party group similar to that established in Dublin City Council” and replace with “beginning by writing to the Minister for Housing

and Local Government to request the necessary change in legislation to allow councils to effectively re municipalise Domestic waste services.

Amended motion to read:

"To call on this Council to take Domestic Waste collection back in to public ownership, the public deserves a 21<sup>st</sup> Century Waste Management Service that is fit for purpose and not a service simply driven by profit, beginning by writing to the Minister for Housing and Local Government to request the necessary change in legislation to allow Fingal Council to effectively re municipalise Domestic waste services."

Following discussion, the Mayor instructed that a roll call vote be taken on whether to take the amendment to the motion and on a division the voting resulted as follows:

**FOR:            18       EIGHTEEN**

**AGAINST:    16       SIXTEEN**

**ABSTAIN:    1       ONE**

**FOR:** Councillors Mahony, Howard; Murphy, Tony; O'Brien, Eoghan; Kitt, Tom; Walsh, John; McCamley, Mary; Shovlin, Siobhan; Lavin, Anthony; Henchy, Adrian; Butler, Darragh; Onwumereh, JK; Dennehy, Brian; O'Donoghue, Robert; McDonagh, Brian; Humphreys, James; Dennison, Kieran; Leddy, Ted; Rane, Punam.

**AGAINST:** Councillors Hopkins, Joan; Mulville, Paul; Burtchaell, John; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Tracey, Natalie; Maguire, Grainne; Whooley, Daniel; Power, Karen; Tormey, Aoibhinn; O'Leary, Tom; Doyle, Tania; Guerin, Jimmy; Conroy, Pamela.

**ABSTAIN:** Councillor Healy, David.

The Mayor then **DECLARED** the amended motion to be on the floor for debate.

**SUSPENSION OF STANDING ORDERS**

It was **AGREED** to extend the meeting by 15 minutes to conclude the consideration of the amended motion.

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:            20       TWENTY**

**AGAINST:   11       ELEVEN**

**ABSTAIN:    2       TWO**

**FOR:** Councillors Hopkins, Joan; Mulville, Paul; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Tracey, Natalie; Maguire, Grainne; Murphy, Tony; Whooley, Daniel; Walsh, John; McCamley, Mary; Doyle, Tania; Healy, David; Conroy, Pamela; Onwumereh, JK; Dennehy, Brian; O'Donoghue, Robert; McDonagh, Brian; Humphreys, James.

**AGAINST:** Councillors Mahony, Howard; O'Brien, Eoghan; Kitt, Tom; Tormey, Aoibhinn; Shovlin, Siobhan; Lavin, Anthony; Guerin, Jimmy; Butler, Darragh; Dennison, Kieran; Leddy, Ted; Rane, Punam.

**ABSTAIN:** Councillor O'Leary, Tom; Henchy, Adrian.

The Mayor then **DECLARED** the Amended Motion **PASSED**.

The Chief Executive's report was **NOTED**.

The Meeting concluded at 8.15pm.

MAYOR \_\_\_\_\_

DATE \_\_\_\_\_