

Comhairle Contae Fhine Gall Fingal County Council

Minutes of the County Council Meeting held on Monday, 9th October, 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
Humphreys, James
Kitt, Tom
Lavin, Anthony
Leddy, Ted
Maguire, Grainne

Councillors:

Mahony, Howard
Manton, Brigid
McCamley, Mary
McDonagh, Brian
Mulville, Paul
Murphy, Tony
Newman, Joe
O'Brien, Eoghan
O'Donoghue, Robert
Onwumereh, JK
Power, Karen
Rane, Punam
Ryan, Brendan
Tormey, Aoibhinn
Treacy, Natalie
Walsh, John

Apologies for inability to attend were received for Councillors Dean Mulligan and Siobhan Shovlin.

The Mayor Councillor Adrian Henchy, 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); Paul Carroll (Director of Housing Services and Community Development); Matthew McAleese (Director of Services Planning and Strategic Infrastructure); Fionnuala May (County Architect); Nikki Halleran (A/Senior Executive Officer); Pat Boyle (Senior Architect); Marian Bowers (Executive Accountant); Gerard Reardon (Principal Sports Officer)

ANNOUNCEMENT

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

F/358/23 (Agenda Item No 1)

Confirmation and Re-Affirmation of Minutes of Council Meeting held on Monday 11th September 2023

Minutes of the County Council Meeting held on 11th September 2023 which had been circulated were considered.

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

“That the minutes of the County Council Meeting held on 11th September 2023 be **ADOPTED.**”

F/359/23 (Agenda Item No 2)

Nominations

a 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 proposed by Councillor K. Dennison and seconded by Councillor J. Walsh and **AGREED:**

“That the number of Councillor representatives from Fingal for this Committee be 6 and that those Members comprise of the Castleknock Ward.”

b Appointment of one Member to the Audit Committee

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

It was proposed by Councillor R. O'Donoghue, seconded by Councillor C. Boland and **AGREED**:

"That Councillor Mary McCamley be appointed to the Audit Committee."

F/360/23 (Agenda Item No)

QUESTIONS

It was proposed by Councillor J. Humphreys, seconded by Councillor P. Mulville and **RESOLVED**:

"That in accordance with Standing Order No. 53, Questions numbered 3 to 18, be **ADOPTED**."

F/361/23 (Agenda Item No 3)

Councillor J. Hopkins - Fire Safety Certificates for Apartment Complexes in Fingal

F/362/23 (Agenda Item No 4)

Councillor P. Mulville - A Map of current Fingal County Council Housing areas

F/363/23 (Agenda Item No 5)

Councillor P. Mulville - Queries from Homeless Support Workers on behalf of clients

F/364/23 (Agenda Item No 6)

Councillor B. Ryan - Level of Noxious Weeds

F/365/23 (Agenda Item No 7)

Councillor A. Donnelly - Tenant in-situ Information

F/366/23 (Agenda Item No 8)

Councillor B. Manton - Waste Management Sustainability and the Circular Economy

F/367/23 (Agenda Item No 9)

Councillor D. Mulligan - HAP Tenancies - Landlord - LRC RE-1

F/368/23 (Agenda Item No 10)

Councillor D. Mulligan - HAP Tenancies - Vulture Funds across Fingal

F/369/23 (Agenda Item No 11)

Councillor J. Humphreys - Number of homeless people who made contact with this Local Authority - Emergency Accommodation

F/370/23 (Agenda Item No 12)

Councillor K. Power - Timeline for the roll out of Communication Boards to other playgrounds across the County

F/371/23 (Agenda Item No 13)

Councillor S. Shovlin - Christmas Markets 2023

F/372/23 (Agenda Item No 14)

Councillor B. Dennehy - Planning Enforcement issues being pursued by this Council in relation to Dublin Airport

F/373/23 (Agenda Item No 15)

Councillor B. Dennehy - Provision of access for pedestrians to bus stops throughout Fingal

F/374/23 (Agenda Item No 16)

Councillor R. O'Donoghue - Applications for the Croí Cónaithe Scheme to this Local Authority

F/375/23 (Agenda Item No 17)

Councillor C. Boland - Planning Enforcement - Unauthorised Developments - "A Guide to Planning Enforcement in Ireland"

F/376/23 (Agenda Item No 18)

Councillor A. Henchy - Funding Applications - Town and Village Renewal Scheme

F/377/23 (Agenda Item No 19)

Report of Committees

a Quarterly Chairpersons' Reports of Strategic Policy Committees

The report by the SPC Chairpersons, which had been circulated, was **CONSIDERED** and **NOTED**.

b Report of Organisation, Procedure and Finance Committee Meeting held on Monday 11th September 2023

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

c Report of Balbriggan/Rush-Lusk/Swords Area Committee Services B Meeting held on Thursday 14th September 2023

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor K. Power, 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 Thursday 14th September 2023, are hereby **ADOPTED**."

d Report of Corporate Policy Committee Meeting held on Tuesday 3rd October 2023

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

"That the recommendations contained in the report of Committee of Corporate Policy Group Meeting held on Tuesday, 3rd October 2023, are hereby **ADOPTED**."

e Report of Howth/Malahide Area Committee Services B Meeting held on Wednesday 4th October 2023

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

"That the recommendations contained in the report of Committee of Howth Malahide Services (B) meeting held on 4th October 2023, are hereby **ADOPTED**."

**f Report of Blanchardstown/Mulhuddart/Castleknock-Ongar Area
Committee Services B Meeting held on Thursday 5th October 2023**

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor T. Kitt, 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 5th October 2023, are hereby **ADOPTED**."

F/378/23 (Agenda Item No 20)

Financial Matters

a Capital Programme 2023 Outturn and Capital Programme 2024 - 2026

A presentation was given by Marian Bowers, Executive Accountant, and the Executive Management Team.

The Mayor, Councillor. A. Henchy, advised the Members that two emergency motions had been received and were ruled out of order.

Following discussions, the Capital Programme was **NOTED**.

b Audit Committee Charter

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

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

F/379/23 (Agenda Item No 21)

Proposed Disposal of Properties

**a Proposed disposal of lands at Church Fields Mulhuddart Dublin 15
County Dublin to GEM Construction Limited**

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

"That lands at Church Fields, Mulhuddart, Dublin 15, County Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 26 September 2023, be disposed of to GEM Construction Limited in accordance with the terms specified therein."

b Proposed disposal of land at Cappogue Industrial Estate, Ballycoolin Road, Dublin 15 to the National Transport Authority

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

"That lands at Cappogue Industrial Estate, Ballycoolin Road, Dublin 15, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 20 September 2023, be disposed of to the National Transport Authority in accordance with the terms specified therein."

c Proposed disposal of land for the rectification of boundary at Rhencullen, Main Street, Lusk, Co. Dublin to Mrs. Brenda Finnegan

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

"That lands at Rhencullen, Main Street, Lusk, Co. Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 20 September 2023, be disposed of to Mrs. Brenda Finnegan in accordance with the terms specified therein."

d Proposed lease of land at St. Catherine's Estate to Rush Athletic Football Club

The attached 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 lands at St. Catherine's Estate, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 20 September 2023, be leased to Rush Athletic Football Club in accordance with the terms specified therein."

F/380/23 (Agenda Item No 22)

Declaration of Roads

a Cnoc Dubh, Ballyboughal Phase 2

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor C. Boland, seconded by Councillor J. Newman, and **RESOLVED**:

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

b Miller's Glen Swords, Co. Dublin Phase 2

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

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

F/381/23 (Agenda Item No 23)

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 development at Dublin Street, Balbriggan, comprising refurbishment and change of use to workspaces of No 2 Dublin Street (protected structure RPS no. 0058), and demolition and construction works at No 4 Dublin Street for use as a creative hub and workspaces, including external courtyard and upgrade of exiting laneway from Georges Square

The attached 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 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 development at Dublin Street, Balbriggan, comprising refurbishment and change

of use to workspaces of No 2 Dublin Street (protected structure RPS no. 0058), and demolition and construction works at No 4 Dublin Street for use as a creative hub and workspaces, including external courtyard and upgrade of exiting laneway from Georges Square be proceeded with as set out in the foregoing report.”

F/382/23 (Agenda Item No 24)

Proposed Amendments to the Road Traffic (Special Speed Limits) (County of Fingal) Bye-Laws 2020 - Chapel Road, Kinsealy

Mary T Daly, Director of Operations outlined for the record that the item was headed incorrectly as it is not proposed to amend the Fingal County Council Special Speed Limits Bye-Laws 2021. What is being recommended to Council is as follows:- Proposed Special Speed Limit Bye-Law 2023 – Chapel Road, Kinsealy (Roads Traffic Act 1994 as amended).

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

“That Fingal County Council to make a Special Speed Limit Bye-Law in respect of Chapel Road, Kinsealy in accordance with the Road Traffic Act 1994 as amended.”

F/383/23 (Agenda Item No 25)

Draft Burial Ground Bye-Laws

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. A presentation was given to the Members by Mary T. Daly, Director of Services.

It was proposed by Councillor. A. Henchy, seconded by Councillor. G. Maguire and **RESOLVED** that –

“In accordance with Section 199(1) of the Local Government Act 2001 (as amended), that the following Bye-Laws in relation to the regulation of burial grounds provided by or under the control or management of Fingal County Council are hereby approved and made by the Council.”

F/384/23 (Agenda Item No 26)
Fingal Sports and Physical Activity Plan 2024 - 2029

The report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was provided to the Members by Eamonn Seydak, S3 Solutions, and Gerard Reardon, Principal Sports Officer, Community and Sports Development.

It was proposed by Councillor A. Henchy, seconded by Councillor G. Maguire and **RESOLVED:**

“That the Fingal Sports and Physical Activity Plan 2024 – 2029 is hereby **ADOPTED**.”

F/385/23 (Agenda Item No)
SUSPENSION OF STANDING ORDERS

It was **AGREED** to extend the meeting by 15 minutes to conclude consideration of Item 26 and to consider Item 27.

F/386/23 (Agenda Item No 27)
Halloween Projects 2023 Funding Applications

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

“That the Safer Halloween Project Funding 2023 as set out in the foregoing report is hereby **APPROVED**.”

F/387/23 (Agenda Item No)
SUSPENSION OF STANDING ORDERS

It was **AGREED** to extend the meeting to consider Item 28.

F/388/23 (Agenda Item No 28)

Chief Executive's Report

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

The Mayor, Councillor. A. Henchy, advised the Members that an emergency motion had been received and was ruled out of order.

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

F/390/23 (Agenda Item No 30)

Mayor's Business - Councillor A. Henchy

F/391/23 (Agenda Item No 30a)

Councillor A. Henchy - Civic Reception Irish Special Olympics Team

The motion, in the name of Councillor A. Henchy was proposed by Councillor A. Henchy and seconded by Councillor G. Maguire.

The motion was **AGREED**.

F/392/23 (Agenda Item No 30b)

Councillor A. Henchy - Civic Reception Dublin GAA Mens' and Ladies GAA Teams

The motion, in the name of Councillor A. Henchy was proposed by Councillor A. Henchy and seconded by Councillor A. Graves.

The motion was **AGREED**.

F/402/23 (Agenda Item No 36)

Councillor P. Rane - Construction of New Schools across Fingal

The report on the motion in the name of Councillor P. Rane was **ACCEPTED**.

F/403/23 (Agenda Item No 37)

**Councillor JK Onwumereh - Strategy for keeping our environment clean -
Responsibility on the part of Pet Owners**

The report on the motion in the name of Councillor JK. Onwumereh was
ACCEPTED.

F/408/23 (Agenda Item No 42)

**Councillor J. Humphreys - Allocation of funding in the Capital Programme -
Swimming Pools in the County**

The report on the motion in the name of Councillor J. Humphreys was
ACCEPTED.

F/410/23 (Agenda Item No 44)

Councillor K. Dennison - Water Framework Directive - Targets

The report on the motion in the name of Councillor K. Dennison was **ACCEPTED.**

F/414/23 (Agenda Item No 48)

Councillor N. Treacy - Support for the Retained Fire and Rescue Service

The report on the motion in the name of Councillor N. Treacy was **ACCEPTED.**

The Meeting concluded at 8.15pm

MAYOR _____

DATE _____