

Comhairle Contae Fhine Gall Fingal County Council

Minutes of the County Council Meeting held on Monday, 11th December, 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
Maguire, Grainne

Councillors:

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

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 & Sports); Mary T Daly (Director of Services/Operations); Oliver Hunt (Head of Finance); Paul Carroll (Director of Housing Services and Community Development); Matthew McAleese (Director of Services Planning and Strategic Infrastructure); Nikki Halleran (A/Senior Executive Officer), Christine Baker (Heritage Officer).

F/462/23 (Agenda Item No)

ANNOUNCEMENT

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

F/463/23 (Agenda Item No 1)

Confirmation and Re-Affirmation of Minutes

a **Confirmation and Re-Affirmation of Minutes of Budget Meeting held on Tuesday 7th November 2023**

Minutes of the Annual Budget Meeting held on Tuesday, 7th November 2023 which had been circulated were considered.

It was **PROPOSED** by Councillor E. O'Brien, seconded by Councillor T. Kitt and **RESOLVED –**

“That the minutes of the Annual Budget Meeting held on 7th November 2023 be **ADOPTED.**”

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

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

It was **PROPOSED** by Councillor E. O'Brien, seconded by Councillor J. Humphreys and **RESOLVED –**

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

F/464/23 (Agenda Item No)

QUESTIONS

It was proposed by Councillor JK. Onwumereh, seconded by Councillor K. Dennison and **RESOLVED:**

"That in accordance with Standing Order No. 53, Questions numbered 2 to 21 be **ADOPTED.**"

F/465/23 (Agenda Item No 2)

Councillor J. Hopkins - Procedure Relating to Tidy Towns' Biodiversity Programme

F/466/23 (Agenda Item No 3)

Councillor JK Onwumereh - Salting Programme of Roads across Fingal

F/467/23 (Agenda Item No 4)

Councillor C. Boland - Reed bed Waste Water Treatment

F/468/23 (Agenda Item No 5)

Councillor A. Donnelly - Information on the number of Tenant in-situ Applications

F/469/23 (Agenda Item No 6)

Councillor M. McCamley - Mayor's Tea Dance

F/470/23 (Agenda Item No 7)

Councillor S. Shovlin - Grants and Supports available to Sports Clubs in Fingal

F/471/23 (Agenda Item No 8)

Councillor S. Shovlin - Road Sweeper Services - Leaf Sweeping

F/472/23 (Agenda Item No 9)

Councillor D. Healy - Availability of Council services to residents of adjoining Local Authority areas

F/473/23 (Agenda Item No 10)

Councillor P. Mulville - Report of the Inter Departmental Group on National Coastal Change Management Strategy

F/474/23 (Agenda Item No 11)

Councillor B. Ryan - Transfer of Tenancy

F/475/23 (Agenda Item No 12)

Councillor B. Ryan - Removal of Abandoned Cars

F/476/23 (Agenda Item No 13)

Councillor B. Manton - Family Resource Centres Fingal

F/477/23 (Agenda Item No 14)

Councillor A. Henchy - Capital Sports Funding

F/478/23 (Agenda Item No 15)

Councillor B. Dennehy - Exemptions granted for the Residential Zoned Land Tax

F/479/23 (Agenda Item No 16)

Councillor B. Dennehy - The quantity of housing units per acre granted on exemptions for the Residential Zoned Land Tax

F/480/23 (Agenda Item No 17)

Councillor J. Walsh - Non-active Planning Permissions

F/481/23 (Agenda Item No 18)

Councillor K. Dennison - Council Tenants in Rent Arrears

F/482/23 (Agenda Item No 19)

Councillor K. Dennison - Number of Housing in Loan Arrears

F/483/23 (Agenda Item No 20)

Councillor J. Humphreys - Purchase of lands

F/484/23 (Agenda Item No 21)

Councillor J. Humphreys - Alternative Route - Dublin Marathon

F/485/23 (Agenda Item No 22)

Report of Committees

- a** **Report of Organisation, Procedures and Finance Committee Meeting held on Monday 13th November 2023**

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

- b** **Report of Strategic Policy Committees Chairpersons' Annual Report**

The reports by the Strategic Policy Committee Chairpersons which had been circulated were **CONSIDERED** and **NOTED**.

c Report of Corporate Policy Group Meeting held on Monday 4th December 2023

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 recommendations contained in the report from Corporate Policy Group Meeting held on the 4th December 2023 be **APPROVED**."

d Report of Howth Malahide Services B Area Committee Meeting held on Wednesday 6th December 2023

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

"That the recommendations contained in the report of Committee of Howth Malahide Services (B) meeting held on 6th December 2023 are hereby **ADOPTED**."

e Report of Blanchardstown/Mulhuddart/Castleknock-Ongar Services B Area Committee Meeting held on Thursday 7th December 2023

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

"That the recommendations contained in the report of Committee of Blanchardstown-Mulhuddart/Castleknock/Ongar Services B meeting held on 7th December 2023, are hereby **ADOPTED**."

- a **Financial assistance to Approved Housing Bodies under the Capital Assistance Scheme - Call for CAS 2017 to provide units of living accommodation to provide units of living accommodation in the Fingal area**

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

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

F/487/23 (Agenda Item No 24)

Proposed Disposal of Properties

- a **Proposed Disposal of Land and Grant of Wayleave at Old Road, Hayestown, Rush, Co. Dublin to ESB Networks**

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 and grant of a permanent wayleave at at Old Road, Hayestown, Rush, Co. Dublin to ESB Networks as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 29th November 2023, be granted and disposed of to the ESB Networks in accordance with the terms specified therein."

F/488/23 (Agenda Item No 25)

Declarations of Roads

- a **Glen Ellan Road Extension, Swords, Co Dublin**

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

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

F/489/23 (Agenda Item No 26)

LADP/009/23 - Proposed Development of 119 no. Apartments, Creche & Associated Site Works at Mayeston, Poppintree, Dublin 11

The notice of intention to undertake development at Mayeston, Poppintree, Dublin 11 was **NOTED**.

F/490/23 (Agenda Item No 27)
Draft Annual Service Delivery Plan

The attached 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**:

“In accordance with Section 134a of the Local Government Act 2001, as amended, the Annual Service Delivery Plan 2024 as recommended by the Chief Executive is hereby **ADOPTED**.”

F/491/23 (Agenda Item No 28)
Draft Standing Orders

Draft Standing Orders (November 2023) which had been circulated were considered.

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

“That the revisions contained in the draft Fingal County Council Standing Orders (November 2023) be **ADOPTED** as the Standing Orders of Fingal County Council”.

F/492/23 (Agenda Item No 29)
Draft Fingal Heritage Plan 2024 - 2030

The report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was given to the Members by MS. Christine Baker, Heritage Officer.

Following discussion, the Draft Fingal Heritage Plan 2024 – 2030 was **NOTED**.

F/493/23 (Agenda Item No 30)

Fingal Local Community Development Committee Annual Report 2022

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

F/494/23 (Agenda Item No 31)

2023 Arts Act Funding

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 award of Arts Act Funding as set out in the foregoing report is hereby **APPROVED**.”

F/495/23 (Agenda Item No 32)

Youth Sports Grant Report

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

“That the award of Youth Sports Grant Funding as set out in the foregoing report is hereby **APPROVED**.”

F/496/23 (Agenda Item No 33)

Chief Executive's Report

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

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

F/497/23 (Agenda Item No 34)

Conference Report

- a **NMCI's Seafarer's Conference 2024 on the 22nd February 2024 in the Castletroy Park Hotel in Co. Limerick**

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

F/498/23 (Agenda Item No 35)

Mayor's Business - Councillor A. Henchy

- a **Councillor A. Henchy - Letter of Appreciation and support to Emergency and Frontline Services**

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

Following a discussion, it was **AGREED** to include those organisations that represent retail and hospitality workers. Following further discussions the motion was **AGREED**.

F/499/23 (Agenda Item No 36)

Correspondence

- a **Letter from Clare County Council dated 14th November 2203 re - Resolution - Introducing Medical Certificates to all individuals with physical disabilities**

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

- b **Email from Cavan County Council dated 29th November 2023 re Proposal to remove Cavan from the Allianz Hurling League in 2025**

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

F/500/23 (Agenda Item No 37)

Departmental/Ministerial Correspondence

- a **Email dated 16th November 2023 from Minister D. O'Brien - re Item 35 - Cllr. B. McDonagh - An Bord Pleanála - Council Meeting 2022**

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

F/501/23 (Agenda Item No)

MOTIONS

F/502/23 (Agenda Item No 38)

Councillor A. Tormey - Establishment of Working Group/Subcommittee - Off-Leash Areas

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

During the course of discussions, an amended motion was received from Councillor K. Power. The amended motion was proposed by Councillor K. Power, seconded by Councillor D. Healy and **AGREED**.

Amendment

to Item 38:

Delete "provision" and replace with "suitability".

Amended motion to read:

"That the Chief Executive establish a working group or subcommittee to examine the suitability of our "off leash areas" within the County, membership to include Councillors, officials, and other interested parties."

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: 11 ELEVEN

AGAINST: 20 TWENTY

ABSTAIN: 0 ZERO

FOR: Councillors Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Carey, Ian; Power, Karen; Walsh, John; Tormey, Aoibhinn; Doyle, Tania; Healy, David; Rane, Punam.

AGAINST: Councillors Henchy, Adrian; Mulville, Paul; Maguire, Grainne; Murphy, Tony; Kitt, Tom; Manton, Brigid; Ryan, Brendan; McCamley, Mary; Shovlin, Siobhan; Lavin, Anthony; Newman, Joe; Guerin, Jimmy; Mahony, Howard; Butler, Darragh; Onwumereh, JK; Dennehy, Brian; O'Donoghue, Robert; McDonagh, Brian; Humphreys, James; Dennison, Kieran.

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

F/503/23 (Agenda Item No 39)

Councillor P. Conroy - Differential surface around cycling infrastructure

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

The report was **ACCEPTED**.

F/504/23 (Agenda Item No 40)

Councillor JK Onwumereh - Incentivising Sports Development in Fingal

The motion, in the name of Councillor JK. Onwumereh was proposed by Councillor JK. Onwumereh and seconded by Councillor D. Butler.

The report was **ACCEPTED**.

F/505/23 (Agenda Item No 41)

Councillor E. O'Brien - Message in a Bottle Programme - Local Lions Club

The report on the motion in the name of Councillor E. O'Brien was **ACCEPTED**.

F/506/23 (Agenda Item No 42)

Councillor P. Rane - Toilet and Changing Facilities for all Parks and Pitches

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

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

F/507/23 (Agenda Item No 43)

Councillor C. Boland - Planning Breaches in respect of daa Lands

It was **AGREED** to defer this item to the next meeting.

F/508/23 (Agenda Item No 44)

Councillor A. Donnelly - Review of Dog Runs in Fingal

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

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

F/509/23 (Agenda Item No 45)

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

The motion, in the name of Councillor P. Mulville was proposed by Councillor P. Mulville and seconded by Councillor B. McDonagh.

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

F/510/23 (Agenda Item No 46)

Councillor D. Healy - Designated Postering Areas

The motion, in the name of Councillor D. Healy was proposed by Councillor D. Healy and seconded by Councillor I. Carey.

It was **AGREED** to extend the meeting to conclude Item 46.

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

FOR :	13	THIRTEEN
AGAINST:	10	TEN
ABSTAIN:	0	ZERO

FOR: Councillors Henchy, Adrian; Mulville, Paul; Mulligan, Dean; Carey, Ian; Power, Karen; Kitt, Tom; Manton, Brigid; Walsh, John; Newman, Joe; Healy, David; Mahony, Howard; Onwumereh, JK; Rane, Punam.

AGAINST: Councillors Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Ryan, Brendan; McCamley, Mary; Shovlin, Siobhan; Lavin, Anthony; O'Donoghue, Robert; Humphreys, James; Dennison, Kieran

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

F/511/23 (Agenda Item No 47)

Councillor B. Manton - Hospital Access by Public Transport

The report on the motion in the name of Councillor B. Manton was **ACCEPTED**.

The Meeting concluded at 20.07pm.

MAYOR

DATE
