

Comhairle Contae Fhine Gall Fingal County Council

Minutes of the County Council Meeting held on Tuesday, 16th January, 2024 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
Donnelly, Angela
Doyle, Tania
Griffin, Michelle
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
McCamley, Mary
McDonagh, Brian
Mulligan, Dean
Newman, Joe
O'Brien, Eoghan
O'Donoghue, Robert
O'Leary, Tom
Onwumereh, JK
Power, Karen
Rane, Punam
Ryan, Brendan
Shovlin, Siobhan
Tormey, Aoibhinn
Treacy, Natalie

Apologies for inability to attend were received for Councillors Paul Mulville, Tony Murphy, and John Walsh.

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); Betty Boardman (County Librarian); Aoife Sheridan (Senior Executive Officer); Nikki Halleran (A/Senior Executive Officer).

F/1/24 (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/2/24 (Agenda Item No 1)

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

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

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

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

F/3/24 (Agenda Item No 2)

Nominations

a Filling of Casual vacancy on Fingal County Council following the resignation of Councillor Daniel Whooley

The report by the Chief Executive, setting out the required procedures, which had been circulated was READ.

The nomination of Michelle Griffin to fill the casual vacancy was proposed by Councillor P. Conroy and seconded by Councillor D. Healy.

In accordance with Section 19 of the Local Government Act 2001, as amended, Michelle Griffin was co-opted as a Member of Fingal County Council.

b Appointment of one Member to Joint Policing Committee

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

It was proposed by Councillor P. Conroy, seconded by Councillor. D. Healy and **AGREED:**

“That Councillor Michelle Griffin be appointed to the Joint Policing Committee.”

c Appointment of one Member to Housing Strategic Policy Committee vacancy following the resignation of Councillor Daniel Whooley

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

It was proposed by Councillor P. Conroy, seconded by Councillor D. Healy and **AGREED:**

“That Councillor Michelle Griffin be appointed to the Housing Strategic Policy Committee.”

d Appointment of one Member to Hansfield Strategic Development Zone Steering Group

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

It was proposed by Councillor P. Conroy, seconded by Councillor. D. Healy and **AGREED:**

“That Councillor Michelle Griffin be appointed to the Hansfield Strategic Development Zone Steering Group.”

e Appointment of one Member to Comhairle na nÓg

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

It was proposed by Councillor P. Conroy, seconded by Councillor. D. Healy and **AGREED:**

"That Councillor Michelle Griffin be appointed to Comhairle na nÓg."

f Appointment of one Member to Blanchardstown Local Drug & Alcohol Task Force

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

It was proposed by Councillor P. Conroy, seconded by Councillor. D. Healy and **AGREED:**

"That Councillor Michelle Griffin be appointed to the Blanchardstown Local Drug & Alcohol Task Force."

F/4/24 (Agenda Item No)

QUESTIONS

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

"That in accordance with Standing Order No. 51, Questions numbered 3 to 16 be **ADOPTED.**"

F/5/24 (Agenda Item No 3)

Councillor J. Hopkins - Green Waste Management

F/6/24 (Agenda Item No 4)

Councillor S. Shovlin - Funding for Women's/Sister's Sheds

F/7/24 (Agenda Item No 5)

Councillor B. Manton - Cost Rental Housing

F/8/24 (Agenda Item No 6)

Councillor A. Henchy - Bike Share Schemes

F/9/24 (Agenda Item No 7)

Councillor A. Henchy - Residential Zoned Land Tax Map - Fingal

F/10/24 (Agenda Item No 8)

Councillor R. O'Donoghue - Lighting Projections on monuments in Fingal

F/11/24 (Agenda Item No 9)

**Councillor R. O'Donoghue - Feasibility Study Capital Programme -
Swimming Pool**

F/12/24 (Agenda Item No 10)

Councillor P. Conroy - Policy on Removal of Hedgerows

F/13/24 (Agenda Item No 11)

Councillor E. O'Brien - Forests on Public Lands Scheme

F/14/24 (Agenda Item No 12)

**Councillor T. Doyle - Impact of Guidelines for Consultations - Cycles
Lanes/Filtered permeability systems**

F/15/24 (Agenda Item No 13)

**Councillor H. Mahony - Display of works by Professional Artists funded by
this Council**

F/16/24 (Agenda Item No 14)

**Councillor D. Healy - Legal proceedings relating to the exercise or
performance of a reserved function**

F/17/24 (Agenda Item No 15)

Councillor B. Ryan -Transfer of Tenancy during 2023

F/18/24 (Agenda Item No 16)

**Councillor P. Mulville - Delay in tenants moving into new Social Housing
Units across the County**

F/19/24 (Agenda Item No 17)

Report of Committees

a Report of Strategic Policy Committee Chairpersons' Annual Report

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

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

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

c Report of Balbriggan/Rush/Lusk/Swords Services B Area Committee Meeting held on Thursday 14th 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 of Committee of Balbriggan/Rush-Lusk/Swords Services (B) Meeting held on Thursday 14th December 2023, are hereby **ADOPTED**."

d Report of Corporate Policy Group Meeting held on Monday 8th January 2024

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 8th January 2024, be **APPROVED**."

e Report of Blanchardstown/Mulhuddart/Castleknock Services B Area Committee Meeting held on Tuesday 9th January 2024

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 Thursday 9th January 2024, are hereby **ADOPTED**."

f Report of Howth/Malahide Services B Area Committee Meeting held on Wednesday 10th January 2024

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 10th January 2024 are hereby **ADOPTED**.”

g Report of Balbriggan/Rush/Lusk/Swords Services B Area Committee Meeting held on Thursday 11th January 2024

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 of Committee of Balbriggan/Rush-Lusk/Swords Services (B) Meeting held on Thursday 11th January 2024, are hereby **ADOPTED**.”

F/20/24 (Agenda Item No 18)
Financial Matters

a 2022 Annual Financial Statement and Audit Report

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

b Audit Committee Report on Audited AFS

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

c 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 A. Henchy, seconded by Councillor G. Maguire and **RESOLVED**:

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

F/21/24 (Agenda Item No 19)

Proposed Disposal of Properties

a **Proposed disposal of land at Old Road, Hayestown, Rush, Co Dublin to Manley Construction Limited**

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

"That lands at Old Road, Hayestown, Rush, Co Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 4th January 2024, be disposed of to Manley Construction Limited in accordance with the terms specified therein."

b **Proposed Disposal of land to rear of No.1 Seaview Park, Portrane Co Dublin to Mr. Tony Fagan and Ms. Jackie Fagan**

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

"That lands to the rear of No.1 Seaview Park, Portrane Co Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 4th January 2024, be disposed of to Mr. Tony Fagan and Ms. Jackie Fagan in accordance with the terms specified therein."

c **Proposed disposal of land adjacent 1 Moyclare Road, Baldoyle to Kerrie Fox**

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

"That lands adjacent to 1 Moyclare Road, Baldoyle, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 4th

January 2024, be disposed of to Kerrie Fox in accordance with the terms specified therein."

d Proposed disposal of land at No 4 Hacketstown Cottages, Skerries, Co Dublin to Jennifer Howell

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

"That lands at No 4 Hacketstown Cottages, Skerries, Co Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 4th January 2024, be disposed of to Jennifer Howell in accordance with the terms specified therein."

F/22/24 (Agenda Item No 20)

Declarations of Roads

a Bay Meadows, Phase 2, Hollystown, Dublin 15

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

F/23/24 (Agenda Item No 21)

Part XI/002/23 - Chief Executive Report pursuant to Part XI of the Planning & Development Act 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001 (as amended) for the proposed Public Realm Improvements on a Pedestrianised New Street, Malahide

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was provided to the Members by Sinead Murphy, Senior Engineer, Environment, Climate Action, Active Travel and Sports Department.

The Mayor, Councillor. A. Henchy advised the Members that four motions had been received.

The following motion was proposed by Councillor A. Tormey and seconded by Councillor P. Rane:

“That the yellow boxed area at the southern end of New Street should be retained and deliveries need to be facilitated from that area.”

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

FOR: 5 FIVE

AGAINST: 27 TWENTY SEVEN

ABSTAIN: 2 TWO

FOR: Councillors; Mulligan, Dean; Tormey, Aoibhinn, O’Leary, Tom; Boland, Cathal; Rane, Punam.

AGAINST: Councillors Henchy, Adrian; Hopkins, Joan; Burtchaell, John; Donnelly, Angela; Hanaphy, Breda; Treacy, Natalie; Maguire, Grainne; Griffin, Michelle; Carey, Ian; Power, Karen; O’Brien, Eoghan; Kitt, Tom; Manton, Brigid; Ryan, Brendan; McCamley, Mary; Shovlin, Siobhan; Guerin, Jimmy; Healy, David; Conroy, Pamela; Mahony, Howard; Butler, Darragh; Onwumereh, JK; Dennehy, Brian; O’Donoghue, Robert; McDonagh, Brian; Humphreys, James; Leddy, Ted.

ABSTAIN: Councillors Lavin, Anthony; Newman, Joe.

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

The following motion was proposed by Councillor A. Tormey and seconded by Councillor P. Rane:

“That a window of 2 hours should be allowed in the afternoon for deliveries at the southern end of New Street.”

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

FOR: 5 FIVE

AGAINST: 29 TWENTY NINE

ABSTAIN: 1 ONE

FOR: Councillors Tormey, Aoibhinn, O'Leary, Tom; Boland, Cathal; Leddy, Ted; Rane, Punam.

AGAINST: Councillors Henchy, Adrian; Hopkins, Joan; Burtchaell, John; Mulligan, Dean; Donnelly, Angela; Hanaphy, Breda; Graves, Ann; Treacy, Natalie; Maguire, Grainne; Griffin, Michelle; Carey, Ian; Power, Karen; O'Brien, Eoghan; Kitt, Tom; Manton, Brigid; Ryan, Brendan; McCamley, Mary; Lavin, Anthony; Doyle, Tania; Guerin, Jimmy; Healy, David; Conroy, Pamela; Mahony, Howard; Butler, Darragh; Onwumereh, JK; Dennehy, Brian; O'Donoghue, Robert; McDonagh, Brian; Humphreys, James.

ABSTAIN: Councillor Newman, Joe.

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

The following motion was proposed by Councillor D. Healy and seconded by Councillor K. Power:

"That the New Street Public Realm development be modified in line with the policies set out in *Forest of Fingal A Tree Strategy for Fingal*, such that the Council will, insofar as practical considering both the value of existing trees as recognised in *Forest of Fingal* and the additional expense of implementing the plan over a longer period, remove the existing large trees on an incremental basis over a number of years as the new trees grow, rather than all at once."

During discussions Councillor D. Healy withdrew the motion.

The following motion was proposed by Councillor D. Healy and seconded by Councillor K. Power:

“That the New Street Public Realm development be modified by confirming that the Council will ensure that awnings, parasols and other street furniture are similar throughout the street, and that there is no advertising on any street furniture.”

During discussions Councillor D. Healy accepted the Chief Executive comments that this will be dealt with through Street Furniture Licensing, Councillor D Healy withdrew the motion.

The Mayor then instructed that a roll call vote be taken on Chief Executive’s recommendation to proceed with the proposed Public Realm Improvements on a Pedestrianised New Street, Malahide and on a division the voting resulted as follows:

FOR: 22 TWENTY TWO

AGAINST: 9 NINE

ABSTAIN: 5 FIVE

FOR: Councillors Henchy, Adrian; Hopkins, Joan; Graves, Maguire, Grainne; Griffin, Michelle; Carey, Ian; Power, Karen; O’Brien, Eoghan; Kitt, Tom; Manton, Brigid; McCamley, Mary; O’Leary, Tom; Shovlin, Sioghan; Lavin, Anthony; Doyle, Tania; Guerin, Jimmy; Healy, David; Conroy, Pamela; Mahony, Howard; Onwumereh, JK; Dennehy, Brian; O’Donoghue, Robert; McDonagh, Brian; Humphreys, James.

AGAINST: Councillors Burtchaell, John; Mulligan, Dean; Ann; Treacy, Natalie; Ryan, Brendan; Tormey, Aoibhinn, Doyle, Tania; Newman, Joe; Boland, Cathal.

ABSTAIN: Councillors Donnelly, Angela; Hanaphy, Breda; Butler, Darragh; Leddy, Ted; Rane, Punam.

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

F/24/24 (Agenda Item No 22)

LADP/010/23 - Proposed development of 14 dwellings and associated site works at Mourne View, Skerries, Co. Dublin. Notice of Intention to undertake development by a Local Authority (Fingal County Council) under Section 179A Of the Planning and Development Act, 2000 (as amended)

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

F/25/24 (Agenda Item No 23)

Balbriggan Harbour Bye-Laws 2024

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. C. Boland, seconded by Councillor. G. Maguire and **RESOLVED** that –

“Fingal County Council, in exercise of the powers vested in it by Section 199 of the Local Government Act 2001 (as amended) hereby makes the Fingal County Council Balbriggan Harbour Bye-Laws 2024 . Harbour Bye-laws for Balbriggan & Skerries Harbours 2010 are hereby revoked.”

F/26/24 (Agenda Item No 24)

Rush Harbour Bye-Laws 2024

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. C. Boland, seconded by Councillor. D. Mulligan and **RESOLVED** that –

“Fingal County Council, in exercise of the powers vested in it by Section 199 of the Local Government Act 2001 (as amended) hereby makes the Fingal County Council Rush Harbour Bye-Laws 2024. Harbour Bye-laws for Rush & Loughshinny Harbours 2010 are hereby revoked.”

F/27/24 (Agenda Item No 25)

Loughshinny Harbour Bye-Laws 2024

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. C. Boland, seconded by Councillor. G. Maguire and **RESOLVED** that –

“Fingal County Council, in exercise of the powers vested in it by Section 199 of the Local Government Act 2001 (as amended) hereby makes the Fingal County Council Loughshinny Harbour Bye-Laws 2024. Harbour Bye-laws for Rush & Loughshinny Harbours 2010 are hereby revoked.”

F/28/24 (Agenda Item No 26)

Skerries Harbour Bye-Laws 2024

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. C. Boland, seconded by Councillor. T. O’Leary and **RESOLVED** that –

“Fingal County Council, in exercise of the powers vested in it by Section 199 of the Local Government Act 2001 (as amended) hereby makes the Fingal County Council Skerries Harbour Bye-Laws 2024. Harbour Bye-laws for Balbriggan & Skerries Harbours 2010 are hereby revoked.”

F/29/24 (Agenda Item No 27)

Fingal Libraries Draft Development Plan 2024 - 2029

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 Fingal Libraries Development Plan 2024 – 2029 is hereby **ADOPTED**.”

F/30/24 (Agenda Item No 28)

Local Economic & Community Plan 2023 - 2028

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was given to the Members by Mr. Lorcan Blake from Grant Thornton.

It was AGREED to extend the meeting to conclude Item 28 and take Item 29.

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

“That the Local Economic & Community Plan 2023 – 2028 is hereby **ADOPTED**.”

F/31/24 (Agenda Item No 29)
Draft Economic Development Strategy

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

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

F/32/24 (Agenda Item No 31)
Chief Executive's Report

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

F/33/24 (Agenda Item No 38)
Councillor P. Rane - Colour Coded Bus and Cycle Lanes

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

F/34/24 (Agenda Item No 44)
Councillor D. Healy - Legal proceedings relating to the exercise or performance of a reserved function

The report on the motion in the name of Councillor D. Healy was **ACCEPTED**.

The Meeting concluded at 20.14.

MAYOR

DATE
