

Comhairle Contae Fhine Gall Fingal County Council

Minutes of the County Council Meeting held on Monday, 11th March, 2024 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
Graves, Ann
Griffin, Michelle
Guerin, Jimmy
Hanaphy, Breda
Healy, David
Henchy, Adrian
Hopkins, Joan
Humphreys, James
Kitt, Tom
Lavin, Anthony

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
O'Reilly, Steve
Power, Karen
Ryan, Brendan
Shovlin, Siobhan
Tormey, Aoibhinn
Walsh, John

Apologies for inability to attend were received for Councillors John Burtchaell, Angela Donnelly, Tania Doyle and Grainne Maguire.

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), Declan Power (Senior Executive Officer), Pat Boyle, (Senior Architect), Kevin Halpenny (Senior Parks and Landscape Officer), Roisin Burke (Senior Planner).

F/83/24 (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.

The Mayor and Members expressed their deepest condolences to Councillor Ann Graves on the recent passing of her husband, Councillor Tony Murphy on the recent passing of his father and Mary Egan, Director of Services on the recent passing of her father.

F/84/24 (Agenda Item No 1)

Confirmation and Re-Affirmation of Minutes of Council Meeting held on Monday 12th February 2024

Minutes of the County Council Meeting held on Monday 12th February 2024 which had been circulated were considered.

It was **PROPOSED** by Councillor K. Dennison, seconded by Councillor H. Mahony and **RESOLVED –**

“That the minutes of the County Council Meeting held on Monday 12th February 2024 be **ADOPTED.**”

F/85/24 (Agenda Item No 2)

Nominations

- a **Appointment of one Member to The Audit Committee following the resignation of Councillor Punam Rane**

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

It was proposed by Councillor K. Dennison, seconded by Councillor A. Lavin and **AGREED**:

"That Councillor T. O'Leary be appointed to the Audit Committee."

b Nomination of one Member to Membership of Beaumont Hospital Board following the resignation of Councillor Punam Rane

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

It was proposed by Councillor K. Dennison, seconded by Councillor A. Lavin and **AGREED**:

"That Councillor T. O'Leary be appointed to the Beaumont Hospital Board."

F/86/24 (Agenda Item No)

QUESTIONS

It was proposed by Councillor J. Humphries, seconded by Councillor T. Kitt and **RESOLVED**:

"That in accordance with Standing Order No. 51, Questions numbered 3 to 13 be **ADOPTED**."

F/87/24 (Agenda Item No 3)

Councillor J. Hopkins - Staffing for Biodiversity Plan

F/88/24 (Agenda Item No 4)

Councillor E. O'Brien - Breakdown of the funding model used for the construction of the Rivervalley all-weather pitch and flood lights

F/89/24 (Agenda Item No 5)

Councillor J. Humphreys - Sports and Recreation Facilities in Fingal

F/90/24 (Agenda Item No 6)

Councillor S. O'Reilly - Grants available for residents living along the flight path of Dublin Airport

F/91/24 (Agenda Item No 7)

Councillor T. O'Leary - Swimming Pool Feasibility Study

F/92/24 (Agenda Item No 8)

Councillor C. Boland - PFAS Chemicals on daa Lands

F/93/24 (Agenda Item No 9)

Councillor H. Mahony - Procedure for the disposal of deceased animals on Fingal Property

F/94/24 (Agenda Item No 10)

Councillor P. Mulville - Broadband exclusivity agreements in new build estates

F/95/24 (Agenda Item No 11)

Councillor B. Dennehy - Criteria used to inform / notify the general public of permission granted to film crews for use of public property

F/96/24 (Agenda Item No 12)

Councillor B. Dennehy - Fingal's Vacant Site Register

F/97/24 (Agenda Item No 13)

Councillor B. Ryan - Identification and Mapping of all drains in the County

F/98/24 (Agenda Item No 14)

Report of Committees

a **Report of Organisation, Procedures & Finance Committee Meeting held on Monday 12th February 2024**

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

b **Report of Corporate Policy Group Meeting held on Monday 4th March 2024**

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor E. O'Brien, seconded by Councillor T. O'Leary and **RESOLVED**:

"That the recommendations contained in the report from Corporate Policy Group Meeting held on Monday 4th March 2024, be **APPROVED.**"

c Report of Blanchardstown/Mulhuddart/Castleknock-Ongar Services B Area Committee Meeting held on Thursday 7th March 2024

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

"That the recommendations contained in the report of Committee of Blanchardstown-Mulhuddart/Castleknock/Ongar Services B meeting held on Thursday 7th March 2024, are hereby **ADOPTED.**"

F/99/24 (Agenda Item No 15)
Financial Matters

It was noted there was no business on this item.

F/100/24 (Agenda Item No 16)
Proposed Disposal of Properties

a Notice of proposed disposal of land at Damastown Industrial Estate, Damastown, Dublin 15 to Glenbeigh Records Management Limited

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor M. McCamley and seconded by Councillor S. O'Reilly and **RESOLVED:**

"That lands at Damastown Industrial Estate, Damastown, Dublin 15, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 28th February 2024, be disposed of to Glenbeigh Records Management Limited, in accordance with the terms specified therein."

b Notice of proposed disposal of land adjacent to Oatlands Gate Lodge, Porterstown Road, Dublin 15 to Mr. Peter Cawley

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

“That lands adjacent to Oatlands Gate Lodge, Porterstown Road, Dublin 15, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 28th February 2024, be disposed of to Mr. Peter Cawley, in accordance with the terms specified therein.”

F/101/24 (Agenda Item No 17)

Declarations of Roads

It was noted there was no business on this item.

F/102/24 (Agenda Item No 18)

Audit Committee

a Audit Committee Annual Report 2023

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

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

b Audit Committee Charter 2024

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

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

c Audit Committee Annual Work Programme 2024

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

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

F/103/24 (Agenda Item No 19)

(PARTXI/007/23) 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 development of proposed Baldoyle Community Sports Centre and all associated site works on a site of approximately 0.575 ha at the former 'Coast' Estate Marketing Suite, located along the south of Red Arches Road, The Coast, Baldoyle Racecourse Park, Stapolin, Baldoyle, Dublin 13.

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was provided to the Members by Pat Boyle, Senior Architect, Architects Department.

The Mayor, Councillor. A. Henchy advised the Members that one motion had been received.

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

"That, given that the provision of 161 car parking spaces plus overflow parking area approved in the Racecourse Park permission was explicitly to provide for both the park and the "future community centre" and was deemed sufficient (ABP permission 311315) the proposal be varied by removing 26 of the 28 additional car parking spaces proposed, leaving the two disabled parking spaces."

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

FOR: 6 SIX

AGAINST: 23 TWENTY THREE

ABSTAIN: 1 ONE

FOR: Councillors Griffin, Michelle; Carey, Ian; Power, Karen; Healy, David; Conroy, Pamela; Humphreys, James

AGAINST: Councillors Henchy, Adrian; Hopkins, Joan; Mulville, Paul; Mulligan, Dean; Hanaphy, Breda; Graves, Ann; Maguire, Grainne; O'Brien, Eoghan; Kitt, Tom; Manton, Brigid; Ryan, Brendan; McCamley, Mary; Tormey,

Aoibhinn; O'Leary, Tom; Lavin, Anthony; Newman, Joe; Guerin, Jimmy; Boland, Cathal; Butler, Darragh; Onwumereh, JK; O'Donoghue, Robert; Dennison, Kieran; O'Reilly, Steve.

ABSTAIN: Councillor Murphy, Tony.

Councillor T. Murphy informed the Mayor that an error was made while casting his vote.

The Mayor declared the vote as **VOID** and instructed that a roll call vote be taken again and on a division the voting resulted as follows:

FOR: 6 SIX

AGAINST: 23 TWENTY THREE

ABSTAIN: 0 ZERO

FOR: Councillors Griffin, Michelle; Carey, Ian; Power, Karen; Healy, David; Conroy, Pamela; Humphreys, James

AGAINST: Councillors Henchy, Adrian; Hopkins, Joan; Mulville, Paul; Mulligan, Dean; Hanaphy, Breda; Graves, Ann; Murphy, Tony; O'Brien, Eoghan; Kitt, Tom; Manton, Brigid; Ryan, Brendan; McCamley, Mary; Tormey, Aoibhinn; O'Leary, Tom; Lavin, Anthony; Newman, Joe; Guerin, Jimmy; Boland, Cathal; Butler, Darragh; Onwumereh, JK; O'Donoghue, Robert; Dennison, Kieran; O'Reilly, Steve.

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

Following discussion, it was proposed by Councillor D. Healy, seconded by Councillor E. O'Brien 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), that the development of proposed Baldoyle Community Sports Centre and all associated site works on a site of approximately 0.575 ha at the former 'Coast' Estate Marketing Suite, located along the south of Red Arches Road, The Coast, Baldoyle Racecourse

Park, Stapolin, Baldoyle, Dublin 13. be proceeded with as set out in the foregoing report.”

F/104/24 (Agenda Item No 20)

Part 8 of the PLANNING AND DEVELOPMENT REGULATIONS 2001 (as amended). Proposed Development of a Car & Bicycle Parking Facility at Bremore Castle, Balbriggan, Co Dublin

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was provided to the Members by Kevin Halpenny, Senior Parks And Landscape Officer, Planning And Strategic Infrastructure Department.

Following discussion, it was proposed by Councillor T. Murphy, seconded by Councillor T. O’Leary, and **AGREED**.

F/105/24 (Agenda Item No 21)

Donabate Framework Plan

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was provided to the Members by Roisin Burke, Senior Planner, Planning and Strategic Infrastructure.

The Mayor, Councillor. A. Henchy advised the Members that one motion had been received.

The following motion was proposed by Councillor P. Mulville and seconded by Councillor R. O’Donoghue:

“That the following text be inserted at the end of ACM recommendation (14), Page 54, “and commits to identify an appropriate site for the provision of same” so that the second action point will read:

“The Donabate Framework Plan supports the provision of a Multi-functional Arts, Community and Youth Facility for Donabate and commits to identify an appropriate site for the provision of same.”

Following discussion, Councillor P. Mulville **ACCEPTED** the Chief Executives report that this wording can not be included.

Following further discussion, it was proposed by Councillor A. Henchy, seconded by Councillor P. Mulville and **AGREED**.

F/106/24 (Agenda Item No 22)

Festival and Events Funding Scheme and What's on in Events Presentation

The attached report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was provided to the Members by Declan Power, Senior Executive Officer, Economic Enterprise, Tourism & Cultural Development.

Following discussion, it was proposed by Councillor A. Henchy, seconded by Councillor J. Walsh and **AGREED**.

F/107/24 (Agenda Item No 23)

Chief Executive's Report

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

F/108/24 (Agenda Item No 24)

Mayor's Business - Councillor A. Henchy

The Mayor, Councillor. A. Henchy advised the Members that he and several Members were invited to New York to promote Tourism in Fingal and will be attending after St. Patricks Day events.

a Councillor A. Henchy - Fingal Public Relations Campaign on Housing

The motion, in the name of Councillor A. Henchy was proposed by Councillor A. Henchy and seconded by Councillor E. O'Brien.

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

F/109/24 (Agenda Item No 25)

Conference Report

- a** **2024 National Planning Conference will take place on 18th and 19th April in the Theatre Royal and Tower Hotel, Waterford City**

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

- b** **The Suck Valley Way Conference is being held in Hannon's Hotel, Roscommon on 13th and 14th March - theme "The Rise of Loneliness on the Emerald Isle - How community development and planning may be the remedy"**

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

F/110/24 (Agenda Item No 26)

Correspondence

- a** **Letter from Sligo County Council dated 6th February 2024 - Resolution - Provision of Additional Bus Services from Dublin Airport to Sligo at night**

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

- b** **Letter from Cork County Council dated 8th February 2024 - Resolution - Hospitality rated be reverted to 9%**

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

- c** **Letter from Cork County Council dated 8th February 2024 - Resolution - VAT rate for pub reduced down from 23% to 17%**

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

- d** **Letter from Louth County Council dated 19th February 2024 - Resolution - Joint Policing Committees - Local Community Safety Partnership**

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

F/111/24 (Agenda Item No 27)

Departmental/Ministerial Correspondence

It was noted there was no business on this item.

MOTIONS

F/112/24 (Agenda Item No 28)

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

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

It was **AGREED** to extend the meeting to conclude item 28.

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

F/113/24 (Agenda Item No 36)

Councillor S. O'Reilly - Introducing a litter fine to users who dispose of disposable vapes

The report on the motion in the name of Councillor S. O'Reilly was **ACCEPTED**.

F/114/24 (Agenda Item No 37)

Councillor P. Mulville - Childcare/Crèche facilities in the Fingal Administrative Area

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

The Meeting concluded at 20.03.

MAYOR _____

DATE _____