

**Comhairle Contae Fhine Gall
Fingal County Council**

Minutes of the County Council Meeting held on Monday, 8th April, 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
Graves, Ann
Griffin, Michelle
Guerin, Jimmy
Hanaphy, Breda
Healy, David
Henchy, Adrian
Hopkins, Joan
Humphreys, James
Kitt, Tom
Lavin, Anthony

Councillors:

Maguire, Grainne
Mahony, Howard
Manton, Brigid
McCamley, Mary
McDonagh, Brian
Mulligan, Dean
Mulville, Paul
Newman, Joe
O'Brien, Eoghan
O'Donoghue, Robert
O'Leary, Tom
Onwumereh, JK
O'Reilly, Steve
Power, Karen
Ryan, Brendan
Shovlin, Siobhan
Tormey, Aoibhinn
Treacy, Natalie
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), Carmel Brennan (Senior Architect).

F/127/24 (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/128/24 (Agenda Item No 1)

Confirmation and Re-Affirmation of Minutes of Council Meeting held on Monday 11th March 2024

Minutes of the County Council Meeting held on Monday 11th March 2024 which had been circulated were considered.

It was **PROPOSED** by Councillor H. Mahony, seconded by Councillor B. McDonagh and **RESOLVED** –

“That the minutes of the County Council Meeting held on Monday 11th March 2024 be **ADOPTED.**”

F/129/24 (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 2 to 14 be **ADOPTED.**”

F/130/24 (Agenda Item No 2)

Councillor J. Hopkins - Forest of Fingal Policy - Increase of trees in 2023 and Planting Target for 2024

- F/131/24** (Agenda Item No 3)
Councillor T. O'Leary - Swimming Pool Feasibility Study
- F/132/24** (Agenda Item No 4)
Councillor P. Mulville - Meaningful consultations with Disabled Persons' Organisations
- F/133/24** (Agenda Item No 5)
Councillor B. Manton - Sports and Recreational Facilities Audit
- F/134/24** (Agenda Item No 6)
Councillor B. Manton - Policy on Scooters in our Parks
- F/135/24** (Agenda Item No 7)
Councillor S. Shovlin - Drone Delivery Services
- F/136/24** (Agenda Item No 8)
Councillor A. Donnelly - Fingal County Council Customer Service wait times
- F/137/24** (Agenda Item No 9)
Councillor C. Boland - Proposed M2 Road Development
- F/138/24** (Agenda Item No 10)
Councillor J. Walsh - Inactive sites where full planning permission has been granted
- F/139/24** (Agenda Item No 11)
Councillor A. Graves - Housing Assistance Payment (HAP) Passport
- F/140/24** (Agenda Item No 12)
Councillor D. Healy - Planning enforcement information uploaded to the Planning Register
- F/141/24** (Agenda Item No 13)
Councillor J. Humphreys - Review of BoxUp Lockers
- F/142/24** (Agenda Item No 14)
Councillor J. Humphreys - Grass cutting in the County
- F/143/24** (Agenda Item No 15)
Report of Committees

a Quarterly Reports - Strategic Policy Committee Meetings

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

b Report of Balbriggan/Rush-Lusk/Swords Services B Area Committee Meeting held on Thursday 14th March 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 14th March 2024, are hereby **ADOPTED**."

c Report of Corporate Policy Group Meeting held on Tuesday 2nd April 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 2nd April 2024, be **APPROVED**."

d Report of Howth Malahide Services B Area Committee Meeting held on Wednesday 3rd April 2024

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

"That the recommendations contained in the report of Committee of Howth Malahide Services (B) meeting held on 3rd April 2024 are hereby **ADOPTED**."

e Report of Blanchardstown/Mulhuddart/Castleknock-Ongar Services B Meeting held on Thursday 4th April 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 Blanchardstown-Mulhuddart/Castleknock/Ongar Services B meeting held on Thursday 4th April 2024, are hereby **ADOPTED**."

F/144/24 (Agenda Item No 16)

Financial Matters

a Consideration of Draft 2023 Annual Financial Statement

The report by the Chief Executive, which had been circulated, was **CONSIDERED**. It was proposed by Councillor H. Mahony, seconded by Councillor B. McDonagh and **AGREED**.

b Annual Financial Statement

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

F/145/24 (Agenda Item No 17)

Proposed Disposal of Properties

a Notice of proposed grant of a permanent wayleave on land at Bremore, Balrothery, Co. Dublin to ESB Networks

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

"That the grant of a permanent wayleave on land at Bremore, Balrothery, Co. Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 25th March 2024, be granted to ESB Networks, in accordance with the terms specified therein."

b Notice of proposed grant of wayleave at Blanchardstown Road North, Blanchardstown, Dublin 15 to Gas Networks Ireland

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 the grant of wayleave at Blanchardstown Road North, Blanchardstown, Dublin 15, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 25th March 2024, be granted to Gas Networks Ireland, in accordance with the terms specified therein."

c Notice of proposed grant of wayleave on land at Coldwinters, Dublin 11 to Energia

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

"That the grant of wayleave on land at Coldwinters, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 25th March 2024, be granted to Energia, in accordance with the terms specified therein."

d Notice of proposed disposal of land at 30 Clonard Street, Balbriggan, Co. Dublin to Aoibhneas

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

"That lands at 30 Clonard Street, Balbriggan, Co. Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 25th March 2024, be disposed of to Aoibhneas, in accordance with the terms specified therein."

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

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

F/146/24 (Agenda Item No 18)

Declarations of Roads

a **Riverwood Gardens, Castleknock, Co Dublin**

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

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

b **Emsworth, Kinsealy Lane, Co. Dublin**

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

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

c **Golden Ridge, Phase 2, Rush, Co. Dublin**

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

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

d Coopers Wood, Kinsealy, Co Dublin

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

F/147/24 (Agenda Item No 19)

LADP/001/24 - Local Authority Development Proposal for 175 no. new Houses and Apartments, a Crèche, and associated site development works at New Road, Donabate. 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**. A presentation was given to the Members by Carmel Brennan, Senior Architect.

The Mayor Councillor A. Henchy advised the Members that five motions were received.

The following motion in the name of Councillor A. Henchy was proposed by Councillor A. Henchy and seconded by Councillor B. Dennehy:

"That the Chief Executive commits to identifying a location for the provision of a community, cultural and entertainment space, as outlined in Objectives 6.7 and 6.12 of the Donabate Local Area Plan and further to this, the Chief Executive, also provides a detailed update, including timelines, in relation to ongoing community projects for the Donabate Portrane area, including at the existing Community Centre & Ballisk House (Former Credit Union building) which Fingal County Council purchased in 2022."

Following discussion, Councillor A. Henchy **ACCEPTED** the verbal report.

The following motion in the name of Councillor A. Henchy was proposed by Councillor A. Henchy and seconded by Councillor B. Dennehy:

"That the Chief Executive commits to carrying out an examination of the subject scheme with a view to increasing the provision of community space together

with the creche building. This Council owned site represents an opportunity for the provision of additional community facilities and I would request that further consideration should be given to this, for example there is a real opportunity to increase the size of this building by making it two storey, multipurpose in its usage instead of a single storey Creche."

Following discussion, Councillor A. Henchy **ACCEPTED** the verbal report.

The following motion in the name of Councillor P. Mulville was proposed by Councillor P. Mulville and seconded by Councillor A. Henchy:

"That this agenda Item be deferred, and that the meeting recommends the scheme be re-designed and brought back before council at a future date with the inclusion of a clearly identified site for the provision of a dedicated Arts, Cultural and Youth Centre."

SUSPENSION OF STANDING ORDERS

Following discussion, the Mayor Councillor A. Henchy called for a 3 minute break.

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

FOR: 5 FIVE

AGAINST: 24 TWENTY FOUR

ABSTAIN: 5 FIVE

FOR: Councillors; John Burtchaell; Joan Hopkins; Dean Mulligan; Paul Mulville; Robert O'Donoghue.

AGAINST: Councillors Cathal Boland ; Darragh Butler; Brian Dennehy; Angela Donnelly; Tania Doyle; Ann Graves; Jimmy Guerin; Breda Hanaphy; David Healy; Tom Kitt; Anthony Lavin; Grainne Maguire; Howard Mahony; Brigid Manton; Mary McCamley; Eoghan O'Brien; Tom O'Leary; John-Kingsley Onwumereh; Steve O'Reilly; Karen Power; Siobhan Shovlin; Aoibhinn Tormey; Natalie Treacy; John Walsh.

ABSTAIN: Councillors Adrian Henchy; James Humphreys; Brian Mc Donagh; Joe Newman; Brendan Ryan.

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

The following motion in the name of Councillor R. O'Donoghue was proposed by Councillor R. O'Donoghue and seconded by Councillor P. Mulville:

"That the Chief Executive bring forward the meeting already agreed with the Crossroads Committee from Donabate and Elected Members to hear proposals that would be compatible with the objectives of Fingal Development Plan, Donabate Local Area Plan, Council Housing Policy and Section 179A (5) of the Housing Act 2000 as amended."

Councillor R. O'Donoghue **ACCEPTED** the verbal report.

The following motion in the name of Councillor T. O'Leary was proposed by Councillor T. O'Leary and seconded by Councillor A. Lavin:

"Noting the campaign of an Arts, Cultural and Youth Centre that Fingal County Council identifies a suitable site in council ownership or acquire a site for such a centre in Donabate and scope out the required size of building, the capacity of the building (e.g. 150-200 seater theatre?) and uses therein and identify the minimum site size required, car parking required and bring a proposal to the relevant council committees for approval and agreement and identify the funding required for this proposal and where it might be sourced."

Councillor T. O'Leary **ACCEPTED** the verbal report.

The report on the Local Authority Development Proposal for 175 no. new Houses and Apartments, a Crèche, and associated site development works at New Road, Donabate, was **NOTED**.

F/148/24 (Agenda Item No 20)

**Notice of Proposed Development Part XI Planning & Development Act 2000
(as amended) Part 8 Planning & Development Regulations 2001 (as
amended) Replacement Public Toilets at Rush South Beach, Rush, Co.
Dublin**

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

It was proposed by Councillor. B. Dennehy, seconded by Councillor. R. O'Donoghue and **RESOLVED** that –

“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 and replacement of Public Toilets at Rush South Beach, Rush, Co. Dublin, be proceeded with as set out in the foregoing report.”

F/149/24 (Agenda Item No 21)

Authorisation of Council to issuing of polling cards for Local Electors

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

It was proposed by Councillor C. Boland, seconded by Councillor D. Healy, and **RESOLVED** that –

“In accordance with Section 55 of the Local Elections Regulations 1995, it is hereby resolved that polling information cards will be issued to electors for the local elections to take place on 7th June 2024.”

F/150/24 (Agenda Item No 22)

Twinning of Howth with Cap d'Ail, France

The report by the Chief Executive which had been circulated was **CONSIDERED**. A presentation was given to the Members by Nikki Halleran, Senior Executive Officer, Corporate Services.

The Mayor Councillor A. Henchy advised the Members that motions were received.

The following motion in the name of Councillor J. Hopkins was proposed by Councillor J. Hopkins and seconded by Councillor P. Mulville:

“To ask the Chief Executive to postpone the vote on the twinning of Howth with Cap D’Ail until such time as proper, full, open, publicly advertised consultation has taken place with the all the local population and residents regarding this twinning proposal.”

SUSPENSION OF STANDING ORDERS

It was **AGREED** to extend the meeting to conclude item 22 and the Chief Executives Report.

Following discussions, Councillor J. Hopkins submitted an amended motion.

“That the vote be postponed on the twinning of Howth with Cap D’Ail until such time as proper, full, open, publicly advertised consultation has taken place with all the local population and residents regarding this twinning proposal.”

The amended motion was proposed by Councillor J. Hopkins and seconded by Councillor P. Mulville:

Following 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: 8 EIGHT

AGAINST: 24 TWENTY FOUR

ABSTAIN: 0 ZERO

FOR: Councillors Angela Donnelly; Tania Doyle; Ann Graves; Breda Hanaphy; Joan Hopkins; Dean Mulligan; Paul Mulville; Natalie Treacy.

AGAINST: Councillors Cathal Boland; Darragh Butler; Brian Dennehy; Jimmy Guerin; David Healy; Adrian Henchy; James Humphreys; Tom Kitt; Anthony Lavin; Grainne Maguire; Howard Mahony; Brigid Manton; Brian Mc Donagh; Joe Newman; Eoghan O'Brien; Robert O'Donoghue; Tom O'Leary; John-Kingsley

Onwumereh; Steve O'Reilly; Karen Power; Brendan Ryan; Siobhan Shovlin; Aoibhinn Tormey; John Walsh.

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

The report was proposed by Councillor J. Guerin, seconded by Councillor J. Newman and **RESOLVED** that-

"That the Twinning of Howth with Cap d'Ail, France is hereby **ADOPTED**."

F/151/24 (Agenda Item No 23)

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 a motion has been received.

The following motion in the name of Councillor J. Humphreys was proposed by Councillor J. Humphreys and seconded by Councillor B. McDonagh:

"That this Council reverses the decision made on September 11th, 2023, to implement a No Mow May policy on open spaces in the County, and instead, adopts a strategy based on the recommendations of the National Biodiversity Data Centre, including comprehensive mapping of grass areas and promotes the buy-in of resident associations, community organisations, and residents to support the original intention of No Mow May."

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

FOR: 17 SEVENTEEN

AGAINST: 14 FOURTEEN

ABSTAIN: 0 ZERO

FOR: Councillors Angela Donnelly; Ann Graves; Breda Hanaphy; Adrian Henchy; James Humphreys; Anthony Lavin; Brian Mc Donagh; Dean Mulligan; Joe Newman; Robert O'Donoghue; Tom O'Leary; Steve O'Reilly; Brendan Ryan; Siobhan Shovlin; Aoibhinn Tormey; Natalie Treacy; John Walsh.

AGAINST: Councillors Cathal Boland ; Darragh Butler; Brian Dennehy; Jimmy Guerin; David Healy; Joan Hopkins; Tom Kitt; Grainne Maguire; Howard Mahony; Brigid Manton; Paul Mulville; Eoghan O'Brien; John-Kingsley Onwumereh; Karen Power.

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

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

F/152/24 (Agenda Item No 36)

Councillor D. Healy - Effectiveness of Planning Enforcement - Planning Complaints

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

The report was **ACCEPTED**.

F/153/24 (Agenda Item No 37)

Councillor J. Hopkins - Safe Universal Access for all Railway Stations

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

The report was **ACCEPTED**.

The Meeting concluded at 20.23.

MAYOR _____

DATE _____