

Comhairle Contae Fhine Gall Fingal County Council

Minutes of the County Council Meeting held on Monday, 14th October, 2024 in the Council Chamber - County Hall, Swords, at 5.00 pm

MEMBERS PRESENT

Councillors:

Boland, Cathal
Burtchaell, John
Butler, Darragh
Carbone-Mangan, Eimear
Coppinger, Ruth
Corkery, Luke
Dennison, Kieran
Dockrell, Eoghan
Donnelly, Angela
Doyle, Tania
Graves, Ann
Guerin, Jimmy
Hanaphy, Breda
Haughey, Cathal
Hopkins, Joan
Humphreys, James
Johnston, Corina
Kelly, Darren Jack
Kitt, Tom
Leddy, Ted

Councillors:

Maguire, Grainne
McCamley, Mary
McDonagh, Brian
Mulligan, Dean
Mulville, Paul
Murphy, Tony
Newman, Joe
O'Brien, Eoghan
O'Donoghue, Robert
O' Leary, Tom
Onwumereh, JK
Quinlan, Patrick
Quinn, Malachy
Ryan, Brendan
Sheehan, Gerard
Shovlin, Siobhan
Tormey, Aoibhinn
Troy, Ellen
Walsh, John

Apologies for inability to attend were received for Councillor David Healy.

The Mayor, Councillor B. McDonagh 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); Mary T Daly (Director of Services/Operations); Oliver Hunt (Head of Finance); David Storey (Director of

Services/Environment, Climate Action, Active Travel & Sports); Matthew McAleese (Director of Services Planning and Strategic Infrastructure); Paul Carroll (Director of Housing Services and Community Development); Nikki Halleran (A/Senior Executive Officer).

ANNOUNCEMENT

The Mayor, Councillor B. Mc Donagh informed the Members one Emergency Motion was received and was ruled out of order.

F/393/24 (Agenda Item No 1)

Confirmation and Re-Affirmation of Minutes of Council Meeting held on Monday 9th September 2024

Minutes of the County Council Meeting held on Monday 9th September 2024 which had been circulated were considered.

It was **PROPOSED** by Councillor B. McDonagh, seconded by Councillor K. Dennison and **RESOLVED** –

“That the minutes of the County Council Meeting held on Monday 9th September 2024 be **ADOPTED.**”

F/394/24 (Agenda Item No)

QUESTIONS

It was proposed by Councillor B. McDonagh, seconded by Councillor M. McCamley and **RESOLVED**:

“That in accordance with Standing Order No. 51, Questions numbered 2 to 19 be **ADOPTED.**”

F/395/24 (Agenda Item No 2)

Councillor C. Boland - Fingal's County Boundaries - Coastal Erosion

F/396/24 (Agenda Item No 3)

Councillor D. Butler - Time frame for the next Fingal County Development Plan

- F/397/24** (Agenda Item No 4)
Councillor D. Mulligan - Recovery and Resilience Facility Funds
- F/398/24** (Agenda Item No 5)
Councillor B. Hanaphy - Number of Homeless Families in Fingal
- F/399/24** (Agenda Item No 6)
Councillor M. Quinn - Low Registration on the Register of Electors
- F/400/24** (Agenda Item No 7)
Councillor M. Quinn - Future Events across the County
- F/401/24** (Agenda Item No 8)
Councillor B. Ryan - Requirement of an Occupational Therapist (OT) Report for a Housing Adaptation Grant
- F/402/24** (Agenda Item No 9)
Councillor B. Ryan - Review of Beach and Foreshore Bye Laws
- F/403/24** (Agenda Item No 10)
Councillor L. Corkery - Bye Laws Surrounding the Installation of Electric Vehicle (EV) Charging Cables
- F/404/24** (Agenda Item No 11)
Councillor L. Corkery - School Warden Panels
- F/405/24** (Agenda Item No 12)
Councillor P. Mulville - Removal of Native Hedgerow from Council Lands
- F/406/24** (Agenda Item No 13)
Councillor E. Dockrell - Resourcing of Towns Centre First Programme
- F/407/24** (Agenda Item No 14)
Councillor B. McDonagh - Breakdown of Housing Allocations
- F/408/24** (Agenda Item No 15)
Councillor B. McDonagh - Homes Purchased under the Tenant In-Situ Scheme
- F/409/24** (Agenda Item No 16)
Councillor A. Donnelly - Extended Opening Hours of Fingal Recycling Centres

F/410/24 (Agenda Item No 17)
Councillor J. Humphreys - Management Companies

F/411/24 (Agenda Item No 18)
Councillor C. Johnston - Development Levies Accrued

F/412/24 (Agenda Item No 19)
Councillor C. Johnston - Extend the Hours of the Dog Warden Services

F/413/24 (Agenda Item No 20)
Report of Committees

F/414/24 (Agenda Item No 20a)
**Report of Operational, Procedure and Finance Committee (OP&F) Meeting
held on Monday 9th September 2024**

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

F/415/24 (Agenda Item No 20b)
**Report of Balbriggan/Rush-Lusk/Swords (Services B) Meeting held on
Thursday 12th September 2024**

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

"That the recommendations contained in the report of Committee of
Balbriggan/Rush-Lusk/Swords Services (B) Meeting held on Thursday 12th
September 2024, are hereby **ADOPTED.**"

F/416/24 (Agenda Item No 20c)
**Report of Howth/Malahide (Services B) Meeting held on Wednesday 2nd
October 2024**

The report by the Chief Executive, which had been circulated, was
CONSIDERED. It was proposed by Councillor A. Tormey, seconded by Councillor
C. Haughey and **RESOLVED:**

"That the recommendations contained in the report of Committee of Howth Malahide Services (B) meeting held on 2nd October 2024 are hereby **ADOPTED.**"

F/417/24 (Agenda Item No 20d)

**Report of Blanchardstown/Mulhuddart/Castleknock-Ongar (Services B)
Meeting held on Thursday 3rd October 2024**

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

"That the recommendations contained in the report of Committee of Blanchardstown-Mulhuddart/Castleknock/Ongar Services B meeting held on Thursday 3rd October 2024, are hereby **ADOPTED.**"

F/418/24 (Agenda Item No 20e)

**Report of Corporate Policy Group (CPG) Meeting held on Monday 7th
October 2024**

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

"That the recommendations contained in the report from Corporate Policy Group Meeting held on Monday 7th October 2024, be **APPROVED.**"

F/419/24 (Agenda Item No 20f)

**Report of Balbriggan/Rush-Lusk/Swords (Services B) Area Committee
Meeting held on Thursday 10th October 2024**

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

"That the recommendations contained in the report of Committee of Balbriggan/Rush-Lusk/Swords Services (B) Meeting held on Thursday 10th October 2024, are hereby **ADOPTED.**"

F/420/24 (Agenda Item No 21)

Financial Matters

a **3-year Capital Plan**

A presentation was given by Mr. Oliver Hunt, Head of Finance, and the Executive Management Team.

During discussion, it was proposed by Councillor J. Humphreys and seconded by Councillor J. Walsh –

“That Fingal County Council includes provisions for the development of swimming pools location County within the Capital Programme 2024-2026. Recognising the community's growing demand for public aquatic facilities, this motion calls for the allocation of funds to explore both permanent and temporary solutions (such as pop-up) to meet the needs of our community.”

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

FOR: 21 TWENTY ONE
AGAINST: 12 TWELVE
ABSTAIN: 3 THREE

FOR: Councillors John Burtchaell ; Ruth Coppinger; Luke Corkery; Eoghan Dockrell; Angela Donnelly; Tania Doyle; Ann Graves; Breda Hanaphy; Joan Hopkins; James Humphreys; Corina Johnston; Darren Jack Kelly; Dean Mulligan; Paul Mulville; Tony Murphy; Robert O'Donoghue; Tom O'Leary; Malachy Quinn; Brendan Ryan; Aoibhinn Tormey; John Walsh.

AGAINST: Councillors Cathal Boland; Darragh Butler; Eimear Carbone-Mangan; Kieran Dennison; Jimmy Guerin; Cathal Haughey; Tom Kitt; Grainne Maguire; Brian Mc Donagh; Eoghan O'Brien; Siobhan Shovlin; Ellen Troy.

ABSTAIN: Councillors JK Onwumereh; Patrick Quinlan; Gerard Sheehan.

The Mayor then declared the motion **PASSED**.

The Capital Programme was **NOTED**.

b Local Property Tax Variation

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

Mr Oliver Hunt, Head of Finance, gave a presentation to the Members.

The Mayor informed the members two motions were received:

The following motion was submitted and proposed by the Mayor Councillor B. McDonagh and seconded by Councillor E. O'Brien:

MOTION TO VARY THE BASIC RATE OF LOCAL PROPERTY TAX IN THE ADMINISTRATIVE AREA OF FINGAL COUNTY COUNCIL

"That the County Council determines in pursuance of the provisions of Section 20 of the Finance (Local Property Tax) Act 2012 (as amended), that the basic rate of Local Property Tax stand varied downwards by 7.5 per cent for the period 1st November 2024 to 31st October 2025 in respect of relevant residential properties situated in the administrative area of Fingal County Council."

The following motion was submitted and proposed by Councillor A. Graves and seconded by Councillor M. Quinn:

"That this Council agrees to the 15% reduction allowable in relation to LPT."

During discussions, the following motion was submitted and proposed by Councillor J. Burtchaell and seconded by Councillor R. Coppinger:

"That this committee agrees an LPT adjustment factor of minus 15% to reduce the burden on ordinary home owners in the context of the cost of living crisis which is heavily impacting which families across the county, the proliferation of significant management fees in many newer developments resulting in reduced operation costs for Fingal & with the median purchase price of a home in Fingal now having risen to €410k which will result in increased Revenue LPT charges when the next valuation occurs."

Following further discussions, the Mayor then instructed that a roll call vote be taken on the motion Local Property Tax stand varied downwards by 7.5 per cent and on a division the voting resulted as follows:

FOR: 29 TWENTY NINE

AGAINST: 10 TEN

ABSTAIN: 0 ZERO

FOR: Councillors Cathal Boland; Darragh Butler; Eimear Carbone-Mangan; Luke Corkery; Kieran Dennison; Eoghan Dockrell; Jimmy Guerin; Cathal Haughey; Joan Hopkins; James Humphreys; Corina Johnston; Tom Kitt; Ted Leddy; Grainne Maguire; Brian Mc Donagh; Mary McCamley; Paul Mulville; Tony Murphy; Joe Newman; Eoghan O'Brien; Robert O'Donoghue; Tom O'Leary; JK Onwumereh; Brendan Ryan; Gerard Sheehan; Siobhan Shovlin; Aoibhinn Tormey; Ellen Troy; John Walsh.

AGAINST: Councillors John Burtchaell; Ruth Coppinger; Angela Donnelly; Tania Doyle; Ann Graves; Breda Hanaphy; Darren Jack Kelly; Dean Mulligan; Patrick Quinlan; Malachy Quinn.

The Mayor then declared the motion **PASSED**.

F/421/24 (Agenda Item No 22)

Proposed Disposal of Properties

a **Notice of proposed disposal of land at Stephenstown Industrial Estate, Balbriggan to S&F Global Fresh Exotics Limited**

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

"That lands at Stephenstown Industrial Estate, Balbriggan, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 1st October 2024, be disposed of to S&F Global Fresh Exotics Limited, in accordance with the terms specified therein."

b **Notice of proposed disposal of land and grant of permanent wayleaves at Church Fields Phase 3A, Mulhuddart, Co. Dublin, to ESB Networks**

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

"That the grant of permanent wayleaves and lands at Church Fields Phase 3A, Mulhuddart, Co. Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 1st October 2024, be granted and disposed of to ESB Networks, in accordance with the terms specified therein."

c Notice of proposed disposal of land at Church Fields Phase 3B, Mulhuddart, Dublin 15, to GEM Construction Limited

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 at Church Fields Phase 3B, Mulhuddart, Dublin 15, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 3rd October 2024, be disposed of to GEM Construction Limited, in accordance with the terms specified therein."

d Notice of proposed grant of wayleave at Batter Lane, Co. Dublin, to Electricity Supply Board

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

"That the grant of wayleave at Batter Lane, Co. Dublin as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 3rd October 2024, be granted to Electricity Supply Board, in accordance with the terms specified therein."

e Notice of proposed disposal of land and grant of permanent wayleave at Ballymastone Recreational Hub (Phase 2), Ballymastone, Donabate, Co. Dublin, to ESB Networks

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

"That the grant of permanent wayleaves and lands at Ballymastone Recreational Hub (Phase 2), Ballymastone, Donabate, Co. Dublin, as referred to in the Notice under S183 of the Local Government Act 2001 as amended and dated 1st October 2024, be granted and disposed of to ESB Networks, in accordance with the terms specified therein."

F/422/24 (Agenda Item No 23)

Declarations of Roads

a River Mall Lane Way Swords

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor E. O'Brien, 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."

b The Elms, Ridgewood, Swords

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

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

c Ashfield, Ridgewood, Swords

The report by the Chief Executive which had been circulated was **CONSIDERED**. It was proposed by Councillor B. McDonagh, 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."

d Footpath on Park Road, Rush

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

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

e Bracken Park, Castleknock

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

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

f Castlegrange Estate, Castaheany

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

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

F/423/24 (Agenda Item No 24)

Appointment of External Members by Resolution to Audit Committee

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

It was proposed by Councillor B. McDonagh, seconded by Councillor K. Dennison and **RESOLVED**:

"In accordance with Section 4 (3) of the Local Government (Audit Committee) Regulations 2014, it is hereby resolved that Noel O'Connell, Chris Harmon, Alison Byrne, Anne Carter are appointed as the external members of the Audit Committee."

F/424/24 (Agenda Item No 25)

Strategic Policy Committee (SPC) Membership 2024 - 2029

It was **AGREED** by the members to defer this item to the November meeting.

F/425/24 (Agenda Item No 26)

Halloween Projects 2024 Funding Applications

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

"That the Safer Halloween Project Funding 2024 as set out in the foregoing report is hereby **APPROVED** with agreed amendment's."

F/426/24 (Agenda Item No 27)

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/427/24 (Agenda Item No 28)

Mayor's Business - Councillor B. McDonagh

a Councillor B. McDonagh - Aircraft Noise Presentation

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

Following discussion, it was then proposed by Councillor B. McDonagh, seconded by Councillor J. Humphreys and **AGREED** to amend the motion as follows –

Include the words “FORUM and”.

The resultant amended motion will then read:

“That this Council invite representatives of FORUM and St. Margaret’s The Ward (SMTW) to brief the Members in this Chamber on the impact of Aircraft Noise and related matters on the day of the November Council meeting, Monday 11th November 2024.”

The amended motion was **AGREED**.

F/428/24 (Agenda Item No 29)

Conference Report

- a** **LAMA - Autumn Seminar 17th and 18th of October in the Newgrange Hotel in Navan, Co. Meath**

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

F/429/24 (Agenda Item No 30)

Correspondence

- a** **Letter dated 2nd September 2024 from Roscommon County Council - re - VAT Rate Hospitality Sector sent to Minister Martin**

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

- b** **Letter dated 2nd September 2024 from Roscommon County Council - re - VAT Rate Hospitality Sector sent to Minister Chamber**

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

- c** **Letter dated 2nd September 2024 from Roscommon County Council - re - Illegal Dumping Charges sent to Minister Ryan**

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

- d** **Letter dated 6th September 2024 from Leitrim County Council - re - Reduce VAT Rate for Hospitality Sector**

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

- e Letter dated 6th September 2024 from Leitrim County Council - re - Fracked Gas**

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

- f Letter dated 20th September from National Oversight and Audit Commission (NOAC) Re - Local Authority Performance Indicator Report**

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

F/430/24 (Agenda Item No 31)
Departmental/Ministerial Correspondence

- a Letter dated September 2024 from the Department of Tourism, Culture, Arts, Gaeltacht, Sport & Media re Item 35 - Cllr R. O'Donoghue - Introduction of Pilot Scheme for Artists with Disabilities**

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

- b Letter dated September 2024 from Department of Housing, Local Government and Heritage re Item 49 Cllr A Graves - Increase Resources & Funding for the Operation of the Tenant In-Situ Scheme 13th May 2024**

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

MOTIONS - STATUTORY FUNCTIONS

- F/431/24 (Agenda Item No 32)**
Councillor K. Dennison - Associated Housing Bodies and this Council

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

It was **AGREED** by the members to extend the meeting to conclude Item 32.

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

- F/432/24 (Agenda Item No 34)**

**Councillor M. McCamley - Variation to the Fingal Development Plan -
Drones Land Use Zoning**

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

The report was **ACCEPTED**.

F/433/24 (Agenda Item No 35)

**Councillor P. Mulville - A Map of Current Fingal County Council's Housing
Areas**

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

The report was **ACCEPTED**.

F/434/24 (Agenda Item No 39)

Councillor J. Hopkins - Tackling illegal Short Lets in Fingal

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

The report was **ACCEPTED**.

MOTIONS NON-STATUTORY FUNCTIONS

F/435/24 (Agenda Item No 52)

Councillor J. Humphreys - Transient Visitor Tax

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

The report was **ACCEPTED**.

The Meeting concluded at 20.15.

MAYOR _____

DATE _____