

COMHAIRLE CATHRACH BHAILE ÁTHA CLIATH



Miontuairiscí Chruinniú Miosuil a tionóladh ar an **4ú Feabhra 2008** i Seomra na Comhairle, Halla na Cathrach, Cnoc Chorcaí ag 6.45 i.n.

I Láthair an tArdmheara, An Comhairleoir Paddy Bourke sa chathaoir.

Comhairleoir:

Maurice Ahern
Charlie Ardagh
Tom Brabazon
Gerry Breen
Christy Burke
Clare Byrne
Eibhlin Byrne
Eric Byrne
Julia Carmichael
Anne Carter
Joan Collins
Ray Corcoran
Emer Costello
Pat Crimmins
Michael Donnelly

Comhairleoir :

Daithi Doolan
Dessie Ellis
Mary Fitzpatrick
Declan Flanagan
Killian Forde
Mary Freehill
John Gallagher
Deirdre Heney
Kevin Humphreys
Vincent Jackson
Liam Kelly
John Kenny
Sean Kenny
Dermot Lacey
Bronwen Maher

Comhairleoir

Sean Paul Mahon
Lousie Minihan
Andrew Montague
Paddy McCartan
Seamas McGrattan
Críona Ní Dhálaigh
Naoise O'Muirí
Aodhán Ó'Riordáin
Mary O'Shea
Larry O'Toole
Oisín Quinn
Tom Stafford
Bill Tormey
Edie Wynne

Oifigigh

John Tierney
Philip Maguire
Matt Twomey
Ciaran Murray
Michael Stubbs
Ciaran McNamara

Michael Phillips
Kathy Quinn
Terence O'Keeffe
Ciaran Dunne
Vincent Norton
Ali Grehan

Teresa Conlon
Oonagh Casey
Ollie Douglas
David Griffin
Joanne Travers

1. The Lord Mayor informed the Members that Mr Hugh Fitzpatrick has moved from the City Manager's Dept on promotion. The Members requested that congratulations be passed on to him and wished to acknowledge their appreciation of the dedicated help and support Hugh gave to them over the years. They extended their best wishes for his continued success in his career with Dublin City Council. The Lord Mayor then welcomed the recently appointed City Architect, Ms Ali Grehan, to her first Meeting of Dublin City Council.

2. The City Council agreed to suspend Standing Orders to agree, without debate, the following motion submitted by the Lord Mayor :-

“That this Council recognizes the need for action on global warming and the need to conserve energy, reduce carbon emissions and also the need to reduce light pollution of our night skies.

That Dublin City Council supports Earth Hour 2008 by turning off all non-essential lights controlled by the Council from 9 pm to 10pm on 29 March 2008 to support a collective world-wide effort to show the difference that can be made by this initiative and to raise public awareness of the need to use less energy.

That the City Council requests that the City Manager to take all possible steps to implement the turning off of all non-essential lights in their control as part of Earth Hour 2008.

That the City Council write to the Dublin Chamber of Commerce and business community to lend their support to this initiative and that the City Council call on Dublin’s citizens to play their part by joining with us in turning off all non-essential lights on 29th March 2008 in Dublin city”.

It was also agreed to take Item no 51, a similar motion standing in the name of Councillor A. O’Riordan, at this time. Both motions, having been seconded by Councillor O’ Riordan, were put and carried.

3. Ceisteanna fé Bhuan Ordú Úimhir 16 – It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council approves the Dublin City Manager answering the questions lodged”. The motion having been put and carried, written answers to the 124 questions lodged for the City Council meeting of the 4th February were issued. The Questions and Answers are set out in **Appendix A** attached.
4. Submitted Letter dated 19th December 2007 from Waterford County Council conveying the terms of a resolution passed at their December Meeting calling on the Government to immediately ban the importation of Brazilian Beef. It was moved by Councillor V. Jackson and seconded by Councillor K. Humphreys “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
5. Submitted Letter dated 28th December 2007 from Clonmel Borough Council which called for the introduction of a clamping system for people who are parking in disabled persons car parking spaces. . It was moved by Councillor V. Jackson and seconded by Councillor K. Humphreys “That Dublin City Council notes the contents of this letter”. The motion was put and carried.
6. Submitted Letter dated 25th January 2008 from Dublin and Cities Electoral Area Boundary Committee regarding the review of local electoral areas in Dublin and other cities and the Terms of Reference for the review. It was moved by Councillor V. Jackson and seconded by Councillor K. Humphreys “That Dublin City Council notes the contents of this letter”. The motion was put and carried.

7. The minutes of the Monthly Meeting of the City Council held on 7th January 2008, having been printed, certified by the Meetings Administrator, circulated to the Members and taken as read, were signed by the Lord Mayor.
8. Submitted Monthly Financial Statement circulated in accordance with the Local Government Act 2001. It was moved by Councillor D. Lacey and seconded by Councillor T. Stafford "That the Financial Statement be entered in the minutes". The motion was put and carried. The Financial Statement is set out in **Appendix B** to these minutes.
9. Submitted Report No. 65/2008 of the Dublin City Manager in compliance with Section 138 of the Local Government Act 2001 informing the Council of works which are about to commence and in compliance with the Planning & Development Regulations, 2001 Part 8 : Recovery of the Graveyard and Introduction of New Public Park at Saint Luke's Church, Saint Luke's Avenue / Newmarket Square, The Coombe, Dublin 8. It was moved by Councillor V. Jackson and seconded by Councillor Eric Byrne "That Dublin City Council notes the contents of Report No.65/2008". The motion was put and carried.

10. Appointment of a suitable person to be a member of the following committee following the resignation of former Councillor Ann-Marie Martin:

- Dublin 12 Drugs Task Force

It was agreed to defer this item to the next meeting of the City Council to be held on the 3rd March 2008 when the vacancy may be filled by a nomination from any of the political groupings on the City Council.

11. The appointment of a suitable person to be a member of the City Council to replace former Councillor Mary Murphy who resigned from the City Council and the appointment of a member to each of the following boards/committees:

- Housing, Social and Community Affairs Strategic Policy Committee
- North Dublin Development Coalition
- Protocol and Selection Committee

It was moved by Councillor K. Humphreys and seconded Councillor A. Montague "That John Lyons be co-opted as a Member of Dublin City Council and that he be appointed to the Housing, Social and Community Affairs Strategic Policy Committee and as a member to represent Dublin City Council on the North Dublin Development Coalition" Councillor J. Lyons then joined the meeting and was warmly welcomed by the Lord Mayor, Councillors and Staff.

It was then proposed by Councillor K. Humphreys and seconded Councillor A. Montague "That Councillor J. Gallagher be appointed as a member to the Protocol & Selection Committee" The motion was put and carried.

12. Appointment of a suitable person to replace Councillor V. Jackson on the Protocol and Selection Committee, following his resignation from that Committee and also the appointment of 2 suitable persons to fill two long-standing vacancies. It was agreed that these items would be referred back to the Protocol and Selection Committee and that the overall membership of the committee be discussed at the next meeting of the committee and recommendations brought back to Council.

13. Appointment of a suitable person to replace Councillor C. Byrne on the Dublin Regional Authority, following her resignation from that Committee. It was proposed by Councillor G. Breen and seconded by Councillor P. McCartan "That Councillor P. Crimmins be appointed as a member representing Dublin City Council on the Dublin Regional Authority" The motion was put and carried.
14. Appointment of a suitable person to replace Councillor L. O'Toole on the Financial Development and General Strategic Policy Committee, following his resignation from that Committee. It was agreed to defer this Item to the next meeting of the City Council to be held on the 3rd March 2008.
15. Submitted Report No. 40/2008 of the Assistant City Manager (*M. Stubbs*) – Proposed addition of 47 Rathgar Road, Dublin 6 2 to the Record of Protected Structures in accordance with Sec 54 and 55, Part IV, Planning and Development Act 2000. It was moved by Councillor M. Donnelly and seconded by Councillor M. Freehill "That Dublin City Council notes the contents of Report No. 40/2008 and agrees to the addition of 47 Rathgar Road, Dublin 6 to the Record of Protected Structures in accordance with Sec 54 and 55, Part IV, Planning and Development Act 2000". The motion was put and carried.
16. Submitted Report No. 41/2008 of the Assistant City Manager (*M. Stubbs*) – Proposed deletion of 40 Watling Street/Victoria Quay, Dublin 8 from the Record of Protected Structures in accordance with Sec 54 and 55, Part IV, Planning and Development Act 2000. It was moved by Councillor C. NiDhalaigh and seconded by Councillor J. Carmichael "That Dublin City Council notes the contents of Report No.41/2008 and agrees to the deletion of 40 Watling Street/Victoria Quay, Dublin 8 from the Record of Protected Structures in accordance with Sec 54 and 55, Part IV, Planning and Development Act 2000". The motion was put and carried.
17. Submitted Report No. 44/2008 of the Acting Executive Manager (*J. Keoghan*) – Proposed Draft Variation (No. 23) Dublin City Development Plan 2005-2011 - Designation of Dartmouth Square as an Architectural Conservation Area. It was moved by Councillor M. Freehill and seconded by Councillor M. Donnelly "That Dublin City Council notes the contents of Report No. 44/2008 and hereby approves Variation (No. 23) Dublin City Development Plan 2005-2011 and designates Dartmouth Square as an Architectural Conservation Area". The motion was put and carried.
18. Submitted Report No. 42/2008 of the Assistant City Manager (*C. McNamara*) – *Review* of the Scheme of Letting Priorities 2002. During the discussion of this report, the Members thanked the staff of the Housing & Residential Services Department, especially the Assistant City Manager, Mr Ciaran Mc Namara and Ms Teresa Conlon, on producing an excellent report. They welcomed the fact that the points system would now become more equitable in Dublin City but expressed concern at the lack of progress by Central Government in the finalisation of the 'Sale of Flats' Scheme and the provision of increased capital investment in Social & Affordable Housing. It was moved by Councillor Eric Byrne and seconded by Councillor C. Burke "That Dublin City Council notes the contents of Report No. 42/2008 and approves the Amended Scheme of Letting Priorities as outlined in the report, subject to Ministerial sanction ". The motion was put and carried. It was further agreed that questions and concerns raised by the Members would be addressed at

the next meeting of the Housing, Social & Community Affairs Strategic Policy Committee.

19. Submitted Report No. 66/2008 of the Area Manager (*D. Drumm*) – With reference to the extinguishment of the Public Right of Way along lane to the rear of 35/41 McKee Avenue, Finglas, Dublin 11. It was moved by Councillor V. Jackson and seconded by Councillor G. Breen “That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way along lane to the rear of 35/41 McKee Avenue, Finglas, Dublin 11, as shown on the attached Drawing No R.M. 24706, is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993” The motion was put and carried.
20. Submitted Report No. 67/2008 of the Executive Manager (*C. Reilly*) – With reference to the proposed extinguishment of the Public Right of Way over Laneway to the side of 109 Church Avenue and 4 Clonturk Gardens, Drumcondra, Dublin 9. It was moved by Councillor V. Jackson and seconded by Councillor G. Breen “That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way over Laneway to the side of 109 Church Avenue and 4 Clonturk Gardens, Drumcondra, Dublin 9, as shown on the attached Drawing No R.M. 24761A, is required for public use, resolve to retain the public right of way”. The motion was put and carried.
21. Submitted Report No. 68/2008 of the Executive Manager (*C. Reilly*) – With reference to the proposed extinguishment of the Public Right of Way at entrance to Public Park between 19 and 21 Mount Olive Park, Kilbarrack, Dublin 5 It was moved by Councillor V. Jackson and seconded by Councillor G. Breen “That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way at entrance to Public Park between 19 and 21 Mount Olive Park, Kilbarrack, Dublin 5, as shown on the attached Drawing No R.M. 24781, is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993”. The motion was put and carried.
22. Submitted Report No. 69/2008 of the Executive Manager (*C. Reilly*) – With reference to the proposed extinguishment of the Public Right of Way over laneway to the rear of 122-136 Furry Park Road, Dublin 5. It was moved by Councillor V. Jackson and seconded by Councillor G. Breen “That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way over laneway to the rear of 122-136 Furry Park Road, Dublin 5, as shown on the attached Drawing No R.M. 23551A, is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993” The motion was put and carried.
23. Submitted Report No. 70/2008 of the Executive Manager (*C. Reilly*) – With reference to the proposed extinguishment of the Public Right of Way over laneway between 44 and 45 Elm Mount Close and 119 and 121 Elm Mount Road, Beaumont, Dublin 9. It was moved by Councillor V. Jackson and seconded by Councillor G. Breen “That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way over laneway between 44 and 45 Elm Mount Close and 119 and 121 Elm Mount Road, Beaumont,

Dublin 9, as shown on the attached Drawing No R.M. 24745, is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993” The motion was put and carried.

24. Submitted Report No. 71/2008 of the Executive Manager (*C. Reilly*) – With reference to the proposed extinguishment of the Public Right of Way over laneway to the rear of 20-28 Celtic Park Road and 105-129 Celtic Park Avenue with access and egress between 109-111 Celtic Park Avenue, Whitehall, Dublin 9. It was moved by Councillor V. Jackson and seconded by Councillor G. Breen “That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way over laneway to the rear of 20-28 Celtic Park Road and 105-129 Celtic Park Avenue with access and egress between 109-111 Celtic Park Avenue, Whitehall, Dublin 9, as shown on the attached Drawing No R.M. 24610A, is no longer required for public use, extinguish the public right of way in accordance with Section 73 of the Roads Act 1993”. The motion was put and carried.
25. Submitted Report No. 72/2008 of the Executive Manager (*C. Reilly*) – With reference to the proposed extinguishment of the Public Right of Way over laneway at 56/58 Killester Park and La Vista Avenue, Killester, Dublin 5. It was moved by Councillor V. Jackson and seconded by Councillor G. Breen “That We, the Lord Mayor and Members of Dublin City Council, being the Roads Authority for the City of Dublin and being of the opinion that the Public Right of Way over laneway at 56/58 Killester Park and La Vista Avenue, Killester, Dublin 5, as shown on the attached Drawing No R.M. 24791, is required for public use, resolve to retain the public right of way” The motion was put and carried.
26. Submitted Report No. 38/2008 of the Executive Manager (*C. Dunne*) – With reference to the disposal of the fee simple interest under the Landlord and Tenant (Ground Rents) (No. 2) Act, 1978 in 24 premises. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No. 38/2008”. The motion was put and carried.
27. Submitted Report No. 46/2008 of the Executive Manager (*D. Wallace*) – With reference to the proposed disposal of the fee simple in premises at No. 3 Ellis Quay, Dublin 1 to Noel Fanning and Dorothy Matthews c/o Brendan Walsh and Partners Solicitors, 34 Upper Baggot Street, Dublin 4. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No. 46/2008”. The motion was put and carried.
28. Submitted Report No. 47/2008 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of 1 affordable house at Kilshane Drive, Finglas, Dublin 11. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No.47/2008”. The motion was put and carried.
29. Submitted Report No. 48/2008 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of 3 affordable apartments at Seven Oaks, Sarsfield Road, Dublin 8. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No. 48/2008”. The motion was put and carried.

30. Submitted Report No. 49/2008 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of 1 affordable apartment at Prospect Hill, Finglas, Dublin 11. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No.49/2008”. The motion was put and carried.
31. Submitted Report No. 50/2008 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of one affordable apartment at Windmill Lodge, 82-84 Windmill Road, Crumlin, Dublin 12. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No. 50/2008”. The motion was put and carried.
32. Submitted Report No. 51/2008 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of 2 affordable apartments at Burnell Court, Northern Cross, Malahide Road, Dublin 17 It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No. 51/2008”. The motion was put and carried.
33. Submitted Report No. 52/2008 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of 1 affordable apartment at Mount St. Anne’s, Milltown, Dublin 6. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No. 52/2008”. The motion was put and carried.
34. Submitted Report No. 53/2008 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of two affordable apartments at Laburnum Court, Rathbourne Grove, Ashtown, Dublin 15. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No.53/2008”. The motion was put and carried.
35. Submitted Report No. 54/2008 of the Assistant City Manager (*M. Stubbs*) – With further reference to the disposal of 1 affordable apartment at Castleforbes Square, Dublin 1. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No. 54/2008”. The motion was put and carried.
36. Submitted Report No. 55/2008 of the Assistant City Manager (*M. Stubbs*) – With further reference to the disposal of 1 affordable apartment at St. John’s Well Way, Old Kilmainham Road, Dublin 8. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council assents to the proposal outlined in Report No. 55/2008”. The motion was put and carried.
37. Submitted Report No. 56/2008 of the Assistant City Manager (*M. Stubbs*) – With further reference to the proposed disposal of lands at Bohernabreena to construct a temporary access road required to facilitate the construction of the Bohernabreena Spillways Upgrading. It was moved by Councillor and seconded by Councillor “That Dublin City Council assents to the proposal outlined in Report No. 56/2008”. The motion was put and carried.

38. Submitted Report No. 57/2008 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of 3 affordable apartments at Bloomfield Avenue, Dublin 4. It was moved by Councillor and seconded by Councillor “That Dublin City Council assents to the proposal outlined in Report No. 57/2008”. The motion was put and carried.
39. Submitted Report No. 58/2008 of the Executive Manager (*D. Wallace*) – With reference to the proposed grant of a licence of part of a premises at 1-4 Portland Square, Dublin 7 to Community After Schools Project (CASPr). It was moved by Councillor and seconded by Councillor “That Dublin City Council assents to the proposal outlined in Report No. 58/2008”. The motion was put and carried.
40. Submitted Report No. 59/2008 of the Executive Manager (*D. Wallace*) – With reference to the proposed grant of a licence of part of a premises at 1-4 Portland Square, Dublin 7 to The Cavan Centre. It was moved by Councillor and seconded by Councillor “That Dublin City Council assents to the proposal outlined in Report No. 59/2008”. The motion was put and carried.
41. Submitted Report No. 60/2008 of the Executive Manager (*D. Wallace*) – With reference to the proposed grant of lease of site at Mercer Street, Dublin 2 to the Electricity Supply Board, 27 Lower Fitzwilliam Street, Dublin 2. It was moved by Councillor and seconded by Councillor “That Dublin City Council assents to the proposal outlined in Report No. 60/2008”. The motion was put and carried.
42. Submitted Report No. 61/2008 of the Executive Manager (*D. Wallace*) – Proposed disposal in fee simple of a site for a substation at Dominick Street Upper, Dublin 7 to the Electricity Supply Board, 27 Lower Fitzwilliam Street, Dublin 2 It was moved by Councillor and seconded by Councillor “That Dublin City Council assents to the proposal outlined in Report No. 61/2008”. The motion was put and carried.
43. Submitted Report No. 45/2008 of the Financial Development and General Strategic Policy Committee – Breviate of meeting held 17th January 2008 - *In the Chair, Lord Mayor, Councillor Paddy Bourke*. It was moved by Councillor M. Donnelly and seconded by Councillor D. Lacey “That Dublin City Council notes the contents of Report No. 45/2008”. The motion was put and carried. Councillor Donnelly informed the Members that there is ongoing correspondence with the Department of Environment, Heritage and Local Government in relation to the formation of the Audit Committee.
44. Submitted Report No. 35/2008 of the Arts, Culture, Leisure and Youth Affairs Strategic Policy Committee – Breviate of meeting held on 6th December 2007 – *Chairperson, Councillor Gerry Breen*. It was moved by Councillor G. Breen and seconded by Councillor V. Jackson “That Dublin City Council notes the contents of Report No. 35/2008”. The motion was put and carried.
45. Submitted Report No. 64/2008 of the North West Area Committee – Breviate for the month of January 2008 – *Councillor Ray Corcoran, Chairperson*. It was moved by Councillor C. Burke and seconded by Councillor V. Jackson “That Dublin City Council notes the contents of Report No.64/2008”. The motion was put and carried.

46. Submitted Report No. 16/2008 of the Central Area Committee – Breviate for the month of January 2008 – *Councillor Christy Burke, Chairperson*. It was moved by Councillor C. Burke and seconded by Councillor T. Stafford “That Dublin City Council notes the contents of Report No. 16/2008”. The motion was put and carried. It was also noted that Councillor M. O’Shea’s name was inadvertently omitted from the list of attendees at this meeting.
47. Submitted Report No. 75/2008 of the South Central Area Committee – Breviate for the month of January 2008 – *Councillor Vincent Jackson, Chairperson*. It was moved by Councillor V. Jackson and seconded by Councillor C. Ni Dhalaigh “That Dublin City Council notes the contents of Report No. 75/2008”. The motion was put and carried.
48. Submitted Report No. 43/2008 of the South East Area Committee – Breviate for the month of January 2008 – *Councillor Mary Freehill, Chairperson*. It was moved by Councillor D. Doolin and seconded by Councillor T. Stafford “That Dublin City Council notes the contents of Report No. 43/2008”. The motion was put and carried.
49. Submitted Report No. 74/2008 of the North Central Area Committee – Breviate for the month of January 2008 – *Councillor Bronwen Maher, Chairperson*. It was moved by Councillor N. O’Muir and seconded by Councillor L. O’Toole “That Dublin City Council notes the contents of Report No. 74/2008”. The motion was put and carried.
50. Submitted Report No. 73/2008 of the North Central Area Joint Policing Sub-Committee – Breviate of meeting held on 14th January 2008 – *Chairperson, Councillor Tom Brabazon*. It was moved by Councillor S.P. Mahon and seconded by Councillor T. Stafford “That Dublin City Council notes the contents of Report No. 73/2008”. The motion was put and carried.
51. Submitted Report No. 62/2008 of the South Central Joint Policing Sub-Committee – Breviate of meeting held on 18th January 2008 – *Councillor Ruairi McGinley, Chairperson*. It was moved by Councillor C. Ni Dhaliagh and seconded by Councillor T. Stafford “That Dublin City Council notes the contents of Report No. 62/2008”. The motion was put and carried.
52. Submitted Report No. 76/2008 of the North West Joint Policing Sub-Committee – Breviate of meeting held on 21st January 2008 – *Councillor Julia Carmichael, Chairperson*. It was moved by Councillor J. Carmichael and seconded by Councillor T. Stafford “That Dublin City Council notes the contents of Report No. 76/2008”. The motion was put and carried.
53. The City Council decided not to suspend Standing Orders to take the 2 submitted Emergency Motions.
54. Motion referred from the December 2007 meeting of the South East Area Committee - it was proposed by Councillor O. Quinn and seconded by Councillor M. Freehill “That the South East Area Committee calls on the Manager to commence the process of adding Llandaff Terrace and Llandaff House to the Record of Protected Structures” The motion was put and carried.
55. The following motion, referred from the North West Area Committee, was proposed by Councillor A. Montague and seconded by Councillor B. Tormey “That Dublin City Council should urge the Department of Environment,

Heritage and Local Government to change the default option on application forms for the Register of Electors so that applicants are automatically excluded from the Edited Register rather than the current option where applicants are automatically included” The motion was put and carried.

56. It was moved by Councillor D. Heney and seconded by Councillor S.P. Mahon “That the Tidy Neighbourhoods Competition be reported on and discussed and additional resources be provided in the estimates to further expand and develop the potential of this competition” The motion was put and carried. Mr M. Twomey, Assistant City Manager, informed the Members that a sub-group of the Environment & Engineering Strategic Policy Committee would be set up to review the scheme in conjunction with ‘Pride of Place’ and other interested parties.
57. At this point, the chair was taken by the Deputy Lord Mayor, Councillor Anne Carter.
58. The following motion, standing in the name of Councillor J. Kenny at Item no 41 on the Agenda paper, was ruled out of order and could not be taken by virtue of the fact that a similar motion had been put before the City Council within the last 6 months –
“Would the Council reconsider its support for the variation to the Waste Management Plan for the Dublin Region 2005 – 2010 in light of the fact that the main (though not stated) aim of this variation to the Waste Management Plan is to increase the financial viability of the proposed incinerator in the Poolbeg Peninsula?” It was then agreed by the City Council that Councillor Kenny would hold his place on the Agenda for his motion to the March City Council meeting.
59. The Lord Mayor resumed the chairmanship of the meeting before the next item was taken.
60. The City Council agreed that the following motion in the name of Councillor N. O’Muirí be referred to the Environment & Engineering Strategic Policy Committee for consideration
“That the City Manager:
- Clarifies if any facility exists within the City Council functional area for members of the public to recycle polystyrene packaging
 - If not, takes immediate steps to introduce a basic facility for polystyrene recycling in the short term”
61. It was proposed by Councillor D. Lacey and seconded by Councillor K. Humphreys “This City Council requests the Minister for the Environment, Heritage and Local Government, John Gormley, T.D., to exercise his powers under Section 24c of the Waste Management Act 1996 to request the Four Dublin Local Authorities Management to review and, if necessary, vary the Waste Management Plan in the light of improved standards of the reduce, recycle and reuse of waste that has been achieved in recent years” The motion was put and carried.
62. It was moved by Councillor C.Ni Dhalaigh and seconded by Councillor D. Lacey “That the City Manager investigates and reports back to this Council on the present drainage regulations regarding apartment buildings and what changes are required to be made to those regulations to take account of the fact that it is mainly apartments being built in the city, and the current regulations only cover houses. The current building regulations state that

eight units can only be connected to a 150mm drain, but builders are being allowed take apartment blocks as being one unit, which means only one connection to the drainage system via a 150mm drain” The motion was put and carried.

63. The City Council agreed that a report be sent to Councillor V. Jackson on the following motion standing in his name at Item no 60 on the Agenda Paper “That Dublin City Council please arrange that a proper River Liffey maintenance plan be put in place to ensure good managements of the weirs, etc. on the River Liffey in the Chapelizod Area of Dublin 20. Residents are finding it very difficult for anyone to take responsibility when debris, etc. washed down the Liffey or difficulties occurs by river with pollution, etc.”
64. The City Council agreed that a report be sent to Councillor E. Costello on the following motion standing in her name at Item no 62 on the Agenda Paper “That the Manager detail the extent of ambulance services provided by Dublin City Council”

The meeting concluded at 9.52 p.m.

Correct.

LORD MAYOR

MEETINGS ADMINISTRATOR

APPENDIX A

LODGED PURSUANT TO STANDING ORDER NO.16 FOR REPLY AT THE MONTHLY MEETING OF DUBLIN CITY COUNCIL TO BE HELD ON MONDAY, 4th FEBRUARY 2008

Q1. COUNCILLOR CHRISTY BURKE

To ask the City Manager what action Dublin City Council can take to investigate the large number of problems in **(details supplied)**.

CITY MANAGER'S REPLY:

The following figures are for **(details supplied)** for the year 2007.

A total of 999 private rented dwellings were inspected in the area. On the first inspection a total of 544 dwellings were found not to be in compliance with the regulations.

In each of these cases a notice was served on the landlord to undertake required remedial works within a specified time period to bring the dwelling into compliance with the Housing (Standards for Rented Houses) Regulations 1993.

Also in anticipation of new legislation being enacted by the Department of the Environment Heritage and Local Government we advised the landlords to undertake works that are additional to the legal requirements to modernise and update their property.

As a result of action taken by the environmental health section 509 dwellings (of the 544) are now in compliance with the regulations. Of the 999 dwellings inspected, 964 of them are now in compliance with the regulations.

In 28 of the dwellings either, remedial works are in progress and a time extension has been granted or the property has been sold and new notices have been served on the new landlord.

The law agent has been instructed to issue legal proceedings in relation to 7 private rented dwellings in the area.

In 2008 the environmental health section will continue to undertake a proactive inspection programme of private rented dwellings in all areas of the city. To identify properties to be inspected the environmental health section uses several sources of information including figures from the recent census, the Private Residential Tenancies Board and local knowledge to target areas of older private rented residential stock.

The City Council has made a submission to the Minister for the Environment, Heritage & Local Government in relation to the provision of new regulations governing standards in the private rented sector.

The Principal Environmental Health Officer was a member of the of the Steering Group for the Centre for Housing Research publication "Good Practice In Housing Management: Guidelines for Local Authorities – Standards in the Private Rented Sector: Strategic Planning, effective Enforcement. A substantial number of the recommendations contained in this report are currently being implemented by the environmental health section in the inspection of private rented dwellings in the city.

Representatives from the Private Residential Tenants board will be attending the Area Joint Policing Committee Meeting on the 4th February, 2008.

Q2. COUNCILLOR CHRISTY BURKE

To ask the City Manager if he would make a report to this Councillor on the cleaning of shores on **(details supplied)** that in the event of heavy rain that shores will not be blocked up.

CITY MANAGER'S REPLY

(Details supplied 1) has been visited by Drainage Division's gully cleaning crew on 10 occasions over the past year and a total of 29 gullies were cleaned along the road during this period. Our crews have visited **(details supplied 2)** on 8 occasions over the past year and have cleaned a total of 38 gullies. As part of recent resurfacing works along **(details supplied 2)**, all defective gullies have been either repaired or replaced and a number of additional gullies have also been installed.

Q3. COUNCILLOR CHRISTY BURKE

To ask the City Manager how many times Dublin Fire Brigade have been called out in the year 2007 to extinguish fires at **details supplied**.

CITY MANAGER'S REPLY:

The Fire Brigade attended to three fire related incidents during 2007 at that location, one was a motorbike fire and the remaining two were small fires.

Q4. COUNCILLOR CHRISTY BURKE

To ask the City Manager if Dublin City Council is satisfied that the anti-social going on at **details supplied** by a small element of anti-social has eased.

CITY MANAGER'S REPLY:

The Area Housing Manager reports he has received no further complaints of anti-social behaviour in relation to the above road since the last meeting with the Resident's Association at **(details supplied)**. There is ongoing communication between DCC, Gardai and residents of the above road.

Q5. COUNCILLOR LARRY O'TOOLE

To ask the Manager to report on the following matter. **(Details supplied)**.

CITY MANAGER'S REPLY:

Waste Management Services tidied up the entrance to the laneway at the rear of **(details supplied)** on the 29th January 2008. There is an overgrown tree restricting access to this laneway, which is in fact private, and Dublin City Council is not responsible for the cleaning or maintenance of this laneway.

The vacant premises adjacent to the lane was inspected by the Derelict Sites Section on 30th January, 2008 and it is not considered to be a derelict site within the meaning of the Derelict Sites Act, 1990. However, the garden is

very overgrown and is overhanging on to the laneway. The Title and Research Section of the Law Department has been requested to carry out a reference of ownership and when received the owner will be written to and requested to tidy up the garden area.

Q6. COUNCILLOR LARRY O'TOOLE

To ask the Manager to have repairs carried out at **(Details supplied)**.

CITY MANAGER'S REPLY:

The Area Maintenance Officer has inspected this dwelling and reports the following:

- The lead flashing on the porch roof will be renewed.
- The staircase thread will be closed off.

These works will be completed within the next two to three weeks.

Q7. COUNCILLOR SEAMAS MCGRATTAN

To ask the City Manager due to difficult exiting and the constant traffic flow that a yellow box be installed at **(details supplied)**

CITY MANAGER'S REPLY:

Yellow boxes are intended to prevent blocking of junctions. Side road traffic flows should be significant and the side road should serve a minimum of fifty houses or a major traffic generating facility.

A yellow box is not recommended on **(details supplied 1)** at the junction with **(details supplied 2)** as blocking of the junction only occurs at peak hour with little problems observed on outside of peak hours and low traffic flows observed exiting **(details supplied 2)** due to limited parking in **(details supplied 2)**.

Q8. COUNCILLOR SEAMAS MCGRATTAN

To ask the City Manager to have the graffiti constantly monitored and removed at **(details supplied)** as it an ongoing problem at these locations

CITY MANAGER'S REPLY:

The shops on ***** and ***** are private property and not the remit of Dublin City Council. The graffiti removal section will have the laneway at the rear of the shops and the wall at ***** monitored and graffiti removed.

Q9. COUNCILLOR SEAMAS MCGRATTAN

To ask the City Manager to request the Gardai to express their opinion in relation to a planning application for an off-licence at **(details supplied)** and if the Gardai would see fit to oppose the application given the fact there are three alcohol outlets in a very small space of area and could lead to further problems in the area.

CITY MANAGER'S REPLY:

The making of observations on individual Planning Applications is a matter for the Gardaí.

An Garda Síochána are not a prescribed body under the Planning and Development Regulations 2001 – 2006 and are not, therefore circulated with details of individual applications.

Q.10 COUNCILLOR TOM STAFFORD

To ask the City Manager (**details supplied**)

CITY MANAGER'S REPLY:

Casual Trading licences for Designated Casual Trading areas are issued pursuant to the Casual Trading Act 1995. Licences for all designated areas including Moore Street are renewed on an annual basis, subject to compliance with the conditions of the licence. In issuing a casual trading licence it is not the policy of Dublin City Council to grant easement or other rights over the land to the licence holder.

No easements or other rights have been granted to traders to whom a casual trading licence has been given

Q.11 COUNCILLOR SEAMAS MCGRATTAN

To ask the city Manager to ask the Gardaí to monitor the ongoing problem of anti-social behaviour at (**details supplied 1**) and to check the reason why (**details supplied 2**) has been vacant for so long as this is causing youths to gather at this address.

CITY MANAGER'S REPLY:

The Gardaí have been contacted in relation to problems associated with this property and are monitoring the situation. The house in question has to date been offered to two housing applicants both of whom have declined. It is currently under offer to a third applicant. Pending the allocation of this house steps have been taken to inhibit access – window/door openings have been boarded up and the side entrance has been secured. The condition of the house will continue to be kept under review and every effort will be made to ensure that it does not become the source of anti-social behaviour or nuisance to residents of neighbouring properties.

Q.12 COUNCILLOR CRÍONA NÍ DHÁLAIGH

To ask the City Manager to increase the amount of Litter Wardens deployed in (**details supplied**), I have raised this problem on numerous occasions but unfortunately the problem persists and if it continues could lead to a health and safety issue in the area, and to report to this councillor on the amount of fines/prosecutions in the past 2 years issued for illegal dumping in this area.

CITY MANAGER'S REPLY:

There has been an ongoing problem with illegal dumping on these roads for several years. As it stands the Waste Services Division remove waste from this area on a daily basis, the waste is then searched by the Litter Warden before disposal. The number of fines generated by this process is minimal as the culprits have learned not to leave any evidence in the bags. A warden was assigned to walk around these roads over a four day period as a trial measure. The usual volume of waste was dumped when the warden went off duty, so clearly additional Warden cover is not likely to have much of an effect and could only be provided at the expense of other areas. Advice was also sought from CCTV specialists, restricted sight lines and a lack of suitable mounting points ruled this measure out. The residents regularly contact local area staff to report having seen dumping incidents but to date none have been willing to make a formal statement to support the issue of a litter fine. This has made effective enforcement difficult to provide.

Q.13 COUNCILLOR CRÍONA NÍ DHÁLAIGH

To ask the City Manager to contact LUAS regarding **(details supplied)** which have been broken for some time now, requesting that they be repaired as soon as possible. Residents are seriously concerned for their safety.

CITY MANAGER'S REPLY:

Due to the ongoing construction on James Walk, seven of the original public lighting columns were removed/decommissioned for the developer. Whilst the road continues to be used by pedestrians and motorists the developer has erected temporary lighting to maintain light in the area.

When the construction is complete, new permanent public lights will be erected restoring light levels to the original standard.

Q.14 COUNCILLOR CRÍONA NÍ DHÁLAIGH

To ask the City Manager to investigate the serious sewerage problems due to blocked drains at **(details supplied)**. Residents have informed me that last week, due to the wet weather, all the drains were blocked and that the smell of sewerage was rife in the area and to report to this councillor on the shore clearing routine for the area.

CITY MANAGER'S REPLY:

We have arranged for all gullies and drains in this area to be pressure cleaned in the coming days.

Q.15 COUNCILLOR LARRY O'TOOLE

To ask the Manager to deal with the following issue. **(Details supplied)**.

CITY MANAGER'S REPLY:

The drain located in the rear garden of **(details supplied)** is a 150mm private drain, the maintenance and upkeep of which is the responsibility of all households served by it. It is our understanding that this sewer becomes choked on occasion and must be relieved from the rear garden of **(details supplied)**. Accordingly, this matter has been referred to the Environmental Health Officer for the area, who will inform residents of what material may and may not be discharged to the drainage network.

Q.16 COUNCILLOR SEAN KENNY

Dublin City Council Planning Enforcement have informed me that "the drainage department have recently completed an extensive snag list for this location which outlines the works required to be carried out by the developer **(details supplied)** in order to bring the drainage at this location up to standard. This list is being forwarded to the developer and the drainage will be checked again in 6 months time to check that the developer has carried out the works required" As the residents are extremely concerned can the Manager give me a list of the items included in this extensive snag list?

CITY MANAGER'S REPLY:

A copy of the outstanding snag list for the (details supplied) is available directly from the Drainage Division. A copy of this list is being forwarded to Cllr. Sean Kenny.

Q.17 COUNCILLOR LOUISE MINIHAN

To ask the City Manager to arrange for a meeting between the **(details Supplied)**.

CITY MANAGER'S REPLY:

A meeting has been arranged with **(details supplied)**.

Q.18 COUNCILLOR LOUISE MINIHAN

To ask the City Manager to arrange for the removal of graffiti on the walls of Clover Hill Road.

CITY MANAGER'S REPLY:

Our Graffiti Removal Section, Tel. 222 4239, have arranged to have the graffiti removed from the walls of Clover Hill Road. This work will be completed before the 10th February 2008.

Q.19 COUNCILLOR LOUISE MINIHAN

To ask the City Manager when **(details Supplied)** will be housed as there is huge overcrowding in the premises at the moment.

CITY MANAGER'S REPLY:

The applicant (**details supplied**) is currently on the Housing List with a total of 90 points for Area J (Ballyfermot, Bluebell, Chapelizod, Inchicore). These points are currently low for four bedroom accommodation in the applicant's area of preference. Therefore it may be some time yet before the applicant (**details supplied**) is reached with an offer of accommodation in her area of preference. I must advise you that allocations for Area J are made from the Ballyfermot Area Office, Ballyfermot Community Civic Centre, Ballyfermot Road, Tel. 6207122 and I would advise the applicant to maintain contact with this office.

Q.20 COUNCILLOR DERMOT LACEY

To ask the Manager if he could respond positively to the appeal contained in the letter accompanying this question in relation to the provision of "Stair Lifts" in Sheltered Housing location and if he could arrange for the relevant Officials to make direct contact with the Manager of the Sheltered Housing complex and this Councillor referred to in the letter to discuss what assistance can be given.

CITY MANAGER'S REPLY:

Dublin City Council has made direct contact with the Manager of the Sheltered Housing complex and is arranging a meeting to discuss and explore ways of resolving the particular issues pertaining to their organisation.

Q.21 COUNCILLOR DAITHÍ DOOLAN

To ask the City Manager to make a statement, now the EU case is over, on how the Local Authority sees the future workings of the Dublin Fire Brigade ambulance service and how the Fire Services Act will impact on the statutory obligation to provide this service?

CITY MANAGER'S REPLY:

The EU court decision arose out of a complaint that the award of a "Contract" to the City Council in respect of the provision of the emergency Ambulance Service should have been the subject of a procurement procedure under EU Law incorporating Competitive tendering for the selection of the service provider.

The Court held that no "Contract" had been awarded and the City Council as Fire Authority is empowered under the Fire Service Act to provide an emergency ambulance service and therefore it is conceivable that the City Council is providing the service under its own statutory powers.

In light of the EU decision discussions are ongoing with the appropriate Government Departments and the HSE as to how the service should be structured and developed for the future.

Q.22 COUNCILLOR DAITHÍ DOOLAN

To ask the Manager for an update on the following question from the January meeting:

To ask the Manager to contact Jame's Hospital, D8 and request an outline of what provisions have been made to accommodate the services from St Luke's Cancer Hospital, Rathgar being moved into Jame's Hospital?

CITY MANAGER'S REPLY:

This office has not received a reply to our letter dated 24th December 2007. Once a reply has been received, the Councillor will be informed.

Q.23 COUNCILLOR DAITHÍ DOOLAN

To ask the City Manager if Dublin City Council were the 'competent authority' for the classification of waste?

CITY MANAGER'S REPLY:

In July 2007, the new Waste Management (Shipments of Waste) Regulations designated Dublin City Council as the competent authority of export, transit and import of all waste shipments. There are strict controls on hazardous waste moving from Ireland in order to ensure that waste is tracked and monitored from the time it leaves an Irish port until it arrives at its destination. The classification of waste remains the responsibility of the notifier/shipper. Under the Regulation (EC) No.1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, there are two classifications: Green and Amber list waste.

- The Amber list applies to the export of hazardous and non-hazardous waste destined for recovery or disposal. Shipments of amber listed waste are subject to the prior written notification and consent procedures known as Transfrontier Shipment.
- The Green list applies to the export of non-hazardous waste for recovery. Shipments of green listed waste for recovery are not controlled by notification and consent procedures but must be accompanied by information certified by the owner – known as an Annex VII.

The Notifier is a person or body proposing to carry out a shipment of waste, whether it is the waste producer, collector, broker, or dealer, may act in a notifying and exporting capacity.

The National TFS Office is based at Dublin City Council's offices at Eblana House, 68-71 Marrowbone Lane, Dublin 8. nationaltfs@dublincity.ie

Q.24 COUNCILLOR DAITHÍ DOOLAN

To ask the City Manager for a full and detailed update on the proposed feasibility study being carried out by the HSE into the redevelopment of the Old Meath Hospital & Bru Caoimhin site D8 and when can local residents and public representatives expect to be consulted on the study?

CITY MANAGER'S REPLY:

A meeting has been arranged for next week between the Housing Department and the HSE to advance on the project. A detailed report will be given at the relevant Area Committees once there is outcome from the discussion. Local consultation will be arranged as the plan is being developed.

Dublin South City Community Services Area is working closely with the HSE Estates Department in progressing this project. As this project is of considerable size and importance it requires a detailed planning brief. While the HSE continue to make considerable progress, at this point it is not possible to give exact details as to when these briefs will be finalised. The Local Health Manager will however update the local public representatives when the information is to hand.

Q.25 COUNCILLOR MICK RAFFERTY

To ask the City Manager if the land purchased from the Church adjacent to Dunmanus Road, Cabra, Dublin 7 was specifically and strictly for a Senior Citizen Development in the former Church grounds and if this remains the position.

CITY MANAGER'S REPLY:

Order of the Assistant City Manager dated 10th February 2006 stated that an agreement was reached between the St Laurence O'Toole Diocesan Trust and Dublin City Council for the acquisition of land (area of approximately 5,243m²) adjacent to the Church of the Most Precious Blood, Cabra, Dublin 7 for a purchase price of €1,200,000 subject to Dublin City Council successfully obtaining planning permission for the development of the site for the provision of Senior Citizen Accommodation.

Rezoning of the site at the Precious Blood, Cabra was approved at the June 2007 City Council Meeting. The City Architects Division is currently preparing a scheme for 40 senior citizens' units at the site. The proposal is currently with the Department of the Environment, Heritage and Local Government, and will subsequently proceed to Part 8 on receipt of approval.

When the design is completed it will be presented to the Council or and the Area Committee.

Q.26 COUNCILLOR SEÁN KENNY

To ask the Manager to provide single yellow lines as Springdale Road, Raheny, between its junctions with Station Road and Lough Derg Road, as requested by the local residents.

CITY MANAGER'S REPLY:

This matter will be referred to Traffic Advisory Group and a report will be forwarded directly to the Councillor.

Q.27 COUNCILLOR DERMOT LACEY

To ask the Manager if he will respond to the points contained in the letter submitted with this question and more importantly to take all necessary steps to ensure that the Dublin Pride Festival can continue to take place in 2008 in accordance with the contents of that letter.

CITY MANAGER'S REPLY:

The Dublin Pride parade is a welcome event on city streets and there is no objection in principle to the holding of a rally as part of the Dublin Pride Festival activities, however the event that has developed at the Amphitheatre in the civic offices and which is described in the Event Management Plan for the event as a Pride Day Party - a free open air live music and performance show and could not be described as a rally in the traditional sense. Following on from difficulties in previous year in relation to the consumption of large amounts of alcohol at this event, discussions again took place with the organisers before the 2007 event to request that the organisers put in place the necessary measures to ensure that alcohol was restricted at the event. On the day of the event it was seen by officials that yet again large quantities of alcohol including drinks being brought in and carried down the street from adjacent establishments in plastic glasses and bottles of vodka were being consumed at the venue. Officials spoke to the organisers and the Gardai at a site meeting on the day however given the volume of drinking and the numbers of people partaking there was no other safe action that could have been taken except to announce that people were requested to refrain from drinking. Needless to say this had little or no impact and it can be seen from images taken at the event that persons apparently involved as volunteers carrying out the clean up were actually still drinking while working at the close of the event.

A de-brief on the event took place and it was indicated to the organisers that in the opinion of officials in the Events Unit of the City Council and the Gardai that the event which takes place in the Amphitheatre in its current form is more suited to an indoor venue. While the organisers have indicated for several years now that their objective is to make the event a more family orientated event, families could not be encouraged to attend this event with the level and nature of drinking which takes place. Prior to the event in 2007 the organisers had given a commitment and included in their Event Management Plan a Code of Practice in relation to alcohol as follows:

“It is the policy of the Company that any person found consuming alcohol at any official Pride Festival Event, which Dublin L.G.B.T.Q. Pride Limited or the venue owners does not hold an appropriate licence for will be removed from the event and will not be allowed to re-enter. Any persons found in possession of illegal substances will be reported immediately to the Gardai. Any persons deemed to be under the influence of alcohol or drugs and considered to be a danger to themselves or others, will be removed from the event and not allowed to re-enter. In all cases Dublin L.G.B.T.Q. Pride Limited reserves the right to refuse entry to any persons, to any event where it is deemed that, that person is under the influence of alcohol or drugs and is considered to be a danger to themselves or others”.

Given the breach of commitment in relation to controlling alcohol and the lack of improvement in the event in this regard Dublin City Council is not in a

position to consider any further applications from Dublin LGBTQ PRIDE Ltd., for the Pride Day Party. Should the organisers wish to discuss the options available in relation to holding a rally i.e. a gathering where a number of speeches and a minimal amount of other activity takes place, we are happy to consult on an alternative proposal.

The traditional location for the event in the past is the Amphitheatre in the Civic Offices however the numbers attending the event has outgrown that venue and the venue is unsuitable in wet conditions due to the sloping nature of the ground.

Q.28 COUNCILLOR MAURICE AHERN

Can the City Manager please inspect the roadway at **(details supplied)** and

- (1) Indicate which footpath space is the responsibility of the City Council and which is the responsibility of the developer
- (2) If improved road markings can be provided especially for cycle lanes and a sign forbidding parking
- (3) If bollards or other action can be taken to prevent cars parking on and churning up grass verges into muck
- (4) If a yellow box can be installed at the entrance to underground car park to allow cars to exit during the morning peak.

CITY MANAGER'S REPLY:

- 1) The tarmac inner section of the footpath is not in charge to DCC. The builder is responsible for it.

The concrete section is the responsibility of DCC. A condition survey will be carried out on this footpath and remedial works carried out as soon as possible.

The developer was conditioned at planning stage to carry out various works in relation to a new cycle track. To date he has not carried out this works and Road Maintenance intend meeting the developer within the next 2 weeks and he will be instructed to complete all outstanding works as soon as possible. As there are substantial works to be carried out, it is estimated that it will take approx. 6 weeks to complete all works.

- 2) Parking is not permitted at this location, which is on a cycle track and opposite a continuous white buffer zone adjacent to a bus lane. Further signage is not considered necessary.

- 3) Bollards are not recommended.

Under The Road Traffic (Traffic & Parking) Regulations, Section 36 paragraph(2) i, it is illegal to park "on a footway, a grass margin or a median strip";

Infringements of the Act should be reported to the Gardai or Dublin Street Parking Services Ph.6022500 for enforcement under the law.

It is not the policy of the City Council to erect bollards along grass verges to prevent such illegal activity. Enforcement of the regulations is the appropriate measure in such cases.

- 4) The request for a yellow box at details supplied has been referred to TAG for investigation and recommendation.

Q.29 COUNCILLOR MAURICE AHERN

Will the City Manager please refer to previous requests and now install bollards on the path verge in order to protect the grass verge which has already been fully destroyed in one case and if he will make a statement on the matter and arrange re-instatement of the destroyed landscape verge.

CITY MANAGER'S REPLY:

The grass verge at this location has been damaged by vehicle parking on same. As it is highly likely that the owners of these cars are visiting the nearby commercial premises Road Maintenance will erect bollards and reinstate the grass. This work will be carried out as soon as possible.

Q.30 COUNCILLOR MAURICE AHERN

Can the City Manager provide an update on the application for extension/downstairs toilet for tenancy **(details supplied)** which was applied for on medical grounds some 4 years ago and when this work will be carried out.

CITY MANAGER'S REPLY:

An application for downstairs facilities on medical grounds from this tenant has been assessed on several occasions, and was awarded a moderate medical priority. A letter was received in November 2007 from the tenant's G.P and also a letter from Beaumont Hospital and these, together with all other medical information on file were assessed once again. The medical priority for the extension remained unchanged. It was recommended however, that the possibility of putting a w.c. and wash hand basin in the under stairs area of the house should be investigated and a surveyor called to see if this work was feasible. Unfortunately the work was deemed not feasible and therefore cannot be carried out. To uphold the fairness of the scheme those applicants with the greatest medical need are dealt with first and due to the volume of cases meriting a high medical priority, no commitment can be made as to when this work may be carried out.

This application can be reassessed if the medical condition of the tenant deteriorates. Any new medical information submitted must indicate the change in circumstance and demonstrate the revised medical need for the proposed work.

Q.31 COUNCILLOR MAURICE AHERN

Will the City Manager please examine **(details supplied)** and

- (1) Check on paving slabs and secure same as they are loose and open to causing 'trips'.
- (2) Install a public light in the archway

CITY MANAGER'S REPLY:

- (1) An improvement works programme has been ongoing in the courtyards in the Poppintree area over the past 3 years. Part 3 of the programme is due to commence shortly, which will include **(details**

supplies). Any works required to paving slabs will be included as part of this programme.

- (2) There is an existing light under the arch at details supplied. Any works required to this light will be carried out as soon as possible in accordance with the works programme for the area.

Q.32 COUNCILLOR GERRY BREEN

Can the Manager please answer the following question (**details supplied**)

CITY MANAGER'S REPLY:

Dublin City Council has no authority to remove special exemptions which are granted by the court on a monthly basis. There is no special exemption licence as such. The special exemption is permission from the court to remain open in excess of the usual licensing hours where there is an existing annual liquor licence. The Gardaí are the only notice party.

City Council has powers under The Intoxicating Liquor Act 2003 to object to special exemptions being granted by the Council for late night extended trading hours for pubs and clubs, it has been suggested that such objections should be made on an area basis rather than a premises specific basis. These powers of objections are reserved functions. The courts must consider objections but are not obliged to comply with it.

The intoxicating liquor Act, 2003 provides that the "Court shall not grant a special exemption order in respect of any premises unless it is satisfied that the special occasion will be conducted in a manner that will not cause undue inconvenience or nuisance to persons residing in the locality or create an undue risk to public".

The matter is address in the submissions made by City Council to the Government Alcohol Advisory Panel on 28/01/2008.(Copy attached)

Dublin City Council Alcohol and Public Order Working Group

The Working Group on alcohol related issues has met on a number of occasions over the last 12 months.

In that time the following progress has been made by Dublin City Council:

- a) Invited submissions from public, community groups, general business, vintners, hotels, off licences regarding alcohol issues.
- b) Set up pilot scheme in two parks in each of the 5 Committee Areas where problem relating to alcohol, congregation, drugs, vandalism and other anti-social behaviour were a regular occurrence. The pilot consisted of a partnership of local residents, local area management, local parks management and local Gardai. Pilots to be reviewed Q1. 2008
- c) Set up City Centre night economy management partnership consisting of Central and South East Area Managers, Store Street and Pearse Street Garda, Vintners, TASQ, National Association of Off-Licences and Dublin Bus. The emerging BID's company will also be tied in and steps are being taken to bring

in the fast food industry; the taxi industry has agreed to participate. The Hotels Federation and Night Clubs Association have been invited to join.

- d) A visit to Belfast City Council and the PSNI took place in September 2007 where an exchange of experience and best practice took place.
- e) Mobile urinals deployed on Friday & Saturday Nights in Westmoreland Street and around Croke Park on big match days.

A new Sale of Liquor Bill is expected to be published in 2008. It is therefore timely to consider some of the issues identified to date by the working group and postulate some possible ameliorating actions for consideration.

1. Exponential growth in number of off licences.

Council could consider limiting under the Development Plan the number it will approve in any one area of the City on grounds of proper planning and development of area. (The carrying capacity of any area of City in relation to clusters of large pubs, off licences and fast food premises is limited and needs control). Local Authorities should be given specific powers to do this in proposed Sale of Alcohol Bill.

2. Hours of business of off licences should be curtailed with suggested trading hours of 10am to 8pm. This requires primary legislation. Limit quantity of alcohol that can be purchased by anyone under 21. Consider ban on sale of spirits to anyone under 21.
3. Control of sale to underage children – Mandatory requirement to produce Government I.D. Card (Sales linked to ID Card). Need to operate and keep one months CCTV record of all sales that can be inspected by Gardai. CCTV coverage should also be required outside pub/off licence premises to monitor and record situation activity and perhaps reduce proxy buying.
4. Home delivery by Off Licences should be regulated and delivery to parks etc. of alcohol should be outlawed by primary legislation.
5. All serving and door staff working in pubs or off-licences and late night fast food premises should be required to have completed specified training.
6. The size of all future pubs should be limited in size to allow proper supervision of premises and customers sobriety. A qualified licenced person should be in charge of all premises whenever open. Loss of licence would prevent person working in future pub industry. As an alternative to limiting size, there would be a requirement to have a minimum number of qualified staff on duty at all times, related to sq m² of premises.
7. Temporary closing order should be mandatory for specified minimum periods for specified offences (underage selling, serving those already drunk). Advisory Group should consider whether Local Authority or a new Sale of Alcohol Regulator should carry out this function instead of the courts.
8. Mixed premises (shops, supermarkets, petrol stations) should be limited to using a small percentage of their floor area for the display for sale of alcohol. Below cost sales, happy hour, 2 for price of 1 should be prohibited in both pubs and clubs and off-licences. Targeted marketing of alcohol at groups such as students in Universities should be banned.
9. Fast food premises should have their trading hours limited to pub/club hours to discourage loitering of crowds in City Centre, which often leads to disorder. This

may be possible under the condition of planning permission for future premises; existing premises may need primary legislation.

10. The toilet requirements of all pubs should be reviewed having regard to their usual peak time number of customers at weekends – this would reduce urination in public.
11. Problem premises, which give, rise to noise, public urination and other nuisance or public disorder on a regular basis should have local intervention by the area JPC with a view to resolution by agreement with licencees. Failure to achieve resolution should result in a reference to Problem Premises Expert Group with a view to securing a resolution through court licencing system by objecting to extended trading hours/late night opening. The legal role of Local Authorities in renewal of pub/off licence licences and extended hours should be increased. Objection to and refusal of extended licence should be permitted on a premises specific basis as well as area basis.
12. Gardai and approved officers of Local Authorities should have power of confiscation of all alcohol found in possession of person(s) drinking in public whether all containers open or closed; city byelaw to be amended accordingly. Sale of Alcohol Bill should eliminate any doubt regarding Powers of Confiscation; Fine under Byelaws for drinking in public should be increased above €75 maximum allowed under DOEHLG guidelines. Consideration should be given to using some of the tax and licence income from alcohol to finance employment by Local Authorities of street/community wardens to help police public order and alcohol consumption in parks and public places.
13. All City Centre taxi ranks should be actively monitored on CCTV by Gardai to ensure early intervention where necessary. Taxis Regulator should review need for industry to provide marshals at specific busy taxi ranks at weekends.
14. The shift working pattern of Gardai should continue to optimise available Gardai resources between 9 p.m. and 4.00 a.m. Thursday to Sunday. The use of GIS to map public order incidents should be expanded to cover all areas and the deployment of Black Maria's to those locations at closing time might have a calming effect.
15. HSE should consider setting up temporary first aid units in City Centre at weekends to avoid chaos that frequently descends on A+E Departments from drunks at that time. Drunks requiring medical treatment should be required to pay full cost of treatment.
16. Public advertising and promotion of sale of alcohol and display of product in shop windows should be banned by law.
17. Mobile CCTV monitoring units for each division of Gardai in Dublin City.
18. Minister should have power to make order to restrict sales hours for pubs and off-licences on specific days – e.g. St. Patrick's Day – 5.00pm opening of off-licences.
19. Health warning should be labelled on all alcohol containers.
20. A single court sitting on weekend morning (Fri, Sat, Sun, Mon) in Dublin to expeditiously deal with all previous nights drunk and disorderly cases.

21. Review and close theatre licences loophole; numbers have expanded from 17 in 1996 to 75 (either granted or being processed) in 2008 to date.
22. Promote role of schools /education re: drink/drugs; health implications, Government to finance and promote sports, leisure and cultural facilities and activities as counter balance to pubs/alcohol.
23. Limited number of late night bar extended hours rationed out on a rota basis per area.
24. Favourably reconsider Café bars; smaller bars with food available are easier to supervise and less likely to facilitate the “feeding frenzy” that is not unusual in large pubs.
25. Promote youth cafes and “hang out” centres in urban centres.
26. Devise and pilot a traceability scheme for off sales.
27. The possible advantages of sequential closing times for pubs/clubs should be considered in relation to numbers (a) on the streets (b) in fast food premises (c) looking for public transport at the same time.
28. Urban Local Authorities should be given powers/responsibility for developing partnerships to manage the night economy as set out at point (c) on page 1.

Philip Maquire
Dublin City Council.

Q.33 COUNCILLOR GERRY BREEN

Can the Manager please answer the following question **(details supplied)**:

CITY MANAGER’S REPLY:

There has been 1,247 Social & Affordable units provided in agreements reached between Dublin City Council and Developers since the introduction of Part V of the Planning & Development Acts 2000 – 2002 up to 31st December 2007.

870 Affordable
189 Social General needs
188 Social Voluntary
1247

1,217 Units On Site
30 Units Off Site
1247

Q.34 COUNCILLOR GERRY BREEN

Can the Manager please answer the following question **(details supplied)**:

CITY MANAGER'S REPLY:

For the Fourth Quarter of 2007 there were 75 Primary Schools with meters installed, commissioned and providing readings through the new system. Primary Schools were not metered or charged on the Existing system.

It should be note that many of the meters have only recently been commissioned. The amount of information is therefore limited. Of these 75 schools a comparison between the metered charge and the fixed charge, as per the DEHLG circular, indicates that in approximately 40% of cases the meter would give a lower charge. Schools will be charged on whichever method gives the lowest charge.

The variation in usage is considerable with figures varying from 300 litres per pupil per year to over 3,000 litres per pupil per year. This suggests that there may be leakage on some of these accounts. The fixed charge will allow time for these schools to be contacted and alerted to the possibility of leaks and to put repairs in place. DCC will provide advice in as far as we can to help the schools reduce their leakage.

The Water Conservation Officer will also prioritise those schools with high consumptions to assist them in reducing their usage.

This matter will be kept under review as metering progresses.

Q.35 COUNCILLOR GERRY BREEN

Can the Manager please answer the following question **(details supplied)**:

CITY MANAGER'S REPLY:

A report in relation to **(details supplied)** will be forwarded directly to Councillor Gerry Breen.

Q.36 COUNCILLOR SEÁN KENNY

To ask the City Manager to prune the overhanging tree on the footpath at **(details supplied)**:

CITY MANAGER'S REPLY:

The tree pruning operations at **(details supplied)** are being carried out by specialist contractor. The contractor has visited the above location on a number of occasions and has been unable to carry out the pruning operations because of the parking of vehicles in the immediate vicinity of the tree. It is proposed to visit the location in the early morning to carry out the necessary works and should access to the tree not be available at the next visit it is proposed to have traffic control cones put in place on the day prior to the scheduled day of pruning operations to minimise the possibility of parking preventing works access. These arrangements are being put in place with the cooperation of the resident to have the tree pruned at as early a time as possible.

Q.37 COUNCILLOR JOHN GALLAGHER

To ask the City Manager what steps the City Council is taking to promote sustainable transportation and commuting - public transport, car pooling and cycling; the number of Walking Buses to schools which currently operate within Dublin City ; the location of each these walking buses within the Dublin South Central Area; what assistance or funding is available to those who organise these walking buses; and if he will make a statement on this matter.

CITY MANAGER'S REPLY:

The City Council is promoting sustainable transport through the quality bus network office which is developing bus and cycle lanes throughout the whole city area as well as through the city cycle forum which is upgrading and developing new cycle facilities in the city.

Dublin City Council has been organising 'Walking Bus' programmes in a number of schools throughout the city since 1999, the programme is subject to on-going parental involvement. One scheme at present is operating in St. Clare's, Harold's Cross, and another scheme is commencing shortly in Scoil Fiachra, Beaumont.

The Road Safety Unit provides facilitation to parents and schools in the organising and setting up of a scheme. 'Walking Bus' Guidelines are available to all Parent Associations and Schools from the Road Safety Unit and parents are encouraged at every opportunity to participate.

The 'Walking Bus' Guidelines, which explains all about the programme, can be supplied to the Councillor if he wishes or if he wants more information, he may contact me directly.

Q.38 COUNCILLOR JOHN GALLAGHER

To ask the City Manager the number of estates that have applied to be taken in charge by Dublin City Council since 2000; the number of estates that have been taken in charge in each year since 2000; the number of estates waiting to be taken in charge at present; and if he will make a statement on the matter.

CITY MANAGER'S REPLY:

The number of estates where applications have been made for taking in charge in the Dublin City Council administrative area since the year 2000 is 12.

The number of estates formally taken in charge by Dublin City Council since the year 2000 is 6.

There are currently 12 estates where procedures for taking in charge are ongoing.

Since the year 2000 the number of developments requiring taking in charge procedures to be carried out would be small given the number of apartment schemes being developed as opposed to housing estates within the Dublin City Council administrative area. This has necessitated the inclusion of conditions in Planning Permissions requiring the submission of private

management schemes for upkeep and maintenance of common areas within these new developments.

Q.39 COUNCILLOR JOHN GALLAGHER

To ask the City Manager what social or voluntary housing units are expected to come on stream in the Kilmainham Inchicore area in the forthcoming year; when these units are expected to come on stream; where these units are to be located; and if he will make a statement on this matter

CITY MANAGER'S REPLY:

The following is a list of the 53 Voluntary Units expected to complete in the Kilmainham Inchicore Area in 2008.

Voluntary Body	Address of Units	Number of Units
Iveagh Trust,	Blocks O,P,Q,R, Kevin Street, Dublin 8	13
Focus	Bellevue, Islandbridge, Dublin 8	5
Circle Housing Association	Kilmainham Bank	19
Oaklee	Barley House, Cork Street, Dublin 8	12
Newgrove Housing Association	Old Kilmainham, Dublin 8	4

The Newgrove Housing Association and Focus schemes should complete in the first half of 2008. The remainder in the second half of 2008.

Contract negotiations are ongoing for St Michaels Estate and the building of 70 new social housing units will commence this year. Also nine social housing units are being constructed at Bulfin Road and will complete in April 2008.

Q.40 COUNCILLOR JOHN GALLAGHER

To ask the City Manager what specific policy initiatives the Council has planned for the coming year to actively improve the tourist experience in Dublin; specifically what steps are being taken to improve perceived litter and signage problems; what support is being given to festivals, cultural and artistic attractions; and if he will make a statement on this matter

CITY MANAGER'S REPLY:

The Events Unit, Culture, Recreation and Amenity Department organises and facilitates an annual programme of city centre outdoor events in partnership with many event and festival groups. The purpose of the programme is to animate and utilise the public domain to enhance the experience of those visiting, living or working in the city. Support may consist of provision of

venue, financial support/ event procurement, and advisory and facilitation services.

Among the major festivals, cultural/ artistic attractions supported by the Unit are The Street Performance World Championships, The Dublin Fringe Festival, the Dublin Theatre Festival, St. Patrick's Festival, the Dublin City Soul Festival, and The Dublin International Film Festival. The Unit also programmes a series of lunchtime music events in the city centre during the summer and supports other smaller scale festivals and events taking place in the city centre.

In addition the Unit has partnered with a number of agencies under the guidance and assistance of the Department of Arts, Sports and Tourism to organise events to celebrate the arrival and the departure of the viking ship the Sea Stallion of Glendalough.

The Unit also works in close partnership with other agencies such as the OPW, the DDDA, Temple Bar Cultural Trust and Dublin Tourism in joint marketing and promotion of attractions and events in the city, in particular our summer and christmas programmes.

The City Council is introducing a series of new measures in 2008 to tackle litter in the City. A new comprehensive Litter Management Plan has been prepared and is now at Public Consultation Stage. It is proposed to have the Plan before the City Council for adoption within the next 2 months. Additional resources are being provided in the City Centre and in each of the five administrative areas and additional Litter Wardens are being recruited. All new staff are being deployed on a new shift arrangement that covers weekends. Up to now weekend work was carried out on overtime. A new minimum cleaning frequency for the City Centre, suburban villages, residential areas etc. is being implemented and additional Litter Wardens are being recruited that will be used in "blitz type operations". New Bye-Laws are also being prepared to focus on specific litter-generating activities and in 2007 1600 new replacement litter bins have been installed. A similar number of litter bins will be installed in 2008. These bins have a much higher capacity, are leak proof and are more user-friendly than the older types. Other proposals include more awareness and educational campaigns, particularly aimed at young people; establishment of anti-litter partnerships with businesses and local communities; anti dog-litter initiatives and litter-control measures at major events in the city.

An independent arrangement to monitor the impact of the new measures is being put in place.

Q.40 COUNCILLOR JOHN GALLAGHER

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An independent arrangement to monitor the impact of the new measures is being put in place.

Q.41 COUNCILLOR SEÁN KENNY

To ask the Manager to arrange a cleanup of the Coastal Walkway at James Larkin Road/Blackbanks, Raheny.

CITY MANAGER'S REPLY:

The Public Domain Officer has arranged that this area be cleaned immediately.

Q.42 COUNCILLOR KILLIAN FORDE

Can the Manager confirm receipt of the application for housing for **details supplied**, the applicant is in urgent need of housing and I would appreciate if the Housing Department could expedite her application.

CITY MANAGER'S REPLY:

According to our records no application for housing has been received from the applicant (**details supplied**). If the applicant has made an application from a different address to that above or has proof of having submitted an application I would advise her to contact the Housing Allocations Section, Block 2 Ground Floor, Civic Offices- Ph: 2222201 to discuss her case.

Q.43 COUNCILLOR KILLIAN FORDE

Can the City Manager clarify if the City Council has objected to Dublin Bus route 41X using the Port Tunnel.

CITY MANAGER'S REPLY:

Dublin City Council has not objected to Dublin Bus route 41X using the Port Tunnel.

Q.44 COUNCILLOR KILLIAN FORDE

Can the Manager arrange for the path outside (**details supplied**) to be resurfaced around the "Uisce" shore as it is pocked marked.

CITY MANAGER'S REPLY:

Repairs at (**details supplied**) will be carried out in the next 6-8 weeks.

Q.45 COUNCILLOR LARRY O'TOOLE

To ask the Manager to report on the following issue. (**details supplied**).

CITY MANAGER'S REPLY:

Dublin City Council has been in contact with one of the proposers regarding the interest in extinguishing the Public Right of Way at this location. Advisory information has been forwarded in relation to this request. Once agreement is reached locally on the method of closure and the usual undertakings from residents are given in this regard, Dublin City Council can proceed to bring the proposal to initiate closure to the earliest NCAC meeting for approval.

Q.46 COUNCILLOR DESSIE ELLIS

To ask the City Manager to arrange for ramps to be fitted along recently resurfaced **(details supplied)** as cars are speeding along this stretch.

CITY MANAGER'S REPLY:

Following investigation and speed checks carried out on 4th July 07 it was recommended that traffic calming measures should be introduced on Jamestown Road. These include speed cushions at the following locations.

Lamp standard 38,42,

Lamp standard 46 adjacent to house no ****

Lamp standard 47 adjacent to house no ****.

Lamp standard opposite house no *****

Lamp standard opposite house no *****

Lamp standard opposite house no *****.

Lamp standard opposite house no ****.

These works will be included for consideration in the preparation of the 2009 works programme.

Q.47 COUNCILLOR DESSIE ELLIS

To ask the City Manager to arrange for treatment along **(details supplied)** as residents have seen rodents on a number of occasions.

CITY MANAGER'S REPLY:

The matter has been referred to the pest control section of the HSE for attention.

Q.48 COUNCILLOR DESSIE ELLIS

To ask the City Manager to arrange for repairs to road at junction of **(details supplied)** and to also arrange for paths to be washed where items were burnt.

CITY MANAGER'S REPLY:

The above area will be swept & washed down by the Waste Management Department.

Temporary repairs to this road have been carried out following works involved with the driveway extension programme.

Q.49 COUNCILLOR DESSIE ELLIS

To ask the City Manager to once again look at the resurfacing of the road facing **(details supplied)**; a long time ago a commitment was given to this end.

CITY MANAGER'S REPLY:

Any necessary repairs will be carried out at this location within the next 6-8 weeks.

Q.50 COUNCILLOR RAY CORCORAN

To ask the City Manager to outline as to whether the City Council has maintenance over the following in **(details supplied)**:

- (A) The removal and servicing of bins.
- (B) Cleansing of roads and paths.

CITY MANAGER'S REPLY:

As **(details supplied)** is a private estate, Dublin City Council is not responsible for the cleansing of the roads and paths there. The refuse collection service for **(details supplied)** is carried out by a private contractor on behalf of the owners/occupiers of **(details supplied)**.

Q.51 COUNCILLOR RAY CORCORAN

To ask the City Manager to look at the road surface in front of the bus stop on the **(details supplied 1)** facing across from **(details supplied 2)** where flooding is taking place as a result of a dip in the road surface.

CITY MANAGER'S REPLY:

The road was resurfaced at the above location as part of the Dublin Port Tunnel Project and this matter has been forwarded to the contractor for examination and appropriate attention.

Q.52 COUNCILLOR RAY CORCORAN

To ask the City Manager to outline as to when all facilities will be up and running in the Ballymun Swimming Pool Leisure Centre.

CITY MANAGER'S REPLY:

Ballymun Leisure Centre is currently operating primarily as a Swimming Pool with ancillary services such as the Aerobic studio in place. The ongoing difficulties with regard to the unfinished site works have limited Sports & Leisure Services Section's ability to offer the Gymnasium and Spinning Studio facilities to members of the public.

Ballymun Regeneration Limited are currently dealing with the contractors with regard to the completion of all outstanding works, which will include the opening up of the entrance plaza to the Leisure Centre.

The timeline for completion of all works and handover of the site to Dublin City Council is now scheduled for late February 2008.

Culture, Recreation and Amenity Department in conjunction with Ballymun Regeneration Limited and the Area Office are proposing to then formally relaunch the complete leisure centre service to members of the public/sporting and community groups etc. This relaunch in early spring will publicise the centre, attract new members and provide new leisure services for those living and working in Ballymun and environs.

Q.53 COUNCILLOR RAY CORCORAN

To ask the City Manager to arrange for the following at **(details supplied)**:

- (C) New Cistern was promised and not fitted.
- (D) Hand basin in bathroom to be replaced.
- (E) Bath needs replacing

CITY MANAGER'S REPLY:

- a) A new cistern will be fitted within two weeks.
- b) A new wash hand basin will be fitted within two weeks.
- c) The bath is not in need of replacing. However arrangements are being made to have the bath re-sprayed, and new bath taps will be fitted. This work will be completed within the next three to four weeks.

Q.54 COUNCILLOR VINCENT JACKSON

Could the Manager please arrange that a proper explanation be provided for the delays in replacing the Bus Shelters next to the Luas Stop in Bluebell and at Bernard Curtis Court, Bluebell. I am being told its Dublin City Council's fault for not providing proper raised footpaths hence Dublin Bus will not put the shelter back. Please can I have not only the correct reasons for the delays but a definite time scale for replacing the shelters? This issue would not be tolerated in any other area of Dublin. The community of Bluebell will accept no more excuses in addition to surface water shore at the bus stop on the Naas Road which is constantly blocked when a heavy rainfall occurs. Can it be cleaned out once and for all and someone ensure it happens to stop water collecting.

CITY MANAGER'S REPLY:

Roads Construction are currently completing the list of bus stops and shelters received in 2007 from Dublin Bus. This is because the list was only issued in the latter part of the year by Dublin Bus.

The list for 2008 was just received under 3 weeks ago from Dublin Bus. The shelter on the Naas Road at Bluebell is included on the list. I am currently carrying out a survey all of the 50 number bus locations on the 2008 list for measure and cost purposes. This should be completed in the next 2 weeks. After such time the tender process takes place and we hope to have a contractor assigned to the works within 6 weeks. Starting date for 2008 list is April 2008. Roads Construction's work will be the replacement of the kerb with kassel kerbs, repaving the footpath and in conjunction with Adshel/Clear Channel, the installation of a new bus shelter.

The gully in question is only part laid and it needs to be extended into a nearby manhole. Every effort will be made to have this work carried out in the next five or six weeks. Once this work is carried out, it should alleviate the flooding problem.

Q.55 COUNCILLOR VINCENT JACKSON

That the Manager please arrange that Bluebell Community Centre ABC is provided with a small management grant to help with heating/insurance and maintenance costs. This Centre should be now replaced with a new facility

but due to ongoing difficulties with Waterways Ireland, etc., no move has happened to date. They need a grant of approximately €10,000 to help out with roof repairs, repainting of centre and repairs to the heating boiler. I would welcome an onsite meeting with committee to pursue same if necessary.

CITY MANAGER'S REPLY:

An on site meeting will be arranged with the committee with a view to addressing the matters raised in the Councillor's question.

Q.56 COUNCILLOR VINCENT JACKSON

That Dublin City Council please arrange that I be provided with a full copy of the Park West Framework Plan and that the message goes out loud and clear Park West is a part of the administrative area of Ballyfermot and part of Cherry Orchard. I feel all residents need to be kept fully briefed of upcoming plans as they will have a profound impact on the Community of Cherry Orchard. Why are we accepting the partition of Ballyfermot by Park West but allowing them use postal addresses which are identifying the area as part of Clondalkin. I represent Cherry Orchard/Park West not Clondalkin, however due to officials in An Post and Dublin City Council allowing alternatives it will eventually become the norm in addition to naming of streets/roads to be agreed by developers or the elected City Council members.

CITY MANAGER'S REPLY:

A Framework Plan for Park West was commissioned by Dublin City Council and prepared in 2002. This draft plan set out a broad vision and strategy for the future development of Park West. However, in order to respond more effectively to changing market conditions and to meet the current more exacting requirements of Dublin City Council for the creation of sustainable new urban quarters, the Developers have recently commissioned consultants to prepare a new master plan. As part of the making of this plan, the South Central Area Office is intending to organise a meeting with the consultants for the elected members of the South Central Area. The elected members will be notified of this meeting shortly.

It is a key objective of Dublin City Council to secure the physical, social and economic integration of Cherry Orchard, Ballyfermot and Park West. The issue of postal codes/addresses is a matter for An Post and will be referred to them for attention.

A copy of the Park West/Cherry Orchard Draft Urban Framework Plan will be forwarded to the Councillor.

Park West is located within the Ballyfermot local electoral area and is situated adjacent to Cherry Orchard. It's postal address is Dublin 12 whereas Ballyfermot and Cherry Orchard are Dublin 10. Postal codes are allocated by An Post and the issue of including Park West in Dublin 12 rather than in Dublin 10 was raised with the company in the past. In the event An Post decided against making any change. The matter will again be taken up with the company and the Councillor informed of the outcome.

Q.57 COUNCILLOR VINCENT JACKSON

That the re-development of Kylemore Avenue, Ballyfermot, Dublin 10 commence without delay. Residents are now waiting for the last three years for the works promised and funding provided for to commence. I am sure the Manager will agree these works are essential to renew public confidence in our local public consultation process as residents have to look out at a very poorly maintained tarmac surface.

CITY MANAGER'S REPLY:

The Parks & Landscape Services Division have now appointed Consultant Landscape Architects Brady Shipman Martin to carry forward the project to implementation in 2008.

Q.58 COUNCILLOR DEIRDRE HENEY

Can the Manager please outline structures e.g. Development Plan, Local Area Plan, Framework Plan, Master Plan etc and if the legal status of each can be detailed and explained, say if each must be considered and taken into account by

1. City Council planners
2. An Bord Pleanála

if they are binding on each at 1 and 2 above or only as a guide and if the legislative base for each structure can be outlined with examples of each in operation and if statement can be made on the matter and if all are initially agreed by majority of Councillors at City Council.

CITY MANAGER'S REPLY:

The Development Plan is a statutory document which each City, Town or County Council must prepare every six years. It sets out the overall planning policy context and spatial framework for a local authority's area, with cognisance of relevant national and regional policies such as the National Spatial Strategy, Regional Planning Guidelines and Ministerial Guidelines. Thus, the Dublin City Development Plan 2005-2011 represents the overarching strategic planning policy framework for the city and is essentially the blueprint for development for the city over its six-year life span. Development must generally take place in accordance with the provisions of the Development Plan and thus, full cognisance is taken of the plan by the City Council's Planning Department and An Bord Pleanála. The making and adoption of a Development Plan is a reserved function, the legal basis for which is set out in Sections 9-17 of the Planning and Development Act, 2000. Accordingly, the Development Plan is made by resolution of the members of the City Council.

A Local Area Plan is a statutory document, which must be prepared in accordance with the provisions of Sections 18-20 of the Planning and Development Act, 2000-2002. Sections 18 (1) and 19(1)(a) state that a local area plan may be prepared for any particular area which the planning authority considers suitable. Section 19 (1)(b) sets out criteria for which the preparation of a local area plan is mandatory, namely, where an area is designated as a town in the most recent census, other than a town

designated as a suburb or environs in that census, and where the town is situated within the functional area of a planning authority which is a county council.

In all cases, a Local Area Plan must be consistent with the objectives of the Development Plan. The legislation stipulates that members of the planning authority shall consider the proposal to make, amend or reject a Local Area Plan. Thus, the process is a reserved function for consideration by the full Council. Section 18 (3) of the Act states that when considering an application for permission, the planning authority, or the Board on appeal, shall have regard to the provisions of any Local Area Plan or any Draft Local Area Plan, to which the application relates.

A Framework Plan is a non-statutory plan, which is typically prepared for strategic areas of the city: greenfield and brownfield, inner and outer city. Framework Development Areas (FDAs) essentially relate to areas with demonstrated development capacity and potential to deliver the residential, employment and leisure needs of city. A number also have the potential to contribute to the development of clusters of economic, commercial, and / or cultural specialisms considered essential for the growth and diversification of the city's economy. The City Development Plan 2005-2011 designates thirteen Framework Development Areas (FDAs) and sets out a series of development principles for each area (Sections 14.4.14 and 14.9.0). The framework plan category also includes plans to be prepared for the eight designated Prime Urban Centres (PUCs), for which there is also a series of general development principles (Section 14.4.4). In this regard, it is pertinent to emphasise that the subsequent framework plans, which have been prepared for the designated areas, reflect the development principles set out in the Development Plan. All framework plans must accord with the policies and objectives set out in the Development Plan. The preparation of these plans, in practically all instances, includes a public consultation process similar to that of the statutory local area plans, with a public display period of six-eight weeks, and thereafter, the preparation of the Manager's report which sets out in summary format the submission issues and a response. The draft plan and a full report on submissions received is brought to the attention of the elected representatives. Framework Plans provide an area-specific focus for areas of comprehensive development or redevelopment and full cognisance is taken of the provisions therein by the area planners on assessment of applications.

A Local Plan is a non-statutory plan. Local Plans are non-strategic plan that address a local need linked to or identified with a specific area, village, site or environmental improvement objective / scheme. Richmond Road, Inchicore and the proposed Whitehall Plan, are examples of local plans. The preparation and public display process of a local plan is broadly similar to that of a framework plan.

A Master Plan differs from the above hierarchy of plans, in that it often represents a site-specific response to a brief and consists of a detailed design framework for a particular site, prepared by an applicant or developer for submission as part of an application package. For instance, the Development Plan stipulates the preparation of a master plan for development on lands designated Zoning Objective Z12 (Institutional Land – Future Development Potential) for any proposal other than development directly relating to the existing community and institutional uses. In such instances, the master plan

must set out a clear vision for overall landholding and a strategy to ensure the co-ordinated approach to the creation of a high quality public open space.

The Planning Authority and An Bord Pleanala have regard to these non-statutory plans on guidance for determining individual Planning Applications.

Q.59 COUNCILLOR DEIRDRE HENEY

Can the Manager please, in relation to planning applications for premises at **details supplied** and the continued unauthorised usage/development of same and considering the High Court proceedings being taken against the owners by Dublin City Council say

1. if Dublin City Council has authority/option to seek removal of the special exemption licence
2. if Dublin City Council has ever exercised this authority/option of removal or rejection to application for special exemption licence
3. if the response to 1 and 2 above is in the negative, please explain the reason why in detail
4. if the response to 1 and 2 above is in the negative, please state when Dublin City Council intends to make an objection to the renewal of the special exemption licence

CITY MANAGER'S REPLY:

1. Special exemptions (ie permission to remain open in excess of the usual licensing hours where there is an existing annual liquor licence) are granted by the District Court on application by a licence holder, the applicant having notified the Garda Síochána. Only the Gardaí can object to the application. Dublin City Council cannot apply to the court to remove special exemptions as there is no statutory basis for doing so.

There is provision in the Licensing Acts for a Local Authority to pass a resolution in relation to special exemptions in a defined geographical area but such a resolution is not binding on a District Court Judge.

2. The Planning Department currently has an objection to the Annual Liquor Licence in respect of this premises (details supplied) pending in the District Court
3. The Gardaí are the only parties notified in these applications and only the Gardaí have a right to attend in court.
4. The City Council has no right of audience on the application for a special exemption.

Q.60 COUNCILLOR DEIRDRE HENEY

Can the Manager please refer to litter bin at **details supplied** and have same repaired or replaced as soon as possible

CITY MANAGER'S REPLY:

Waste Management Services had the litterbin outside (**details supplied**) replaced on the 30th January 2008.

Q.61 COUNCILLOR DEIRDRE HENEY

Can the Manager please give a breakdown of figures for (a) affordable housing and (b) affordable housing for each of the local committee areas over the last five years and give a break down on the number of affordable houses/units for that have been provided/built/acquired in each local committee area since the initiation of the current draw system.

CITY MANAGER'S REPLY:

(a) The total number of Affordable Housing Units provided under the 1999 Affordable Housing Scheme & Part V of the Planning & Development Act 2000 – 2002 over that last number of years is 1,575 as follows:

2004: 194
2005: 414
2006: 370
2007: 597

(b)

	South Central	North Central	Central	North West	South East	Totals
2004	45	2	14	71	62	194
2005	240	41	51	79	3	414
2006	40	121	112	79	18	370
2007	77	44	129	205	142	597

Q.62 COUNCILLOR DERMOT LACEY

To ask the Manager if he will give a full report on the present situation regarding Land Acquisition and disposal and any other relevant matter relating to the development at the former Carlton Cinema site and adjacent land.

CITY MANAGER'S REPLY:

Terms and conditions have been agreed with Chartered Land for the disposal of the City Council's land known as 24/25 Moore Street, 1/2 O'Rahilly Parade and 14/15 Moore Lane. The land is currently occupied as a waste management depot and a storage area for a number of street traders. Negotiations are ongoing with these traders and when agreement is reached, the disposal of the lands will be brought to the elected members in accordance with the provisions of Section 183 of the Local Government Act 2001. It is understood that Chartered Land intend to submit a planning application in the near future for the redevelopment of the Carlton Cinema Site and adjacent land.

Pre-applications consultations have been held regarding potential redevelopment of this site, however no Planning Application has been received to date.

Q.63 COUNCILLOR DERMOT LACEY

To ask the Manager if he could list and give details of any and all Government appointed Committees, Forums, State Bodies or any such similar entity to which the City Manager and each of the Assistant City Managers have been appointed or nominated.

CITY MANAGER'S REPLY:

City Manager, is a member of the following:

- Board of Dublin Tourism
- Affordable Homes Partnership
- Digital Hub Development Agency
- Dublin Docklands Development Authority
- Dublin Chamber of Commerce
- DoEHLG Customer Services Working Group
- Steering Group on Regional Planning Guidelines

Deputy City Manager, Culture Recreation & Amenity is a member of

- 'Branching Out' – a joint working group between the Dept. Environment, Heritage & Local Government and local authorities on library development.

Assistant City Manager, Planning and Economic Development is a member of the following:

- Dublin City Enterprise Board
- Chamber of Commerce Competitiveness Committee
- Dublin Transportation Office Planning Committee
- Developing Areas Group, Department for the Environment, Heritage and Local Government.

Head of Finance, is a member of the following:

- Audit Committee of the Revenue Commissioners
- Board of Ballymun Regeneration Ltd.
- Board of Hugh Lane Trust

Assistant City Manager, Housing & residential Services, is a member of the following:

- Homeless Agency
- Dublin City Development Board
- Young Ballymun
- Ballymun Regeneration Ltd.
- Docklands Community Trust

Assistant City Manager, Environment & Engineering, is a member of the following:

- International Review of Waste Policy Steering Committee

Director of Traffic & City Engineer, is a member of

- Steering Group of the Dublin Transportation Office
- City of Dublin Energy Management Agency (CODEMA)
- Regional Committee of IBEC

Q.64 COUNCILLOR PAT CRIMMINS

Can the Manager have a sign erected for Maywood Lawn in Maywood, Raheny.

CITY MANAGER'S REPLY:

A sign will be immediately ordered for the above location.

Q.65 COUNCILLOR PAT CRIMMINS

Can a traffic survey be undertaken in St. Assams Road West, Raheny. Cars parked during the day may make parts of St.Assams inaccessible for emergency services.

CITY MANAGER'S REPLY:

During a recent site visit to St. Assams Road West, the road was found to have satisfactory access.

Q.66 COUNCILLOR PAT CRIMMINS

Can a survey of the irregular parking outside shops at the seafront end of the Kilbarrack Road be carried out

CITY MANAGER'S REPLY:

Following a recent inspection it is recommended to provide parallel parking road markings on the indented parking bay at the above location in order to regularise the situation. The parking arrangement on the private landing area at the front of the shops is the responsibility of the property owners.

Q.67 COUNCILLOR PAT CRIMMINS

Can representation be made to Bus Eireann, whose customers are suffering at the lack of bus shelter on the Grange Road, Donaghmede, adjacent to the Holy Trinity National School

CITY MANAGER'S REPLY:

A letter was forwarded to Dublin Bus asking that this matter be investigated and a report will be forwarded directly to Councillor Pat Crimmins.

Q.68 COUNCILLOR EDIE WYNNE

That the City Manager review the parking and traffic arrangements for the entrance/egress at St Luke's Hospital, Oaklands Crescent at the point closest to the Hospital?

CITY MANAGER'S REPLY:

The traffic engineer will examine the issues and report directly to the Councillor.

Q.69 COUNCILLOR EDIE WYNNE

That the Manager review street lighting because of personal safety concerns **(details supplied)**?

CITY MANAGER'S REPLY:

Upgrading of the lighting on ***** will be considered for inclusion in our 2009 programme of improvement works subject to finances available.

Q.70 COUNCILLOR CRÍONA NÍ DHÁLAIGH

To ask the City Manager if a snag list was done on **(details supplied)** and if so have all the snags been addressed and is he aware of the huge level of dissatisfaction amongst the new tenants in this complex regarding maintenance issues?

CITY MANAGER'S REPLY:

The eighteen apartments in **(details supplied)** was a turn key development purchased by Dublin City Council and was made available for letting for the residents of Chamber and Weaver Court for the purposes of detenanting. These are new apartments of various sizes with the inclusion of a private entrance, remote release for gate, underground parking, lift service and own door access to apartments. They are considered to be in very high demand and since their letting in 2006, no apartment has become available for reletting. Additional works were carried out by Dublin City Council after purchase including the upgrading of the existing electronic access system for the entrance gate, which can be remotely released from each apartment. In the interest of Health and Safety, railings were erected to prevent access to neighbouring roofs, the water tank in the basement was enclosed as was the sump switch, and an emergency phone was installed in the lift.

Between the eighteen apartments, approximately seventy maintenance requests were received by our Maintenance Section since the first letting, some of which are repeat requests which gives an average of four per apartment. Some of these requests could be considered teething problems, for example, operation of the storage heaters, electrical faults, installation of new cookers etc. and the installation of a adapted shower for an elderly resident. These are internal requests and the onus is on the resident to report these faults to our Area Office for recording on our Anite system which links with the Maintenance Depot. The caretaker for this complex reports any external faults to the Area Office on a regular basis also and all requests are distributed by the Maintenance Section. All maintenance requests are the responsibility of the Maintenance Section of which Sundrive Road Depot has the responsibility for this area. To my knowledge there are no major maintenance requests outstanding at present, other than what is classified as routine maintenance.

Q.71 COUNCILLOR MARY O'SHEA

To ask the Manager to arrange to have the shores at the following locations **(details attached)** cleared as the overflow from these shores causes a serious hazard to pedestrians

CITY MANAGER'S REPLY:

Drainage Division's gully cleaning crew visited the above locations on the 29th of January last and cleaned all gullies as requested.

Q.72 COUNCILLOR MARY O'SHEA

To ask the Manager to provide an update on the following **(details attached)**:

CITY MANAGER'S REPLY:

The site in question is currently used for car parking. A preliminary survey of the site has indicated that substantial works are required to lay out as a car park. The extent of these works and associated costs are currently being determined.

Q.73 COUNCILLOR MARY O'SHEA

To ask the Manager if Dublin City Council has any plans to provide Social Housing in the **(details attached)** area.

CITY MANAGER'S REPLY:

Currently Dublin City Council have no units for allocating in the **(details supplied)** area and there are no immediate plans to provide social housing in this area.

Q.74 COUNCILLOR MARY O'SHEA

To ask the Manager to provide a report on **(details attached)**:

CITY MANAGER'S REPLY:

These openings will be reinstated within 4/6 weeks.

Q.75 COUNCILLOR BRONWEN MAHER

To ask the Manager to arrange for the inspection of the cycle lane along the north road for most of its length from Phibsborough to Finglas and along the East Wall Road as I have had reports that these two lanes are in very bad condition with the surface (the brown gravelled surface commonly used) coming away causing hazards for cyclists. Could the Manager also outline the City Council's policy on cycle lanes and their maintenance as I get quite a number of complaints regarding their condition in various locations?

CITY MANAGER'S REPLY:

The above cycle tracks have been examined recently and the deterioration of the red surface has been noted. Repair options are currently under consideration and when finalised, the Councillor will be notified. The maintenance of cycle lane markings is a matter for the Traffic Division and would be treated as part of the annual road marking programme. Where pavement quality issues arise they are referred to Road Maintenance for inclusion in their annual works programme.

Q.76 COUNCILLOR BRONWEN MAHER

To ask the Manager for information on the refurbishment of St. George's Church in Hardwicke Place, what is its current function and also is it in public or private ownership.

CITY MANAGER'S REPLY:

Refurbishment works have been completed on the tower, the roof and the exterior stonework's of the building. The owner intends to carry out further refurbishment to the exterior railings and plinth stones in the current year.

At present, the premises are not in use. Permission was granted on 5th April 2007 for change of use from previously permitted nightclub use to office use of existing floor space amounting to 1781 sq m gross floor space and development consisting of two new inserts of 536 sq m gross floor space, with associated conservation and restoration of the interior fabric of the Church, which is a protected structure (plan no. 5866/06).

Permission was granted on 5th September 2007 for internal alteration consisting of the installation of a lift (area 4.2 sq m), as an amendment to the previously permitted office use. The lift shaft will extend from the modern basement floor to the 2nd office floor. The proposed development includes a stud wall in the basement to provide a fire lobby. (Plan no. 4248/07). Work will commence to implement the above permission in the near future. The premises are in private ownership.

Q.77 COUNCILLOR BRONWEN MAHER

To ask the Manager for information on the land in Drumcondra opposite St Luke's at the bridge over the Tolka, is this land in private or public ownership and are there any plans for this site.

CITY MANAGER'S REPLY:

It is assumed that the question refers to the small park known as Our Ladys Park which is located at the corner of Botanic Avenue and Drumcondra Road Upper. This park is in the ownership and under the maintenance of the Parks and Landscape Services Division.

Currently work is taking place at this location, which is part of the River Tolka Flood Alleviation Scheme. Following completion of the work, the park will be restored to full amenity use.

Q.78 COUNCILLOR BRONWEN MAHER

To ask the Manager for information on the following:

- a) Does Dublin City Council issue a special exemption licence for Bar Code nightclub located in Westwood in Marino; how often is this licence renewed and is it usual for Dublin City Council to issue a special exemption licence for unauthorised developments? What conditions rule the issuing of such a licence, and could Dublin City Council refuse to issue such a licence

for the use of a venue operating in an unauthorised development (i.e. without planning permission).

b) Has Dublin City Council issued a fire certificate for Bar Code nightclub in Marino; how often this certificate is renewed and is it usual for Dublin City Council to issue fire certificates for unauthorised developments. What conditions rule the issuing of this fire cert, does it apply to the entire building and its usage as a Leisure and fitness centre, and is there special mention of the nightclub and the number of people that frequent the nightclub. Could Dublin City Council refuse to issue a fire cert for the use of a venue operating in an unauthorised development?

CITY MANAGER'S REPLY:

a) Dublin Fire Brigade does not issue licences. Applications for the courts licences are normally renewed annually.

b) A number of fire certificates have been issued for Bar Code nightclub with the most recent being:

00/1054, 00/1770, 07/1075,

Fire certificates are for proposed works, similar but separate to Planning Permissions. The maximum number of persons for the premises is 1300, with a maximum of 1100 persons on the ground floor.

a) The City Council does not issue liquor licences.

b) The details of the Fire Safety Certs for the premises have been furnished by the Fire Officer. Fire Safety Certs are issued under the Building Control Act 1990 independently of the Planning Code in respect of proposed works, not the use of a building. They are not subject to renewal unless further works are proposed.

(a) City Council has powers under The Intoxicating Liquor Act 2003 to object to special exemptions being granted by the Council for late night extended trading hours for pubs and clubs, it has been suggested that such objections should be made on a area basis rather than a premises specific basis. These powers of objections are reserved functions. The courts must consider objections but are not obliged to comply with it.

The intoxicating liquor Act, 2003 provides that the "Court shall not grant a special exemption order in respect of any premises unless it is satisfied that the special occasion will be conducted in a manner that will not cause undue inconvenience or nuisance to persons residing in the locality or create an undue risk to public".

The matter is address in the submissions made by City Council to the Government Alcohol Advisory Panel on 28/01/2008.(Copy attached)

Dublin City Council Alcohol and Public Order Working Group

The Working Group on alcohol related issues has met on a number of occasions over the last 12 months.

In that time the following progress has been made by Dublin City Council:

- a) Invited submissions from public, community groups, general business, vintners, hotels, off licences regarding alcohol issues.
- b) Set up pilot scheme in two parks in each of the 5 Committee Areas where problem relating to alcohol, congregation, drugs, vandalism and other anti-social behaviour were a regular occurrence. The pilot consisted of a partnership of local residents, local area management, local parks management and local Gardai. Pilots to be reviewed Q1. 2008
- c) Set up City Centre night economy management partnership consisting of Central and South East Area Managers, Store Street and Pearse Street Garda, Vintners, TASQ, National Association of Off-Licences and Dublin Bus. The emerging BID's company will also be tied in and steps are being taken to bring in the fast food industry; the taxi industry has agreed to participate. The Hotels Federation and Night Clubs Association have been invited to join.
- d) A visit to Belfast City Council and the PSNI took place in September 2007 where an exchange of experience and best practice took place.
- e) Mobile urinals deployed on Friday & Saturday Nights in Westmoreland Street and around Croke Park on big match days.

A new Sale of Liquor Bill is expected to be published in 2008. It is therefore timely to consider some of the issues identified to date by the working group and postulate some possible ameliorating actions for consideration.

1. Exponential growth in number of off licences.
Council could consider limiting under the Development Plan the number it will approve in any one area of the City on grounds of proper planning and development of area. (The carrying capacity of any area of City in relation to clusters of large pubs, off licences and fast food premises is limited and needs control). Local Authorities should be given specific powers to do this in proposed Sale of Alcohol Bill.
2. Hours of business of off licences should be curtailed with suggested trading hours of 10am to 8pm. This requires primary legislation. Limit quantity of alcohol that can be purchased by anyone under 21. Consider ban on sale of spirits to anyone under 21.
3. Control of sale to underage children – Mandatory requirement to produce Government I.D. Card (Sales linked to ID Card). Need to operate and keep one months CCTV record of all sales that can be inspected by Gardai. CCTV coverage should also be required outside pub/off licence premises to monitor and record situation activity and perhaps reduce proxy buying.
4. Home delivery by Off Licences should be regulated and delivery to parks etc. of alcohol should be outlawed by primary legislation.
5. All serving and door staff working in pubs or off-licences and late night fast food premises should be required to have completed specified training.
6. The size of all future pubs should be limited in size to allow proper supervision of premises and customers sobriety. A qualified licenced person should be in charge of all premises whenever open. Loss of licence would prevent person working in future pub industry. As an alternative to limiting size, there would be a requirement to have a minimum number of qualified staff on duty at all times, related to sq m² of premises.
7. Temporary closing order should be mandatory for specified minimum periods for specified offences (underage selling, serving those already drunk). Advisory Group should consider whether Local Authority or a new Sale of Alcohol Regulator should carry out this function instead of the courts.

8. Mixed premises (shops, supermarkets, petrol stations) should be limited to using a small percentage of their floor area for the display for sale of alcohol. Below cost sales, happy hour, 2 for price of 1 should be prohibited in both pubs and clubs and off-licences. Targeted marketing of alcohol at groups such as students in Universities should be banned.
9. Fast food premises should have their trading hours limited to pub/club hours to discourage loitering of crowds in City Centre, which often leads to disorder. This may be possible under the condition of planning permission for future premises; existing premises may need primary legislation.
10. The toilet requirements of all pubs should be reviewed having regard to their usual peak time number of customers at weekends – this would reduce urination in public.
11. Problem premises, which give, rise to noise, public urination and other nuisance or public disorder on a regular basis should have local intervention by the area JPC with a view to resolution by agreement with licencees. Failure to achieve resolution should result in a reference to Problem Premises Expert Group with a view to securing a resolution through court licencing system by objecting to extended trading hours/late night opening. The legal role of Local Authorities in renewal of pub/off licence licences and extended hours should be increased. Objection to and refusal of extended licence should be permitted on a premises specific basis as well as area basis.
12. Gardai and approved officers of Local Authorities should have power of confiscation of all alcohol found in possession of person(s) drinking in public whether all containers open or closed; city byelaw to be amended accordingly. Sale of Alcohol Bill should eliminate any doubt regarding Powers of Confiscation; Fine under Byelaws for drinking in public should be increased above €75 maximum allowed under DOEHLG guidelines. Consideration should be given to using some of the tax and licence income from alcohol to finance employment by Local Authorities of street/community wardens to help police public order and alcohol consumption in parks and public places.
13. All City Centre taxi ranks should be actively monitored on CCTV by Gardai to ensure early intervention where necessary. Taxis Regulator should review need for industry to provide marshals at specific busy taxi ranks at weekends.
14. The shift working pattern of Gardai should continue to optimise available Gardai resources between 9 p.m. and 4.00 a.m. Thursday to Sunday. The use of GIS to map public order incidents should be expanded to cover all areas and the deployment of Black Maria's to those locations at closing time might have a calming effect.
15. HSE should consider setting up temporary first aid units in City Centre at weekends to avoid chaos that frequently descends on A+E Departments from drunks at that time. Drunks requiring medical treatment should be required to pay full cost of treatment.
16. Public advertising and promotion of sale of alcohol and display of product in shop windows should be banned by law.
17. Mobile CCTV monitoring units for each division of Gardai in Dublin City.
18. Minister should have power to make order to restrict sales hours for pubs and off-licences on specific days – e.g. St. Patrick's Day – 5.00pm opening of off-licences.

19. Health warning should be labelled on all alcohol containers
20. A single court sitting on weekend morning (Fri, Sat, Sun, Mon) in Dublin to expeditiously deal with all previous nights drunk and disorderly cases.
21. Review and close theatre licences loophole; numbers have expanded from 17 in 1996 to 75 (either granted or being processed) in 2008 to date.
22. Promote role of schools /education re: drink/drugs; health implications, Government to finance and promote sports, leisure and cultural facilities and activities as counter balance to pubs/alcohol.
23. Limited number of late night bar extended hours rationed out on a rota basis per area.
24. Favourably reconsider Café bars; smaller bars with food available are easier to supervise and less likely to facilitate the “feeding frenzy” that is not unusual in large pubs.
25. Promote youth cafes and “hang out” centres in urban centres.
26. Devise and pilot a traceability scheme for off sales.
27. The possible advantages of sequential closing times for pubs/clubs should be considered in relation to numbers (a) on the streets (b) in fast food premises (c) looking for public transport at the same time.
28. Urban Local Authorities should be given powers/responsibility for developing partnerships to manage the night economy as set out at point (c) on page 1.

Fire Brigade Reply:

a)

Does Dublin City Council issue a special exemption licence for Bar Code nightclub located in Westwood in Marino; how often is this licence renewed and is it usual for Dublin City Council to issue a special exemption licence for unauthorised developments?

DCC/Dublin Fire Brigade do not issue licences. Drinks and dance licences are processed and issued through court applications. The last dance licence application was on behalf of the Westwood Club and was related to the bar, restaurant, dance and games areas on the ground floor and the restaurant and games areas at first floor, cumulatively known as BARCODE. Dublin Fire Brigade requested the court to attach a condition to the licence limiting the numbers of persons to 1100 on the ground floor and 200 on the first floor.

b)

1. *Has Dublin City Council issued a fire certificate for Bar Code nightclub in Marino;*

A total of five fire safety certificates have been issued relating to this building, the latest of which was issued in 2007 and related to the BARCODE area.

2. How often is this certificate renewed :

Fire safety certificates are approvals of fire safety designs submitted under the Building Control Act (a similar but separate process to Planning Applications). As such they are issued once only in respect of a particular fire safety design submitted.

3. Is it usual for Dublin City Council to issue fire certificates for unauthorised developments:

It is assumed that the term 'unauthorised' means not having the appropriate permission under the Planning Act. Under the Building Control regulations (regulation 15), DCC is not permitted to consider matters other than the fire safety requirements of the regulations when making a decision on an application for a fire safety certificate. In any case, a fire safety certificate can be applied for at any stage, as it is an approval of a fire safety design and not of a completed building. Fire safety certificate applications are frequently made prior to an application for planning permission, and the two statutory processes are not interdependent.

4. What conditions rule the issuing of this fire cert?:

The latest fire safety certificate had conditions which related to the apportioning of the overall numbers of persons between the ground floor and upper floor of BARCODE. The overall number of persons was restricted to 1300, with a limit of 200 on the first floor.

5. Does it (the fire cert) apply to the entire building and its usage as a Leisure and fitness centre?

The latest fire safety certificate related to the BARCODE area, previous certificates related to the overall building and to other alterations within the building.

6. Is there special mention of the nightclub and the number of people that frequent the nightclub?

See responses (a) and 4 above.

7. Could Dublin City Council refuse to issue a fire cert for the use of a venue operating in an unauthorised development?

No, for the reasons set out in 3 above.

Q.79 COUNCILLOR MICK RAFFERTY

To ask the City Manager, why despite commitments, that nothing has been done to house or improve the situation of the Maughan family who live in a trailer on a rat infested site down on Pigeon House Road, Ringsend.

CITY MANAGER'S REPLY:

Dublin City Council is actively endeavouring to source a suitable unit of accommodation in the South East Area for (details supplied) who has expressed an interest in a 3-bed house. However this type of accommodation seldom becomes available in the South East Area. It is more likely that a 3-bed apartment unit may arise. However even this type of unit rarely becomes available.

Suitable accommodation is also being sought in other Areas of the city where this family has expressed an interest in being housed. When a suitable unit becomes available this family will be considered for housing subject to good estate management.

Q.80 COUNCILLOR MICK RAFFERTY

Can the Manager instigate a forum of all stakeholders who use Fairview park and the park at Alfie Byrne road to develop a common vision for the play and recreational areas (including changing rooms all weather pitches etc) and to ensure the priority of use is observed to the betterment of all?

CITY MANAGER'S REPLY:

A brief is currently in preparation for a consultant to prepare proposals for the upgrading of Fairview Park following the completion of the Dublin Port Tunnel project works in the park. The main contractor for that project has a number of operations to complete before the area is fully transferred back to the Parks and Landscape Services Division. Included in this brief will be a requirement for public consultation and interaction with stakeholders prior to the preparation of specific modification/improvement proposals in the park.

Projects proceeding at the present time include:

- a) The development of a Pavilion to provide permanent facilities for those using the playing pitches in the park.
- b) The development of synthetic grasses all weather floodlit playing pitches at Fairview Park Extension/ Former Traffic School Open space, Alfie Byrne Road.
- c) Culture Recreation and Amenity Department with the Parks and Landscape Services Division are in discussion through a series of meetings being facilitated by the Central Area Office with those with lettings on the grassed playing pitches at Alfie Byrne Road open space and public representatives at the current time.

Q.81 COUNCILLOR MICK RAFFERTY

To ask the city Manager to draw up a radical new charter for the future of market trading in Dublin and this charter to include a vision of positive encouragement of market trading and an outline of the roles responsibilities and duties of all the stakeholders in the enterprise, to do this in consultation with the relevant stakeholders and particularly with the Irish Organisation of Market and Street traders.

CITY MANAGER'S REPLY:

Street trading is regulated by Casual Trading Bye-Laws made by the City Council as a reserved function under the Casual Trading Act 1995. The operation of street trading must comply with the procedures set out in the Act. The role of the Local Authority is set out in the Act and the role of the street trader is set out in the conditions of the Casual Trading licence.

The Events & Casual Trading Unit work with the International Operators, Market & Street Traders (I.O.M.S.T) with regard to any issues that affect their members and are consulted when Casual Trading Bye-Laws are being reviewed. Dublin City Council is continuing to improve casual trading in its area and its Inspectors meet on a daily basis with licensed traders in the City. The Events and Casual Trading Unit regularly consult with the IOMST and city centre businesses with issues pertaining to event trading and designated area casual trading in the city.

The Events and Casual Trading Unit will continue to evolve this process of consultation working with all stakeholders with a vision to improve, enhance and increase the potential for market trading in the city.

Q.82 COUNCILLOR ANNE CARTER

Will the Manager give a full update on the operation of the Rental Allowance Scheme (RAS) including:

- (a) the number of applicants and lengths of time of those waiting on RAS lists in each of the five City Areas;
- (b) the numbers of rented homes in each of the five City Areas under the RAS scheme from the start of the scheme in each Area;
- (c) the numbers joining the list since the start of 2008;
- (d) the Manager's plans for the number of Citywide and Area allocations under the RAS scheme in 2008 and 2009

CITY MANAGER'S REPLY:

This information requested is currently unavailable as the RAS I.T. system does not issue generic reports per Area. It is proposed to have RAS information available per Area but unfortunately this system is not in place in time for this reply. However the information requested is available for the whole Dublin City Council Area.

The number of RAS applications received is approximately 1,700 from the private rented sector and approximately 500 from the Voluntary Bodies Sector since the Rental Accommodation Scheme commenced.

As at December 2007 there were approximately 1,000 households signed up to the Rental Accommodation Scheme. Approximately 520 of these households were in the private rented sector.

There are approximately 1,200 households assessed as eligible and on the RAS waiting list. It should be noted that there are currently 6,700 households who are 18 months or more in receipt of rent supplement within the City Council Area and it is thought these households will also qualify for the RAS Scheme.

Q.83 COUNCILLOR ANNE CARTER

Will the Manager give an urgent update on the monitoring of emissions from the Barnmore waste plant at Baldoyle Industrial Estate (which so badly affects the environment of the adjoining residential areas of Donaghmede), on a recent planning decision by Fingal County Council at the location and on any contacts he has had on the matter with the Fingal County Manager?

CITY MANAGER'S REPLY:

The Air Quality Monitoring and Noise Control Unit carry out periodic air monitoring checks of the area. No breaches of the Air Pollution Act 1987 have been observed. It is proposed however to put the matter on the agenda of the next City Council/Fingal County Council Interauthority meeting. The Councillor will be advised of any outcome.

Q.84 COUNCILLOR ANNE CARTER

Will the Manager report on requests for the removal of large unauthorised advertising facilities on and beside the boundary fence of the vacant Tayto factory at Malahide Road, Coolock, Dublin 17

CITY MANAGER'S REPLY:

The Planning Enforcement Officer for the Area is currently investigating this complaint. Appropriate Enforcement action will be taken in respect of this matter if required. A report will be forwarded directly to Councillor Anne Carter.

Q.85 COUNCILLOR ANNE CARTER

With regard to the new Clongriffin estate, will the Manager respond to shocking anti-social attacks on our new residents in Clongriffin and on the new 128 bus service by sealing off the Trinity Sports and Leisure Centre football pitch between Newgrove Estate and the Hole in the Wall Road to deter the passage of vandals and miscreants?

CITY MANAGER'S REPLY:

Following the above incidents, arrangements have been made to secure entry points, which offer opportunities for entry to the estate without being observed.

These measures include the removal of a railing along the side of Trinity Sports Complex. An entry point on the southern boundary of the pitch at Newgrove will be further secured.

Community Gardaí are aware of incidents and are intensifying Garda presence in the area. In the immediate future it is intended to form a community policing forum as an initiative under the Joint Policing Committee to improve safety in the area. This forum will enable residents and other stakeholders to raise issues of concern and consider options to improve safety in the area through a partnership approach.

Q.86 COUNCILLOR RAY McHUGH

To ask the City Manager to liaise with [details supplied] to install safety barriers and to landscape the [details supplied]

CITY MANAGER'S REPLY:

The Grand Canal Enhancement Scheme, from Suir Road to Blackhorse Bridge, has been developed and agreed by a working group of Dublin City Council, Waterways Ireland, Rail Procurement Agency, Inland Waterways Association and An Garda Síochána. The working group has been meeting regularly since September 2005. The plans were placed on public display during September 2006.

Phase I of these works (Suir Road to Connolly Avenue) were completed in 2007.

The works include a new extended footpath, new carriageway on the vehicular section, new lighting, bollards, chains and railings. The existing trees will be pruned and new ones planted. Fishing stands will be provided and coping stones replaced along the canal edge. The existing safety barriers will be repaired and repainted.

Should the Councillor require a copy of the proposed works, please contact the Kilmainham Area Office on Tel: 222 5113.

Q.87 COUNCILLOR RAY McHUGH

To ask the City Manager to change Victoria Quay to Fenian Quay to mark 150th anniversary of founding this year.

CITY MANAGER'S REPLY:

Victoria Quay was so named c. 1871 after Queen Victoria (b. 1819 - 1901). Earlier to this in 1861 on her third visit to Dublin she passed along this new quay en route from Heuston Station (formerly Kingsbridge Station) to Westland Row. Many of the quays in Dublin are named after prominent historic public figures and states. Many historic place names in the city have been changed to reflect the prominent figures associated with Irish independence, the achievement of which had great symbolic importance at the time. Today, however, in the celebration of the rich and complex history of this city, we are reluctant to engage in the revision of existing historic place names.

It should be noted that the context within Dublin City is unique regarding existing names and historic associations. The influence of many cultures, both native and otherwise, is intertwined with the street names and place names that enrich the heritage of the capital. They evoke and reflect the very many influences that Dublin City has endured and welcomed, from invaders to traders and visitors.

Since 2000 a system has been in place to formally assess and make recommendations regarding the naming of new developments and streets within the administrative area of Dublin City Council. All recommendations are

made in the context of policies of the Dublin City Development Plan 2005-2011 as follows –

POLICY H31

It is a policy of Dublin City Council to preserve historic place names and historic street names.

The foregoing policy and procedure regarding street naming in Dublin has been agreed by the Economic Development, Planning and European Affairs Strategic Policy Committee (SPC).

Q.88 COUNCILLOR RAY McHUGH

To ask the Manager to have the graffiti that is sprawled all over the balcony walls, stairwells and under the stairwells in **(details supplied)** removed. I realise that the chances of the walls staying graffiti free once repainted are slim but residents are sick sore and tired of having to walk past it every day. It is ghettoising the block and could the Manager investigate the possibility of a graffiti wall in the complex if residents are in favour of it?

CITY MANAGER'S REPLY:

The graffiti will be removed from the wall in the block where the community centre is within the next two weeks.

The matter of the graffiti wall will be raised by Dublin City Council with the **(details supplied)** Joint Redevelopment Board.

Q.89 COUNCILLOR RAY McHUGH

To ask the area Manager if it is possible for the council to finance or provide legal consultation to **(details supplied)** who would like to the know how exactly the legal system works regarding evictions/exclusion orders etc.

CITY MANAGER'S REPLY:

Dublin City Council's Estate Management / Anti-social Policy Unit are available to meet and inform any interested groups or associations in relation to our policy and procedures on Estate Management and Anti-Social behaviour.

Arrangements can be made through the Project Manager for this complex.

Q.90 COUNCILLOR JOHN KENNY

Could the Manager please provide an update on the expected completion date for the Flood Protection Project at Merrion Gates?

CITY MANAGER'S REPLY:

Dublin City Council recently appointed a contractor to carry out the construction of the Flood Protection Project at Merrion Gates. The contractor has commenced preliminary trial digs on site in order to establish the precise

location of strategic underground infrastructure. The expected completion date for the project is May 2008.

Q.91 COUNCILLOR LIAM KELLY

Could the Manager confirm if **(details supplied)** is entitled to bin collection waiver and how much is outstanding on his account?

CITY MANAGER'S REPLY:

No waiver application has been received for this household. Waivers apply to households where the sole income is either from Social Welfare allowance or Pension or where income is exempt from tax. An application form for a bin waiver has been sent to details supplied. Details of arrears will be forwarded to the Councillor.

Q.92 COUNCILLOR LIAM KELLY

Could the Manager review the cost of footpath reinstatement awarded by DCC against two properties **(details supplied)** and explain why the charge is higher than normal dishing costs.

CITY MANAGER'S REPLY:

A **standard** domestic dishing would normally cost €420 euro. The estimate that was given to the owners of details supplied (shared driveway) was €5094 euro. This estimate was based on the fact that 28.3 sq. metres of footpath had to be repaired as this complete area was in a very bad condition. The local inspector was of the opinion that before any building works commenced within the property the footpath fronting same was in reasonable condition and that the heavy plant crossing the path resulted in a large area of path being damaged.

All builders/developers are conditioned by planning to inform the local Road Maintenance office prior to commencement of any works that may damage the public footpath. If this directive had been observed this problem would not have arisen. As a compromise Road Maintenance is prepared to share the cost of the works on the basis of the residents paying €2540

Q.93 COUNCILLOR LIAM KELLY

Could the Manager review and where necessary investigate the following:

- a. Who owns the laneway beside number 25c Valeview Gardens and organise a clean up of same.
- b. Establish ownership of **(detail supplied)** which is being used for parties by teenage gangs and establish if it is a derelict site.
- c. Investigate of the following **(details supplied)** is legal.

CITY MANAGER'S REPLY:

A & b. The laneway between details supplied a and b will be cleaned this week.

As part of an infill housing development the laneway was closed. It was proposed to incorporate this laneway into the garden of adjoining dwelling (details supplied). Unfortunately the resident died before the transfer of land and works could take place.

A letter has been sent requesting a family member to contact the Finglas Area Office to arrange the work involved in incorporating the space into the garden.

- c. An Enforcement File had been set up in respect of the alleged use of the front garden of the above property for the repair of motor vehicles. A warning letter is being issued under Section 152 of the Planning and Development Act 2000 in respect of this complaint. The Planning Enforcement Officer for the area will carry out a full investigation in relation to this complaint.

Q.94 COUNCILLOR LIAM KELLY

Could the Manager arrange for the replacement of green bin which was stolen from **(detail supplied)**

CITY MANAGER'S REPLY:

Waste Management Services have requested Oxigen, Telephone 4624459, on the 29th January 2008 to have a green bin delivered to details supplied as soon as possible.

Q.95 COUNCILLOR NAOISE O'MUIRÍ

Can the Manager deal with the following **(details supplied.)**

CITY MANAGER'S REPLY:

The genesis of the draft document "Maximising the City's Potential, A Strategy for Intensification and Height" is described in the document. In 2000 Dublin City Council commissioned the DEGW report, "Managing Intensification and Change", to address the issues of intensification and urban consolidation while retaining the intrinsic character of the City. The DEGW Report, which is transposed into the City Council Policy in the current City Development Plan, identified the Major Transport Nodes as suitable areas for clusters of height, but also recommended further work, including Local Framework Plans.

Since then the City Council has embarked on a series of Local Framework Plans e.g. Heuston Framework Plan. In addition the City Development Plan identified a number of Framework Development Areas (e.g. Pelletstown) and 8 PUC's e.g. Phibsborough, all aimed at creating sustainable neighbourhoods in a more compact city.

The Transport 21 programme has also brought forward new public transportation corridors, such as the Metro and potential Luas routes, which offer scope for sustainable intensification. In addition, there may be scope for intensification and/or height on major underutilised lands.

Taking all the above considerations together, combined with grave concern about the effects of suburban sprawl and the need for a co-ordinated

response to ad-hoc pressure for high structures, it was considered necessary to bring forward the Draft Strategy, "Maximising the City's Potential".

The Draft Strategy for Intensification and Height must be interpreted with other policies pursued by the City Council, such as the Apartment Quality Standards and the 6 themes which underpin all Framework Plans, i.e. economic, social, cultural, urban form, movement and sustainability.

The Draft Strategy has been the subject of meetings with the elected representatives in October 2007. A presentation was made to the Economic Development, Planning and European Affairs SPC in November 2007 and City Council approved the document for consultation purposes at its meeting in December 2007. Public consultation is currently underway (until the 7th March 2008). Responses will be analysed and a further report will be prepared for the City Council.

Q.96 COUNCILLOR NAOISE O'MUIRÍ

Can the Manager deal with the following **(details supplied)**

CITY MANAGER'S REPLY:

An updated traffic and pedestrian count is scheduled to be completed in the near future at the **(details supplied)** / Kincora Road to determine whether it meets the warrant for a pedestrian crossing at this location. The Councillor will be advised of the outcome.

Q.97 COUNCILLOR NAOISE O'MUIRÍ

Can the Manager deal with the following **details supplied**).

CITY MANAGER'S REPLY:

The Law Department has been instructed to acquire the title and procedure is currently in process.

When the lands are confirmed as transferred the Parks & Landscape Services Division will commence maintenance operations and will include these spaces in the schedule of maintenance operations of public open space for the area.

Q.98 COUNCILLOR NAOISE O'MUIRÍ

Can the Manager deal with the following **details supplied**)

CITY MANAGER'S REPLY:

This matter will be referred to TAG and a report will be forwarded directly to the Councillor.

Q.99 COUNCILLOR MICHAEL CONAGHAN

Can the Manager set out the following date/information in respect of the proposed upgrading of the Grand Canal in the general Bluebell and beyond parts of the city and county:

- Who is carrying out these works?
- Have plans been agreed on the nature/scope of the upgrade works?
- Have budgets been agreed?

- Are there timeframes/commencement dates, etc. in place?

CITY MANAGER'S REPLY:

The Grand Canal Enhancement Project from Bluebell to 12th lock entails a new extended footpath, new lighting, CCTV, ducting for public lighting, CCTV, 110kV power cables and connection and pulling cambers, public amenity seating and litterbins along the route. The existing trees will be pruned and new ones planted. Fishing stands will be provided.

The project is expected to commence in early summer and last for a period of 18 months. The project is a partnership between Dublin City Council, South Dublin County Council, ESB and Waterways Ireland and the cost of the project will be appropriated on a pro rata basis. The plans were on public display at various locations in both local authority administrative areas during May/June 2007. The tendering process to select a contractor is currently underway.

Q.100 COUNCILLOR MICHAEL CONAGHAN

Can the Manager set out the scope and scale of works to be carried out on Kylemore Road/Ballyfermot Road (path indenting , etc.) to facilitate safer parking for buses, cars and creating a safer zone for young people and children at the various entrances to the schools on the Dominican campus, Ballyfermot.

CITY MANAGER'S REPLY:

A copy of the indented parking proposals on Kylemore Road will be sent to all the local Councillors

Q.101 COUNCILLOR EMER COSTELLO

To ask the Manager to provide a progress report on **(details supplied)** and to remove the tree at **(details supplied)**

CITY MANAGER'S REPLY:

Following receipt of approval from the Department of the Environment, Heritage and Local Government, the Precinct Improvement Scheme is currently being costed and will be tendered at the end of March. It is anticipated that the works will commence in early June.

A full reply will issue directly to the Councillor once the exact details of the location of the tree are forwarded to the Parks Department.

Q.102 COUNCILLOR EMER COSTELLO

To ask the Manager to report on what action is being taken to deal with anti-social behaviour at **(details supplied)** and to cut back the bushes in front of block where no 40 - 45 are located as there are reports of needles, and drugs etc. being hidden there.

CITY MANAGER'S REPLY:

The Parks Department will arrange to prune back the shrubbery and remove the debris over the coming weeks.

The on site caretaker has been instructed to keep a particular watch on this area for any discarded needles. We are liaising closely with the Gardai in relation to this matter and matters relating to anti social behaviour in the complex.

Q.103 COUNCILLOR EMER COSTELLO

To ask the Manager to extend the double yellow line at **(details supplied)** to prevent cars parking and blocking the entrance to details supplied and to replace the street name plate there

CITY MANAGER'S REPLY:

A report recommending double yellow lines will be brought to the Central Area Committee in February 2008 for noting.

Q.104 COUNCILLOR EMER COSTELLO

To ask the Manager to contact the OPW to ensure that the construction trucks at **(details supplied)** cease reversing into **(details supplied)** from Infirmary Road as they are hazardous to children and pedestrians in the area, to carry out a safety audit of construction traffic movements and to extend the double yellow lines at **(detail supplied)**

CITY MANAGER'S REPLY:

A safety assessment was carried out by the Area Traffic Engineer at the entrance to the development in **(details 1)** on 28 January 2008. It was noted that the footway and roadway near the site entrance are both wide with good visibility for all road users.

The safety concerns were discussed with the Site Health and Safety Manager and a commitment was given that a flag man will be kept at the site entrance at all times when deliveries are being made to ensure that there is no conflict between pedestrians, vehicles and trucks delivering to the site. This will be monitored by the Roadworks Controls section in Dublin City Council

Additional double yellow lines have been provided on **(details 2)** in recent months at the various junctions and near the bus stop and no further double yellow lines are recommended at this time.

Q.105 COUNCILLOR AODHÁN Ó'RIORDÁIN

To ask the Manager to state when CCTV will be provided at **(details supplied)**

CITY MANAGER'S REPLY:

Cluid Housing Association manage the **(details 1)** complex, not Dublin City Council. I am advised by Cluid that CCTV is in place at the entrances to the

complex and they are currently looking into installing cameras at the bin areas. There are no plans for Dublin City Council to install cameras on (details 2).

Q.106 COUNCILLOR AODHÁN Ó'RIORDÁIN

To ask the city Manager for an updated position of the Council in relation to the lands at Clontarf Golf Club, Dublin 3: (1) If any discussion about these lands have taken place between City Council management and club officials; (2) if it is the policy of Dublin City Council to examine the admission / membership policies of Sports Clubs before granting leases; (3) to outline in detail the content of the lease agreement and what constraints that agreement would place on any potential new owner; (4) what procedure would need to be followed if a potential developer was to make an application to rezone / develop lands at that site.

CITY MANAGER'S REPLY:

1) As reported to the members of the North Central Area Committee on 21st January, the Assistant City Manager with responsibility for Planning and Development and a number of officials met with club reps and the proposed developer. The outcome of these discussions was that the developer proposed that he would arrange to draw up a sketch block plan of the site to illustrate, were the proposals to proceed, what he has in mind for the site in broad terms. The Assistant City Manager noted this proposal and agreed that he would pass it on to the North Central Area Committee for their views at the earliest opportunity.

2) It is not the policy of Dublin City Council to examine the admission/membership policies of Sports Clubs before granting leases. A lease is granted to the Trustees of Sports Clubs on the basis that their members participate in the stated activities of the particular sports club.

3) Under Indenture of Lease dated 12th February 1998, a parcel of land adjoining the Malahide Road was granted to the Trustees of Clontarf Golf Club for a period of 99 years from 25th March 1991. The lease includes standard covenants in leases of this nature such as payment of rent, rent reviews, repairing and insurance. Covenants (g) and (i) in the lease state the following:

Covenant (g) Not to assign, sublet or part with possession of the premises or any part thereof without the previous consent in writing of the Corporation
Covenant (i) Not to alter the character or interfere with the present state of the premises further than as may be necessary for the laying out and maintaining the same as a proper playing golf course.

4) In order to develop the subject lands for uses which are not identified as permissible or open for consideration, a Variation of the City Development Plan would be required to alter the current 'Z9' zoning. The procedure for carrying out a variation to a Development Plan is laid out in Section 13 of the Planning & Development Acts, 2000-2002. The varying of the Development Plan is a reserved function. The procedure for varying the Development Plan in the City Council is as follows:

- Report on the proposed Variation to Area Committee with recommendation

- Agreement of Area Committee
- Screening report to assess need for Strategic Environmental Assessment and notification to prescribed bodies
- Either determine that no Strategic Environmental Assessment required or prepare Strategic Environmental Assessment
- Publication of a statutory notice that a Draft Variation has been prepared and circulation of copies of the Draft Variation to the Minister for Environment and the Local Government, An Bord Pleanála and the other prescribed bodies.
- A public exhibition of the Draft Variation, consisting of a written statement and map and if required, Strategic Environmental Assessment, for a period not less than four weeks during which written submissions and observations with respect to the proposed Variation may be made.
- A report, not later than 8 weeks from the date of the public notice, listing the persons making the submissions and observations, summarising the issues raised and giving the response of the Manager, is then prepared for the City Council and will be taken into consideration by the Council before making the Variation.
- The City Council then makes the final decision not later than 6 weeks after the submission of the Manager's report and may make the Variation with or without modification or may refuse to adopt.

It should be noted that in making a Variation under Section 13, the members of the authority shall be restricted to considering the proper planning and sustainable development of the area to which the Development Plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.

Q.107 COUNCILLOR AODHÁN Ó'RIORDÁIN

To ask the Manager to develop proposals for planting/landscaping at (**details supplied**)

CITY MANAGER'S REPLY:

This request involves street tree planting. At present the footpaths are too narrow to accommodate planting.

The Cabra Area Office has requested the Traffic Division to identify what measures can be taken at details supplied, to facilitate tree planting.

Q.108 COUNCILLOR AODHÁN Ó'RIORDÁIN

To ask the Manager for an update on the installation of a pedestrian crossing at Laurence Place East, Seville Place, Dublin 1.

CITY MANAGER'S REPLY:

The pedestrian crossing at Laurence Place East will be provided as part of the current Seville Place improvement works in the coming months.

Q.109 COUNCILLOR BRENDAN CARR

To ask the Manager to ensure that (**Details Supplied**) is swept on a regular basis

CITY MANAGER'S REPLY:

Waste Management Services had **(details supplied 1)** scheduled to be swept and cleaned on Monday 28th January 2008. We will ensure that **(details supplied 1)** is scheduled to be cleaned every Thursday after the refuse collection has taken place there. Waste Management Services have **(details supplied 2)** scheduled to be cleaned five days a week, Monday to Friday.

Q.110 COUNCILLOR BRENDAN CARR

To ask the Manager to hold a public meeting in relation to the traffic proposals for **(details supplied)** prior to any decision being made on the matter.

CITY MANAGER'S REPLY:

A report on the outcome of the survey of residents on **(details supplied)** will be brought to a future Central Area Committee and a decision can be made at the meeting how to proceed forward on the matter.

Q.111 COUNCILLOR BRENDAN CARR

To ask the Manager to carry out a safety audit at **(details supplied)** and to develop proposals for improving the area

CITY MANAGER'S REPLY:

The Area Traffic Engineer carried out a safety assessment on **(details 1)** on 30 January 2008. During the site visit the following was noted:

1. Both footways are wide enough to cater for the volume of pedestrians.
2. The roadway is wide enough for two-way traffic with no evidence to indicate that there would be difficulty for larger vehicle to access the road.
3. Traffic calming in the form of two speed ramps exist on the road.
4. There is evidence of illegal parking on the footway, which will be brought to the attention of the parking enforcement officer.

There are no recommendations for improving the safety on the road following this assessment.

Q.112 COUNCILLOR BRENDAN CARR

To ask the Manager if he will resurface the road on **(details supplied)** and also reinstate areas of the footpath which have been dug up on several occasions and poorly tarmacadamed.

CITY MANAGER'S REPLY:

Waterworks have recently carried out substantial works at this location. They have carried out temporary reinstatements on all openings. Road maintenance will carry out permanent reinstatement commencing in approx. 8 weeks. This work will involve concreting the openings in the footpaths and laying Asphalt on the excavated trenches.

Q.113 COUNCILLOR ANDREW MONTAGUE

Will the Manager provide a permanent solution for the poor quality fencing at **(details supplied)**. The current fences keep blowing away and they need to be replaced with more sturdy fencing or a wall

CITY MANAGER'S REPLY:

The following reply was received from Ballymun Regeneration Limited.

"The rear boundary being provided in replacement houses in Ballymun consists of concrete post and timber panel inserts to BS1722: Part 11, instead of a post and wire boundary fence. In some instances the timber panel has not been robust or sturdy enough and have been damaged by strong winds. The fencing at (details supplied) will be examined and replaced as necessary."

Q.114 COUNCILLOR ANDREW MONTAGUE

The grassed area at the bottom of Shanrath Road beside Shantalla Road is in poor condition and has become a site for dumping. Will the Manager clean it up and landscape it properly?

CITY MANAGER'S REPLY:

The grassed area at Shanrath Road has been cleared of the items that were dumped on it.

The Dublin Port Tunnel Project Office has instructed the Contractor to complete the landscaping as part of the ongoing landscape maintenance programme.

Q.115 COUNCILLOR ANDREW MONTAGUE

Will the Manager replace the pedestrian crossing at the east end of Shantalla Bridge - at the site of the small roundabout at the entrance to Shantalla Road?

CITY MANAGER'S REPLY:

There is no record/evidence of a signalised pedestrian crossing having existed at this location. There is a pedestrian crossing on Shantalla Road outside the shops to the east of the roundabout at the bridge.

The request for a pedestrian crossing, at the east end of Shantalla Bridge - at the site of the small roundabout at the entrance to Shantalla Road, will be referred to TAG for examination.

Q.116 COUNCILLOR ANDREW MONTAGUE

Will the Manager sort out the flooding/drainage issues in the back garden of **(details supplied)**

CITY MANAGER'S REPLY:

The snagging of the details supplied is due to commence this week. This issue will be dealt with as part of the snag list for this address.

Q.117 COUNCILLOR CLARE BYRNE

Could the City Manager please give details as to how many landlords to date have subscribed to the RAS scheme in the following locations:

- South West Inner City Ward
- Crumlin/Kimmage Ward
- Ballyfermot Ward

CITY MANAGER'S REPLY:

This information requested is currently unavailable as the RAS I.T. system does not issue generic reports per Area. It is proposed to have RAS information available per Area but unfortunately this system is not in place in time for this reply. However the information requested is available for the whole Dublin City Council Area.

The number of RAS applications received is approximately 1,700 from the private rented sector and approximately 500 from the Voluntary Bodies Sector since the Rental Accommodation Scheme commenced.

As at December 2007 there were approximately 1,000 households signed up to the Rental Accommodation Scheme. Approximately 520 of these households were in the private rented sector.

There are approximately 1,200 households assessed as eligible and on the RAS waiting list. It should be noted that there are currently 6,700 households who are 18 months or more in receipt of rent supplement within the City Council Area and it is thought these households will also qualify for the RAS Scheme.

Q.118 COUNCILLOR CLARE BYRNE

Could the City Manager please indicate how many social housing schemes will be built in the South Central Area for the period 2008-2009?

CITY MANAGER'S REPLY:

The social housing schemes planned and in progress during 2008/2009 are outlined below.

In addition, it is anticipated that the development at St Michael's Estate will start in 2008.

**SOCIAL HOUSING PROGRAMMES
PLANNED / IN PROGRESS**

DEVELOPMENT	NO. OF UNITS	PROPERTY TYPE	CURRENT STATUS
BULFIN ROAD, INCHICORE	9 3 x 1 BED APT 2 x 2 BED APT 1 x 2 BED 2 STOREY HOUSE 3 x 3 BED 2 STOREY HOUSE	APARTMENT / HOUSE	IN PROGRESS. COMPLETION EXPECTED IN APRIL 2008
CLADDAGH GREEN / BLACKDITCH, BALLYFERMOT	92 (79 S/C UNITS, COMM FACILITIES, AND 13 SOCIAL UNITS IN 2- STOREY HOUSES) 68 x 1 BED 15 x 2 BED 9 x 3 BED	APARTMENT / HOUSE	IN PROGRESS. 13 SOCIAL UNITS COMPLETED OCTOBER 2007 30 S/C TO BE COMPLETED FEBRUARY 2008 49 S/C TO BE COMPLETED JULY/AUGUST '08.
MOYCULLEN ROAD, BALLYFERMOT	2 2 x 3 BED	HOUSE	IN PROGRESS. COMPLETION EXPECTED IN JANUARY/FEBRUARY 2008.
TIMBERYARD, CORK STREET	47 12 x 1 BED 30 x 2 BED 5 x 3 BED	APARTMENT	IN PROGRESS. COMPLETION EXPECTED IN AUGUST 2008

DEVELOPMENT	NO. OF UNITS	PROPERTY TYPE	CURRENT STATUS
RALEIGH SQUARE, CRUMLIN S/C	25 S/C UNITS 6 2-BED AND 19 1- BED	APARTMENT	PART 8 APPLICATION BEING PREPARED SCHEME PRESENTED TO AREA IN DECEMBER 2007.
RAFTERS ROAD, CRUMLIN (3 NEW, 1 REFURBISHED)	3 3 x 1 BED	HOUSE	CURRENTLY WORKING ON DRAWINGS. TARGET TO GO ON SITE APRIL '08

DEVELOPMENT	NO. OF UNITS	PROPERTY TYPE	CURRENT STATUS
CHAMBER COURT / WEAVER COURT	62		PART 8 FOR DEMOLITION HAS BEEN APPROVED BY THE CITY COUNCIL. DEMOLITION ON HOLD PENDING RE-HOUSING OF REMAINING TENANTS.
GARDEN COURT	25	APARTMENT	SCHEME BEING DISCUSSED WITH PLANNERS. ON HOLD DUE TO MASTERPLAN.
CORNAMONA COURT	90 80 x 1 BED 10 x 2 BED	APARTMENT	PART 8 DEMOLITION AGREED AT APRIL COUNCIL MEETING. PRESENTATION OF PROPOSAL TO AREA COMMITTEE JULY 2007. PROCEEDING TO PART 8 IN EARLY 2008.
WALKINSTOWN SHOP SITE	8 1 x 1 BED 2 x 2 BED 5 x 3 BED	APARTMENT	DRAFT DESIGN BEING PREPARED..
ST MICHAEL'S PPP	70 UNITS	HOUSE/APARTMENT	TARGET START 2008

Q.119 COUNCILLOR CLARE BYRNE

Could the City Manager please indicate when the following roads will be resurfaced:

- Ceannts Fort
- South Terrace, Inchicore
- Murrays Cottages

CITY MANAGER'S REPLY:

There are no plans to resurface these roads in 2008. Any repairs necessary to maintain these roads in a safe condition will be carried out over the next 4 months.

Q.120 COUNCILLOR CLARE BYRNE

Could the City Manager examine **(details supplied)** for the provision of bay parking?

CITY MANAGER'S REPLY:

This part of SCR was recently examined with view to providing indented parking bays. However, it was found not to be possible to provide parking bays on the west side of the road due to the presence of services just below the surface of the footpath in front of Spar and the other businesses.

Q.121 COUNCILLOR DECLAN FLANAGAN

Could the City Manager repair the footpaths along **(details supplied)**. The paths are in dire need of improvement, as there are cracks/dips and a number of older people have had falls.

CITY MANAGER'S REPLY:

Sections of **(details supplied)** are on the 2008 Works Programme for repair.

If the Councillor can give specific locations Road Maintenance will inspect these locations and repair if necessary.

Q.122 COUNCILLOR DECLAN FLANAGAN

Can the City Manager arrange for the repair of the uneven footpath outside **(details supplied)**?

CITY MANAGER'S REPLY:

Repairs at **(details supplied)** will be carried out in the next 6-8 weeks.

Q.123 COUNCILLOR DECLAN FLANAGAN

Can the City Manager arrange for the cutting back and pruning of the trees near **(details supplied)**?

CITY MANAGER'S REPLY:

The roadside trees in the vicinity of **(Details supplied)** have been inspected by Parks & Landscape Services Division. These trees are considered to be in a satisfactory condition and are not considered to require pruning operations at this time.

Q.124 COUNCILLOR DECLAN FLANAGAN

Can the City Manager provide an update regarding the laneway at **(details supplied)**? The residents have requested the installation of anti-climbing devices.

CITY MANAGER'S REPLY:

This laneway is in charge of Dublin City Council however it is backed onto by private property and therefore Dublin City Council would not be in a position to install anti-climbing devices.

APPENDIX B

LOCAL FUND FINANCIAL STATEMENT

LOCAL GOVERNMENT ACT 2001

1 DECEMBER - 31 DECEMBER 2007

Balance	Debit		76,974,204
Payments during period		201,893,133	
Receipts during period		256,057,353	
Difference	Credit		54,164,220
Balance	Debit		<u>22,809,984</u>

The above analysis sets out the movement between payments and receipts over the period 1st December 2007 to 31st December 2007. Total receipts amounted to € 256.0m with payments of €201.9m, leaving a net Receipts difference of €54.1m.

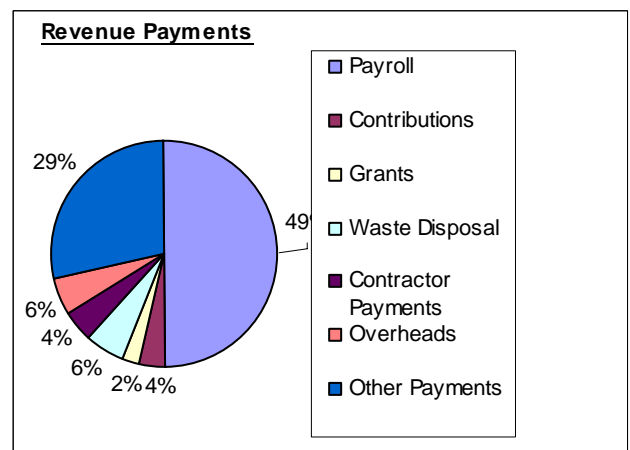
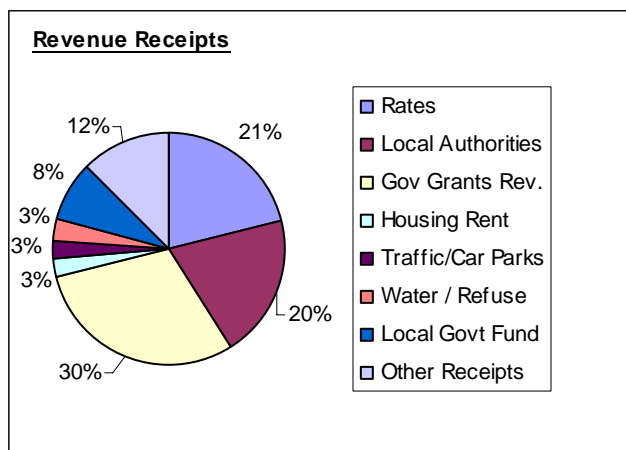
The bank balance at 31st December of €22,809,984 O/D may be adjusted when the final bank reconciliation is completed for the Year End 2007.

Analysis of Revenue Receipts & Payments December 2007

Receipts	%	This period	31/12/2007	Payments	%	This period	31/12/2007
Rates	21.17%	15,549,570	281,006,808	Payroll	50.41%	43,200,333	444,326,724
Housing Rent	2.59%	1,904,097	40,783,653	Contractor Payments	4.19%	3,594,797	36,866,402
Shared Ownership	2.46%	1,809,581	26,201,492	Local Authorities	5.55%	4,759,369	44,351,947
Other Housing Receipts	6.16%	4,523,516	40,300,670	Grants	2.47%	2,120,957	31,753,026
Gov Grants Rev.	29.99%	22,027,528	117,522,319	Rent/Rates	2.71%	2,321,150	18,013,860
Water/Refuse	2.94%	2,161,048	37,259,302	Fees Payable	0.39%	332,058	12,935,496
Local Gov Fund	8.47%	6,225,458	114,851,741	Overheads	5.62%	4,817,278	61,417,237
Traffic/Car Parks	2.53%	1,859,023	36,112,645	Computer Purch/Maint	1.01%	865,564	11,874,361
Clamping	0.61%	450,600	4,496,122				
Local Authorities	19.85%	14,578,406	119,494,109	Contributions	3.86%	3,306,888	48,254,690
Superannuation	2.14%	1,572,010	12,002,720	Utilities	2.56%	2,197,123	24,680,583
Other Debtors	-1.61%	-1,184,038	46,409,974	Vehicle Equipment Hire	1.86%	1,592,721	22,926,560
Planning Fees	0.88%	648,656	5,126,515	Equipment Vehicle/Materials	3.83%	3,283,360	31,193,993
City Estate Rental	1.73%	1,268,815	6,553,679	Waste Disposal	5.96%	5,110,364	52,334,743
Administration	0.09%	65,437	44,303,821	Stores	1.46%	1,250,729	18,265,874
Total Receipts	100.00%	73,459,708	932,425,570	Personal/Property Awards	1.69%	1,445,756	23,212,504
				Site Clearance	1.74%	1,488,111	9,004,504
				Installations	1.21%	1,039,045	17,030,217
				Relocation of Utilities	0.03%	22,127	4,060,678
				Insurance	0.10%	89,166	5,934,755
				Clamping	0.95%	817,623	7,816,174
				Administration	2.39%	2,044,656	36,611,912
				Total Payments	100.00%	85,699,176	962,866,241

Revenue receipts for the period amounted to €73.5m with Revenue Payments of €98.6m. Included in Revenue receipts are Government Grants of €22.0m including Homeless Policy €13.0m and Dept of Education re VEC Recoupment €2.1m.. Local Authority receipts of €14.6m relate to Fire Brigade Services €6.9m, Water Accounts €0.7m, Cleansing €3.9m and Sewers €2.7m.

Included in the Revenue Payments is €43.2 for Payroll.



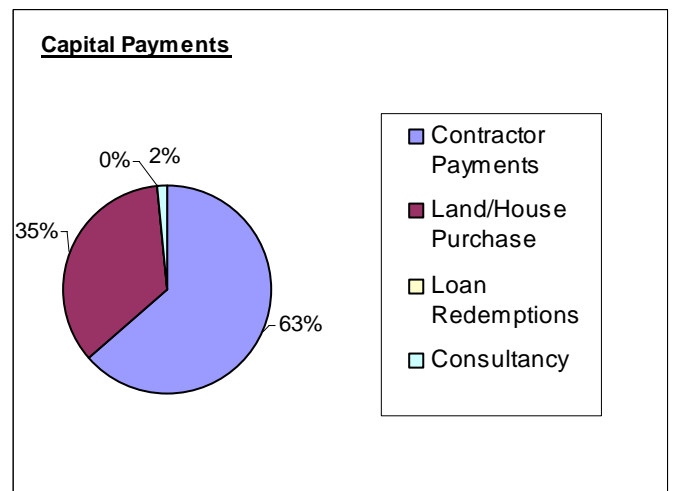
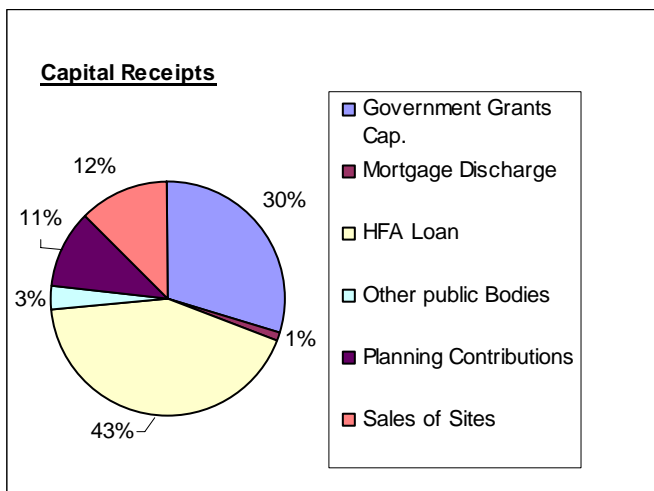
Analysis of Capital Receipts & Payments December 2007

Receipts	%	This period	Cumulative to 31/12/2007	Payments	%	This period	31/12/2007
Mortgage Discharge	1.10%	2,003,581	57,899,448	Contractor Payments	57.10%	66,341,396	358,804,064
Government Grants Cap.	29.84%	54,494,356	310,806,600	Land/House Purchase	31.32%	36,393,262	294,588,090
Other Public Bodies	3.44%	6,283,844	23,595,099	Agreed Claims Award	10.05%	11,676,500	23,357,069
Planning Contributions	10.90%	19,900,833	68,238,000	Consultancy	1.53%	1,782,799	47,484,687
HFA Loan	42.32%	77,272,488	387,719,820	Loan Charges/Redemptions	0.00%	-	137,344,666
Sale of Sites/Apartments	12.40%	22,642,543	70,763,231				
Total Receipts	100.00%	182,597,645	919,022,198	Total Payments	100.00%	116,193,957	861,578,575

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Capital receipts for the period amounted to €183.3m with capital payments of €105.0m. Capital Grants received were €54.5m, of which €16.6m related to grants under Housing Schemes and €35m related to Water & Sewer Works.

Included in Contractor Payments of €78m are €27m relating to Housing €26m relating to Water & Sewers and payment of .€11.7m relating to the Dublin Bay Project.



Kathy Quinn

Head of Finance