

## COMHAIRLE CATHRACH BHAILE ÁTHA CLIATH



Miontuairiscí Chruinniú Miosuil a tionóladh ar an **11 Meitheamh** 2007 i Seomra na Comhairle, Halla na Cathrach, Cnoc Chorcaí ag 6.45 i.n.

I Láthair an tArdmheara, An Comhairleoir Vincent Jackson sa chathaoir.

### **Comhairleoir:**

Maurice Ahern  
Charlie Ardagh  
Paddy Bourke  
Tom Brabazon  
Gerry Breen  
Christy Burke  
Clare Byrne  
Eibhlin Byrne  
Eric Byrne  
Julia Carmichael  
Brendan Carr  
Anne Carter  
Joan Collins  
Michael Conaghan  
Ray Corcoran  
Emer Costello  
Paddy McCartan

### **Comhairleoir :**

Michael Donnelly  
Paschal Donohoe  
Daithi Doolan  
Dessie Ellis  
Mary Fitzpatrick  
Declan Flanagan  
Killian Forde  
Mary Freehill  
John Gallagher  
Brian Gillen  
Wendy Hederman  
Deirdre Heney  
Kevin Humphreys  
Nicky Kehoe  
Liam Kelly  
Sean Kenny  
Dermot Lacey

### **Comhairleoir**

Bronwen Maher  
Sean Paul Mahon  
Ann Marie Martin  
Louise Minihan  
Andrew Montague  
Mary Murphy  
Críona Ní Dhálaigh  
Naoise O'Muirí  
Aodhán Ó'Riordáin  
Larry O'Toole  
Oisín Quinn  
Michael Rafferty  
Robert Sargent  
Tom Stafford  
Bill Tormey

### **Oifigigh**

John Tierney  
Philip Maguire  
Matt Twomey  
Brendan Kenny  
Ciaran Murray

Kathy Quinn  
Terence O'Keeffe  
Ciaran McNamara  
Vincent Norton  
Michael Stubbs

Tim O'Sullivan  
Antoinette Power  
Mary Conway  
Hugh Fitzpatrick

### **Gnó an t-Ardmheara**

1. The City Council agreed, at the request of the Lord Mayor to adopt the following motion without debate "That due to the huge value the Citizens of Dublin place on the Round Room of the Mansion House that Dublin City Council considers taking back

this wonderful facility to allow the ordinary citizens an opportunity to once again use the facility for Arts, Cultural and Social Affairs.

The loss of the Round Room has left a large vacuum in the city and when the current lease is up we should once again bring this historic venue under full public ownership/usage”

Can this be noted on your Disposal file in relation to public rooms in the Mansion House so that it can be considered shortly before the present lease is due to expire.”

2. Submitted Report No. 289/2007 (*Lord Mayor*) - Lord Mayor's Youth Initiative 2007. It was moved by the Lord Mayor and seconded by Cllr. D. Lacey "That Dublin City Council notes the Lord Mayor's Youth Initiative 2007" The motion was put and carried.
3. Ceisteanna fé Bhuan Ordú Úimhir 16 - It was moved by Councillor B. Maher and seconded by Councillor C. Burke "That Dublin City Council approves of the Dublin City Manager answering the questions lodged". The motion having been put and carried, written answers to the 106 questions lodged for the City Council meeting of the 11<sup>th</sup> June 2007 were issued. The Questions and Answers are set out in **Appendix A** attached.
4. Submitted Letter dated 26<sup>th</sup> April 2007 from Limerick County Council conveying the terms of a resolution passed at their April Meeting calling on the Minister for Education to accept responsibility for the sexual abuse of children by teachers and not pursue the victims for compensation who seek redress through the courts. It was moved by Councillor K. Humphreys and seconded by Councillor D. Lacey "That Dublin City Council notes the contents of this letter" The motion was put and carried.
5. Submitted Letter dated 22<sup>nd</sup> May 2007 from Department of Social and Family Affairs in response to a motion agreed at the April Meeting of City Council concerning Section 24 (3b and 3c) of the Social Welfare and Pensions Bill 2007. It was moved by Councillor K. Humphreys and seconded by Councillor D. Lacey "That Dublin City Council notes the contents of this letter" The motion was put and carried.
6. Submitted Letter dated 30<sup>th</sup> May 2007 from Department of the Environment, Heritage and Local Government in response to a motion from May Meeting of City Council calling on the Minister for the Environment to update the dog control legislation of 1998 so that an outright ban be applied to certain dangerous breeds such as pit-bull terriers. It was moved by Councillor K. Humphreys and seconded by Councillor D. Lacey "That Dublin City Council notes the contents of this letter" The motion was put and carried. During a short debate on this Item it was agreed by Mr. B. Kenny, Assistant City Manager that a copy of the tenancy agreement would be sent to all Dublin City Council tenants drawing their attention to the tenancy conditions in relation to the keeping of dogs.
7. The minutes of the Monthly Meeting held on the 8<sup>th</sup> May 2007, having been printed, certified by the Meetings Administrator, circulated to the Members and taken as read, were signed by the Lord Mayor. Under this Item Councillor D. Lacey raised the matter of the compensation package that had been agreed between the IRFU and the relevant householders as part of the disposal and grant of right of way terms and conditions between the IRFU and Dublin City Council (Item No. 18 of the minutes) Councillor Lacey said that the IRFU had requested the residents to sign a form indicating that they were accepting the compensation in full and final settlement of all such claims in respect of the development of the Stadium. He added that the

compensation package agreed was not conditional on any such requirement. Mr. M. Stubbs, Assistant City Manager undertook to arrange a meeting between the IRFU and local Councillors to address the matter.

8. Submitted Monthly Financial Statement circulated in accordance with the Local Government Act 2001. It was moved by Councillor M. Donnelly and seconded by Councillor K. Forde "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. 238/2007 of the Dublin City Manager in compliance with Section 179 of the Planning & Development Act 2000 and the Planning & Development Regulations, 2001 Part 8: Provision of improved pedestrian/cyclist facilities across the existing Anna Livia Bridge (Recorded Monument) spanning the River Liffey in Chapelizod, Dublin 20. It was moved by Councillor M. Conaghan and seconded by Councillor C. Ardagh "That Dublin City Council notes the contents of Report No 238/2007" The motion was put and carried. Under this Item Councillor M. Conaghan raised the proposal for two pedestrians footbridges and asked for consideration to be given to having just one pedestrian footbridge. It was agreed that a report would be submitted to the South Central Area Committee in relation to that matter.
10. Submitted Report No. 251/2007 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: Ratoath Road Improvement Works – section of Ratoath Road from Kilshane Road junction to Ratoath Avenue junction, Finglas, Dublin 11. It was moved by Councillor N. Kehoe and seconded by Councillor D. Ellis "That Dublin City Council notes the contents of Report No 251/2007" The motion was put and carried. Under this Item Councillor D. Ellis asked the City Manager to consider the re-opening of Dunsink Lane to through traffic as its closure was, he said, causing massive traffic problems in that area. It was agreed that a report would be submitted to the North West Area Committee on that issue.
11. To appoint a suitable person as a member of Dublin City Council to replace former Councillor Tony Smithers and the appointment of a member to fill a vacancy on each of the following boards/committees following his resignation. It was proposed by Councillor C. Burke and seconded by Councillor L. O'Toole "That Dublin City Council approves the co-option of Ms Louise Minihan as a member of the City Council and approves the appointment of Ms Louise Minihan as a member to the following boards/committees:
  - Ballyfermot Partnership
  - Board of the Royal Irish Academy of Music
  - Dublin-Mid Leinster Regional Health Forum
  - Housing, Social & Community Affairs Strategic Policy Committee
 and also appoints Councillor L. O'Toole to represent Dublin City Council on the Board of Dublin Regional Authority". The motion was put and carried. The Lord Mayor, Group Leaders and the City Manager congratulated Councillor Minihan on her co-option and welcomed her to the City Council. Councillor L. Minihan then took her seat.

Before dealing with the remaining co-options the Lord Mayor informed the Council that he had received a letter from former Councillor Catherine Byrne T.D. addressed to him, her colleagues and staff of City Hall, the contents of which he said, he wished to read out to the meeting (Letter reads as follows):

*I wish to thank you and the members and staff of the City Council for your support, courtesy and friendship over the past seven years.*

*When elected in 1999 to represent the people of the South West Inner City, I entered the Council Chamber with equal degrees of apprehension and excitement. I was quickly put at ease by my party colleagues and other council members across party lines. Your friendship and the experience I gained these past seven years as a city councillor will support and guide me as I enter Dail Eireann as a newly elected member.*

*I wish to express my sincere gratitude to the Manager and staff for the manner in which I was accommodated during my year in office as Lord Mayor. Your guidance and support enabled me to carry out my duties with confidence and dignity. Joe and our children will treasure the memories of my year as Dublin's First Citizen.*

*I gratefully extend my appreciation to you all: though I will miss the council, I know I have made lifelong friendships.*

*I thank my colleagues in the South West Inner City, Councillor Criona Ni Dhalaigh and Councillor John Gallagher. John you are a remarkable gentleman! I thank you for your wisdom and friendship.*

*With every good wish"*

*Signed Catherine Byrne T.D.*

The Lord Mayor then congratulated Deputies Andrews, Byrne, Creighton and Flanagan (all of whom were present in the Chamber) on their election to Dail Eireann and he commiserated with the other Councillors who had stood for election.

12. To appoint suitable persons to be members of the City Council to replace Mr. Chris Andrews, Ms. Catherine Byrne, Ms. Lucinda Creighton and Mr. Terence Flanagan following their election to Dáil Eireann and the appointment of a member(s) to each of the boards/committees on which their election created a vacancy.
13. It was proposed by Councillor G. Breen and seconded by Councillor K. Humphreys "That Dublin City Council approves the co-option of Ms. Clare Byrne, Mr. Paddy McCartan and Mr. Declan Flanagan as members of the City Council to fill the vacancies caused by the election of Deputy Byrne, Creighton and Flanagan respectively and also approves their appointment as a member to each of the boards/committees of which their predecessor was a member with the exception that Cllr. Clare Byrne be appointed to the Board of the Royal Irish Academy of Music." (as set out hereunder) The motion was put and carried.

The Councillors appointed to these committees/boards are listed hereunder :-

| <b>Committee/Board</b>  | <b>Appointee</b>                                    |
|---|---|
| Board of the Royal Irish Academy of Music                           | Councillor Clare Byrne                              |
| Dublin Regional Authority   | Councillor Clare Byrne<br>Councillor Paddy McCartan |
| Dublin-Mid Leinster Regional Health Forum                           | Councillor Clare Byrne                              |
| Housing, Social & Community Affairs Strategic Policy Committee      | Councillor Clare Byrne                              |
| Arts, Culture, Leisure and Youth Affairs Strategic Policy Committee | Councillor Clare Byrne                              |
| Board of the Royal Hospital, Donnybrook                             | Councillor Paddy McCartan                           |

|   |                            |
|---|----------------------------|
| City of Dublin VEC  | Councillor Paddy McCartan  |
| Dublin City Council Joint Policing Committee  | Councillor Paddy McCartan  |
| Financial Development and General Strategic Policy Committee  | Councillor Declan Flanagan |
| Association of County and City Councils ( <i>formerly known as General Council of County Councils</i> ) | Councillor Declan Flanagan |
| Irish Lights Board  | Councillor Declan Flanagan |
| Kilmainham Inchicore IAP Monitoring Committee   | Councillor Clare Byrne     |
| Liberties Coombe Integrated Area Plan Monitoring Committee  | Councillor Clare Byrne     |
| Board of National Maternity Hospital, Holles Street   | Councillor Paddy McCartan  |
| South Inner City Local Drugs Task Force   | Councillor Paddy McCartan  |
| Southern and Eastern Regional Assembly  | Councillor Clare Byrne     |
| Temple Bar Cultural Trust   | Councillor Paddy McCartan  |
| Transportation and Traffic Strategic Policy Committee   | Councillor Paddy McCartan  |

It was noted that the 2 vacancies listed on the Agenda Paper for the Financial Development and General SPC should have been listed as 1 vacancy and that the other vacancy should have been listed for the Housing, Social and Community Affairs SPC, as former Councillor Catherine Byrne had been a member of that SPC (not the Financial Development and General SPC.) The City Council agreed at the request of the Fianna Fail Group to defer consideration of the cooption to fill the vacancy created by the election of Deputy Andrews, The Lord Mayor, Group Leaders, Councillors Martin, Eric Byrne, Hederman, Maher, Lacey, O'Toole and the City Manager congratulated the 4 new Councillors, the four former Councillors on their election to Dail Eireann and commiserated with the other Councillors who had stood for election.

14. Submitted Report No. 231/2007 of the Chairperson of the Traffic and Transportation Strategic Policy Committee (*S. Kenny*) – With Reference to Draft Bye-laws Titled “Dublin City Council Parking Control Bye-laws”. It was moved by Councillor S. Kenny and seconded by Councillor C. Burke “That Dublin City Council notes the contents of Report No 231/2007 and hereby resolves to make the following Bye-laws “Dublin City Council Parking Control Bye-laws”. The motion was put and carried. Following a number of comments made by Councillors in relation to Parking Bye Laws, Mr. T. O’Sullivan, Executive Manager informed the Council that all aspects of the Parking Bye laws would be reviewed at a later date and he also agreed that the Bye laws relating to Skips would be considered along with that review.
15. Submitted Report No. 237/2007 of the Assistant City Manager (*P. Maguire*) – Art Bursaries 2007. It was moved by Councillor C. Burke and seconded by Councillor N. O’Muirí “That Dublin City Council approves proposed Art Bursaries 2007 as set out and recommended in Report No 237/2007” The motion was put and carried.
16. The City Council agreed to take the following three Items, standing at Item Nos. 14,15 and 36 respectively on the Agenda Paper, next and together- (1) Submitted

Report No. 242/2007 of the Assistant City Manager (*M. Stubbs*) –Ballsbridge Draft Local Area Plan – Report on Submissions from Public Display, (2) Submitted Report No. 243/2007 of the Assistant City Manager (*M. Stubbs*) – Proposed Draft Variation No. 17 to Dublin City Development Plan 2005-2011 (Sites at Ballsbridge, Dublin 4) and (3) the following motion “Recognising that Dublin City Council has already rejected a proposal to designate Ballsbridge as a PUC and recognizing the negative impact of an intensification of development in Ballsbridge, a predominantly residential area, this Committee:

- 1) rejects the proposed change in zoning of sites as indicated on page 48 of the Ballsbridge Draft Local Area Plan from Z1 and Z6, to Z10, as this would facilitate over-development in Ballsbridge.

And this Committee:

- 2) rejects the Ballsbridge Draft Local Area Plan in its entirety as: the change in the zoning contained therein would facilitate over-development, it fails to have regard to the character and conservation status of the area and, other provisions contained therein would have a detrimental impact on the environment of the area.

And this Committee:

- 3) acknowledges that the Dublin City Development Plan 2005- 2011 is the appropriate Framework for Planning and Development in the area.”

Ms. Mary Conway, Senior Planner then made the following presentation to the City Council in relation to the proposed Ballsbridge Draft Area Plan:

“Ballsbridge has a very distinctive and attractive character and identity. This character, however, is made up of several different and contrasting elements on the one hand – you have;

- the major cultural, leisure and commercial institutions that dominate the core of Ballsbridge
- and on the other hand
- there is the network of architecturally distinctive residential streets that forms the hinterland of Ballsbridge.
- Both of these elements also benefit from the area’s rich natural heritage that can be seen and experienced in the Herbert Park and along the Dodder River.

The aim or purpose of the Plan is to maintain a balance between these various elements, by protecting and building on the area’s obvious strengths while simultaneously addressing existing weaknesses. In this regard the plan outlines a vision for the future development and enhancement of Ballsbridge, in particular for:

- The nurturing and development of the key institutions in the area, which are important economic, social and cultural assets not just for Ballsbridge but for the whole of Dublin City
- The protection and enhancement of the natural and built heritage of the area including its valuable building stock, the Dodder River and Herbert Park
- The radical improvement of the area’s public domain – its streets and public spaces
- The provision of high quality neighbourhood facilities including shopping, community and cultural facilities.

In this context, the Plan has had to acknowledge that there are a number of key development sites in the area, that have the potential, if appropriately redeveloped, to contribute significantly to the realisation of this vision.

The Plan provides guidelines for the future development of these major sites in order to ensure that any new development contributes positively to the enhancement of the Ballsbridge area and to its economic, social, cultural and physical character.

### **The Making of the Plan**

Following a pre-draft consultation process, the Plan went on public display on 30<sup>th</sup> January for a period of 6 weeks. An omission in the original public notice required the display period to be extended for a further 6 weeks to the 1<sup>st</sup> May 2007.

In total 266 submissions were received, raising a wide range of issues. Some of the submissions expressed support for the draft local area plan and for significant elements in the plan, while others objected to the plan in principle or to key elements.

The Manager's Report addresses all of the issues raised in each of the 266 submissions, resulting in a very long and complex report.

In brief, 30 main issues were identified, however a number of these issues attracted more attention than others including building height, plot ratio and intensification, rezoning, removal of trees, the provision of shopping and street network/building line. It should be noted that the submissions contain many opposing views on the key issues, reflecting the diverse views held by the residents and key stakeholders / interest groups in the area.

### **Key Issues - Recommendations**

#### **Building Height**

There were no major objections to the general heights across the proposed across the Ballsbridge area i.e. 4/6/8 on the major sites - as in some instances - these heights already correspond to the established heights on site – as on the Jury's / Berkeley sites.

However, many of the submissions expressed concern over the height of buildings on the designated landmark sites – that is the 2 local landmarks on Shelbourne Road and the single district landmark on Pembroke Road.

In the interest of clarity and in order to address the concerns raised – the report recommends that the Ballsbridge Draft Local Area Plan be amended to state:

The anticipated maximum height for local landmarks is 10-12 storeys  
The anticipated maximum height for the district landmark is c.16 - 20 storeys i.e. no more than twice the standard height of the adjoining cluster (8-10 storeys)

#### **Plot Ratio/Intensification**

While many of the submissions suggested that any proposal to facilitate plot ratios in excess of 2.0 –2.5 would be excessive and damaging to the character of the area, other submissions requested that there should be no upper limit. In summary, the report concludes that:

- The purpose of the Plan is to provide a planning framework for Ballsbridge – however, this framework must sit within the context of the DCDP which in turn must have regard to a hierarchy of national and regional plans – all of these plans are underpinned by a central tenet which is to consolidate the city and existing urban areas and optimise the development potential of finite serviced urban lands such as those identified in the draft plan
- It has been established that the major development sites A and B – Pembroke Road and Merrion Road - have the capacity to comfortably accommodate building volume in excess of 2.5 and up to an anticipated maximum of 4.0 while keeping within the 'building envelope' for the major development sites, (i.e. within the prescribed building lines and heights).
- Any proposals in excess of the indicative plot ratio of 2.5 must demonstrate that they are of exceptional architectural and urban design quality, must increase Dublin's competitive edge and must be balanced by community and environmental benefit i.e. planning gain, hence providing an opportunity to enhance and benefit the wider Ballsbridge area.

In the light of the above, no changes to the draft plan are recommended on the provisions relating to plot ratio and intensification.

### **Rezoning**

A number of concerns were raised relating to rezoning – the actual legal process adopted and the implications of rezoning i.e. promoting intensification of land use.

#### Legal Process

It is a specific objective of Section 07.1 of the Draft Local area Plan to “rezone potential development sites as Z10 Inner Suburban (Mixed Use).

The Planning Acts clearly require two separate legal processes to be carried out for (1) the making of a local area plan and (2) a variation to the development plan to determine the land zoning.

Since two separate processes were required, it was considered essential to stagger the public displays because of differences in time scale set down in the planning acts and the obvious need of the elected members to consider the two proposals concurrently. This 'staggering' of the time scales has made this possible and will ensure that the elected members will now be able to consider the two proposals together and at the same council meeting.

#### Intensification

It is acknowledged that mixed-use developments as promoted by the BDLAP and facilitated by the proposed rezoning have the potential to generate greater densities and intensive activity.

However, as I stated earlier - any proposals for high density developments must demonstrate that they are of exceptional architectural and urban design quality and must be balanced by community and environmental benefit i.e. planning gain.

**However, it must be emphasised that the rezoning constitutes a separate legal process – any amendments to the rezoning must be considered under the Variation to the Development Plan.**

## Trees

A large number of the submissions raised the issue of trees and in particular the preservation/removal of trees on Lansdowne Road. In light of the submissions received and the importance of the trees to the streetscape, the following amendments to the text and drawings of the Plan are proposed;

Any proposal for the removal of trees will only be given consideration if the proposal clearly demonstrates that all the following criteria are met:

- The development makes an outstanding contribution to the creation of a dynamic and integrated urban quarter of quality and distinctive.
- The development releases /achieves a new “design energy” in the form of outstanding urban architecture
- The development delivers a highly permeable **public** realm
- The development responds to the scale and character of Lansdowne Road
- The development incorporates a significant tree planting programme that provides for the “greening” of the major development sites and environs.

It is also recommended that the text be amended to state that trees shall form a central compositional element in the two new public spaces – ‘Botanic Square’ and ‘Lansdowne Place’ – i.e. the proposed public spaces at the corner of Pembroke and Lansdowne and Shelbourne and Lansdowne

## Provision of Shopping

A very diverse range of views on shopping were submitted – with many expressing support for the provision of some additional shopping

Ballsbridge is recognised as a District Centre in the existing Dublin City Development Plan. Therefore the quantum of shopping that is open for consideration should equate to a district centre. The Development Plan/ Retail Strategy states that this quantum should be in the region of 10 -12,00 square metres, and in any event - not exceeding 20,000 sq.m. The Draft Lap proposes to keep the retail floor area within the more modest figure of 10-12,00 - and hence is entirely consistent with existing Development Plan policy

## New Street Network / Building Line

In the interest of clarity, it is proposed to delete the references to negotiable and non-negotiable building lines from the text and drawings in the Plan. It is also recommended that further amendments be made to the text in recognition of the need to provide for high levels of permeability through the two major development areas. In this regard, it is recommended that the character of the main cross streets be described in greater detail together with an accompanying statement on the Secondary Street Network.

## In Conclusion

The Ballsbridge Draft Local Area Plan sets out a vision for the Ballsbridge Area - a vision that seeks to protect and nurture its special character while providing for long-term sustainable and co-ordinated growth.

The Plan provides for a co-ordinated development approach between the various development sites through the creation of network of new and enhanced streets and

public spaces together with and new building frontages. It also sets down clear guidelines or criteria to ensure an exceptional quality of design and quality across all the major development sites.

Critically, it provides a mechanism and a guaranteed means of delivery for planning or community gain for the area by requiring that any increase in density must be balanced by community and environmental benefit.

In this regard, it identifies a range of elements that would be of benefit to the Ballsbridge area including new streets, public spaces, culture and community facilities, as well as improvements to the public transportation infrastructure for the area

In contrast, in the absence of a plan, each development site will be dealt with through the normal planning management procedures, each on their own merit without regard to adjoining sites and to the needs and aspirations of a wider community. Planning gain outside of these sites may not be negotiated and within sites it will be dependant on negotiation with developers/property owners.”

During a lengthy debate the following Councillors Lacey, Humphreys, Breen, Quinn, Hederman, Donnelly, Rafferty, Freehill, Gillen and Tormey all spoke against the proposed Local Area Plan which was described as being “Developer led”. Before a vote was taken the City Manager referred to the consultation process that had taken place and the little input made by Councillors at the earlier stages. He told the Council that all submissions received had been given careful consideration in an effort to get the balance right. It was not true to say, he said that the draft Plan was “Developer led” and he also said that he was disappointed that Councillors were of that opinion. It was then moved by Councillor D. Doolan and seconded by Councillor G. Breen “That Dublin City Council having noted submitted Reports No 242/2007 and 243/2007 hereby refuses to: (1) make the “Ballsbridge Local Area Plan (2) approve a Variation to the Dublin City Development Plan 2005-2011 in respect of that Local Area Plan and hereby adopts the motion referred from the May meeting of the South East Area Committee, standing at Item No. 36 on the Agenda Paper” The motion was put and carried.

17. Submitted Report No. 250/2007 of the Assistant City Manager (*M. Stubbs*) - Proposed Draft Variation (No. 18) Dublin City Development Plan 2005 – 2011 - Site at Faussagh Avenue/Dunmanus Road, Cabra, Dublin 7. It was moved by Councillor G. Breen and seconded by C. Ni Dhaliagh “That Dublin City Council notes the contents of Report No. 250/2007 hereby approves Variation (No.18) of the Dublin City Development Plan 2005-2011, Site at Faussagh Avenue/Dunmanus Road, Cabra, Dublin 7., as set out and recommended therein” The motion was put and carried.
18. Submitted Report No. 245/2007 of the Assistant City Manager (*M. Stubbs*) - Proposed Draft Variation (No. 19) Dublin City Development Plan 2005 – 2011 - Parking in the Curtilage of Protected Structures and in Conservation Areas’ and changes to Appendix 18 under heading ‘Residential Parking in the Curtilage of Protected Structures and in Conservation Areas’. During a short debate on this matter the following amendment was proposed by Cllr. M. Freehill “That the proposed maximum opening size and proposed retention size of one third and two thirds respectively be changed to one half and one half respectively” The amendment having been seconded by Cllr. N. O’Muirí was put and carried. The following substantive motion “That Dublin City Council notes the contents of Report No. 245/2007 and hereby approves Variation (No.19) of the Dublin City Development

Plan 2005-2011, Parking in the Curtilage of Protected Structures and in Conservation Areas' and changes to Appendix 18 under heading 'Residential Parking in the Curtilage of Protected Structures and in Conservation Areas subject to the proposed maximum opening size and proposed retention size of one third and two thirds respectively being changed to one half and one half respectively" was put and carried.

19. Submitted Report No. 248/2007 of the Chairperson of the Transportation and Traffic Strategic Policy Committee (*Councillor S. Kenny*) – European Road Safety Charter. It was moved by Councillor S. Kenny and seconded by Councillor K. Standing at Item Nos. 114,15 and 36 respectively on the Agenda Paper Humphreys "That Dublin City Council notes the contents of Report No 248/2007 and approves of Dublin City Council becoming a signatory to the European Road Safety Charter" The motion was put and carried.

As it was after 9.00 p.m at that stage of the meeting, the Lord Mayor informed the Council that the following emergency motion had been submitted by Councillors Fitzpatrick Carmichael and that the recommendation from the Emergency Motions Vetting Group was that it be put without debate **"This Council calls on the Railway Procurement Agency (RPA) to commit, to the extent that it is practically possible, to routing the underground tunnelling for Metro North to areas below open green spaces and to avoid whenever possible tunnelling under residential areas. As a gesture of goodwill the RPA should immediately suspend boreholing in residential areas and commence investigations designed to define an alternative route that avoids tunnelling under homes in Dublin Central". The City Council adopted the motion without debate.**

The Lord Mayor then informed the Council that the meeting that evening would be the last meeting to be attended by Mr. Brendan Kenny, Assistant City Manager as he was taking up a new appointment as Chief Executive of the Moyross Agency in Limerick. The Lord Mayor then led the Group Leaders and other Councillors in paying tribute to the tremendous work done by Mr. Kenny during his many years on the Council and particularly in his role as Assistant City Manager for Housing. Among the tributes paid to him were: that he was a very understanding official, always available, Local people had great trust in him and there was a great sense of loss in communities at the news that he is going. His willingness at times to take risks which helped to achieve many great things and that the city is a better place as a result of his work. The City Manager described Brendan as an exceptional person who's whole philosophy was about helping people and he wished him every success for the future. Mr. Kenny thanked everyone for their tributes and he said that he had enjoyed his time in Dublin City Council, that it had been a pleasure and honour for him to do so and that he was now looking forward to his new challenge. The City Manger also paid tribute to Mr. Jim Barrett, City Architect who would soon retire from that position and thanked him for his work. He also informed the Council that Mr. Ciaran McNamara would be taking over the functions of Housing Manager and he wished him every success in that role.

20. The City Council agreed to a request from Councillor M. Donnelly to take the following three Items next and together standing at Item Nos. 19,25 and 36 respectively on the Agenda Paper- (1) Submitted Report No. 283/2007 of the Head of Finance (K. Quinn) – Financial Report re Development Contribution Scheme 2004 – 2009, (2) Submitted Report No. 281/2007 of the Financial Development and General Strategic Policy Committee – Breviate of Meeting held on 17<sup>th</sup> May 2007 – Councillor Michael Donnelly, Chairperson and the following motion referred from May Meeting of Financial Development and General Strategic Policy Committee: "That the

City Manager consider that the development of a linear park along the Rivers of the Dodder, Tolka, Liffey and the Royal and Grand Canals should be included in the application for funding from the Gateway Innovation Fund". It was moved by Councillor M. Donnelly and seconded by Councillor N. Kehoe "That Dublin City Council notes the contents of Report no 283/2007 and Report No 281/2007 and adopts the motion referred from the Financial Development and General Strategic Policy Committee in relation to an application for funding from the Gateway Innovation Fund" The motion was put and carried. The City Manager agreed to consider the inclusion of the Camac River with the other rivers listed in that motion.

21. Submitted Report No. 244/2007 of the Area Manager (*C. Reilly*) - With reference to the proposed extinguishment of the Public Right of Way over laneway, opening at and to the front of Clonrosse Park between side end of nos. 15 and 16A Elton Court and ending at the front side of 15 and 16 Elton Court, Ard na Grēine, Dublin 13. It was moved by Councillor G. Breen and seconded by Councillor Stafford "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, opening at and to the front of Clonrosse Park between side end of nos. 15 and 16A Elton Court and ending at the front side of 15 and 16 Elton Court, Ard na Grēine, Dublin 13 as shown on the attached Drawing No R.M.24504, 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. 233/2007 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 60 premises. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 233/2007" The motion was put and carried.
23. Submitted Report No. 252/2007 of the Executive Manager (*Declan Wallace*) – With reference to the proposed disposal of the Fee Simple in the premises 51 Bulfin Road, Dublin 9 to Seamus Delaney c/o Seamus Maguire & Co Solicitors, 10 Main Street, Blanchardstown, Dublin 15. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 252/2007" The motion was put and carried.
24. Submitted Report No. 253/2007 of the Assistant City Manager (*M. Stubbs*) – With reference to the disposal of 1 affordable apartment at Prospect Hill, Finglas Road, Dublin 11. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 253/2007" The motion was put and carried. It was noted that the heading which appeared on the Agenda Paper for Item No. 21(iii) was incorrectly listed as the same heading as that for Item No. 21(ii). N.B. Heading was correct in the actual Report No. 253/2007.
25. Submitted Report No. 254/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 1 affordable apartment at Greeg Court, Parnell Street, Dublin 1 It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 254/2007" The motion was put and carried.
26. Submitted Report No. 255/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 2 affordable apartments at St. John's Well Way, Old Kilmainham Road, Dublin 8. It was moved by Councillor N. Kehoe and seconded by

Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 255/2007" The motion was put and carried.

27. Submitted Report No. 256/2007 of the Executive Manager (*D. Wallace*) - With further reference to the proposed grant of a lease of the Café Unit at MACRO (The Markets Area Community Resource Organisation), North King Street, Dublin 7. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 256/2007" The motion was put and carried.
28. Submitted Report No. 257/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 3 affordable apartments at Burnell Square, Northern Cross, Malahide Road, Dublin 17. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 257/2007" The motion was put and carried.
29. Submitted Report No. 258/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 6 affordable apartments at The Lighthouse, East Wall Road/ Church Road, East Wall, Dublin 3. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 258/2007" The motion was put and carried.
30. Submitted Report No. 259/2007 of the Assistant City Manager (*M. Stubbs*) - With further reference to the disposal of 2 affordable apartments at Greeg Court, Parnell Street, Dublin 1. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 259/2007" The motion was put and carried.
31. Submitted Report No. 260/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 1 affordable apartment at The Lighthouse, East Wall Road/ Church Road, East Wall, Dublin 3. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 260/2007" The motion was put and carried.
32. Submitted Report No. 261/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 4 affordable apartments at Academy Buildings, Park West Pointe, Dublin 10. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 261/2007" The motion was put and carried.
33. Submitted Report No. 262/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed grant of a lease of a site to the reere of Nos. 2 – 16 Tolka Road, Dublin 3 to Orchard United Football Club. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 262/2007" The motion was put and carried.
34. Submitted Report No. 263/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 7 Affordable apartments at Prospect Hill, Finglas Road, Dublin 11. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 263/2007" The motion was put and carried.
35. Submitted Report No. 264/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 1 affordable apartment at Ivy Exchange, Parnell Street, Dublin 1. It was moved by Councillor N. Kehoe and seconded by Councillor J

Carmichael "That Dublin City Council assents to the proposal outlined in Report No 264/2007" The motion was put and carried.

36. Submitted Report No. 265/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed disposal of the fee simple in the plot adjacent 32 Botanic Road, Dublin 9 to Austin Kelly c/o Richard Dennehy & Co. Solicitors, 189a Botanic Road, Glasnevin, Dublin 9. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 265/2007" The motion was put and carried.
37. Submitted Report No. 266/2007 of the Executive Manager (*D. Wallace*) - With further reference to the proposed grant of a lease of plots of ground to the rear of Nos. 10 to 14 Catherine Street to the owners of No 10 to 14 Catherine Street, Dublin 8. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 266/2007" The motion was put and carried.
38. Submitted Report No. 267/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of 9 affordable houses at Kilshane Drive and Ratoath Avenue, Finglas, Dublin 11. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 267/2007" The motion was put and carried.
39. Submitted Report No. 268/2007 of the Executive Manager (*D. Wallace*) - With further reference to proposed disposal of 19 South Earl Street, Dublin 8. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 268/2007" The motion was put and carried.
40. Submitted Report No. 269/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed disposal of the City Council's interest in lands at basement level in Clarendon Row, Dublin 2 to Mr. Joseph O'Reilly. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 269/2007" The motion was put and carried.
41. Submitted Report No. 270/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed disposal of an area of footpath to Mr. Peter Taaffe No. 9 Bellmans Walk, Dublin 1. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 270/2007" The motion was put and carried.
42. Submitted Report No. 271/2007 of the Assistant City Manager (*M. Stubbs*) - With further reference to the proposed development of a site at Finglas Road /Tolka Valley Road, Dublin 11 with Mc Cabe Builders Limited, Floor 2 St. John's House, Tallaght, Dublin 24. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 271/2007" The motion was put and carried.
43. Submitted Report No. 272/2007 of the Executive Manager (*D. Wallace*) - With reference to the disposal of 1 Affordable apartment at Prospect Hill, Finglas Road, Dublin 11. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 272/2007" The motion was put and carried.

44. Submitted Report No. 273/2007 of the Executive Manager (*D. Wallace*) - With further reference to the disposal of 1 affordable apartment at Prospect Hill, Finglas Road, Dublin 11. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 273/2007" The motion was put and carried.
45. Submitted Report No. 274/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed disposal of land at rear of No. 34 Casino Road, Marino, Dublin 3 to Gerard McKeown. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 274/2007" The motion was put and carried.
46. Submitted Report No. 275/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed disposal of land at rear of No. 28 Croydon Park Avenue, Marino, Dublin 3 to Shane and Ann Marie Kavanagh. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 275/2007" The motion was put and carried.
47. Submitted Report No. 276/2007 of the Executive Manager (*D. Wallace*) - With reference to the disposal of 1 affordable apartment at The Lighthouse, East Wall Road/ Church Road, East Wall, Dublin 3. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 276/2007" The motion was put and carried.
48. Submitted Report No. 277/2007 of the Executive Manager (*D. Wallace*) - With reference to the disposal of 1 affordable apartment at Burnell Square, Northern Cross, Malahide Road, Dublin 17. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 277/2007" The motion was put and carried.
49. Submitted Report No. 278/2007 of the Executive Manager (*D. Wallace*) - With reference to the disposal of 1 affordable apartment at St. John's Well Way, Old Kilmainham Road, Dublin 8. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 278/2007" The motion was put and carried.
50. Submitted Report No. 279/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed disposal of a site at Oscar Traynor Road, Dublin 5 to the Minister for Education and Science. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 279/2007" The motion was put and carried.
51. Submitted Report No. 280/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed disposal of the fee simple in a site at Bluebell Industrial Estate to Howard Pau and Helen Pau c/o Denis Mc Sweeney Solicitors, 6 Mount Street Crescent, Dublin 2. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That Dublin City Council assents to the proposal outlined in Report No 280/2007" The motion was put and carried.
52. Submitted Report No. 282/2007 of the Executive Manager (*D. Wallace*) - With reference to the proposed disposal of a site at Barry Road/ Barry Drive/ Barry Avenue, Finglas, Dublin 11 to Mr. Paul Newman and Mr Keith Lowe. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael "That

Dublin City Council assents to the proposal outlined in Report No 282/2007” The motion was put and carried.

53. Submitted Report No. 284/2007 of the Assistant City Manager (*M. Stubbs*) - With reference to the disposal of an affordable apartment at The Foundry, Railway Street, Dublin 1. It was moved by Councillor N. Kehoe and seconded by Councillor J Carmichael “That Dublin City Council assents to the proposal outlined in Report No284 /2007” The motion was put and carried.
54. Submitted Report No. 287/2007 of the Housing, Social and Community Affairs Strategic Policy Committee – Breviate of Meeting held on 30<sup>th</sup> April 2007 – *Councillor Mary Murphy, Chairperson*. It was moved by Councillor N. Kehoe and seconded by Councillor T. Stafford “That Dublin City Council notes the contents of Report No 287/2007” The motion was put and carried.
55. Submitted Report No. 235/2007 of the Arts, Culture, Leisure and Youth Affairs Strategic Policy Committee – Breviate of Meeting held on 1<sup>st</sup> May 2007 – *Councillor Brian Gillen, Chairperson*. It was moved by Councillor C. Burke and seconded by Councillor E. Costello “That Dublin City Council notes the contents of Report No 235/2007” The motion was put and carried.
56. Submitted Report No. 247/2007 of the Transportation and Traffic Strategic Policy Committee – Breviate of Meeting held on 3<sup>rd</sup> May 2007 – *Councillor Sean Kenny, Chairperson*. It was moved by Councillor S. Kenny and seconded by Councillor R. Sargent “That Dublin City Council notes the contents of Report No 247/2007” The motion was put and carried.
57. Submitted Report No. 232/2007 of the South East Area Joint Policing Committee – Breviate for the month of May 2007 – *Councillor Kevin Humphreys, Chairperson*. It was moved by Councillor K. Humphreys and seconded by Councillor D. Lacey “That Dublin City Council notes the contents of Report No 232/2007” The motion was put and carried.
58. Submitted Report No. 239/2007 of the Central Area Joint Policing Committee – Breviate for the month of May 2007 – *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 239/2007” The motion was put and carried.
59. Submitted Report No. 246/2007 of the North West Area Committee – Breviate for the month of May 2007 – *Councillor Julia Carmichael, Chairperson*. It was moved by Councillor D. Ellis and seconded by Councillor T. Stafford “That Dublin City Council notes the contents of Report No 246/2007” The motion was put and carried.
60. Submitted Report No. 285/2007 of the Central Area Committee – Breviate for the month of May 2007 – *Councillor Paschal Donohoe, Chairperson*. It was moved by Councillor T. Stafford and seconded by Councillor C. Burke “That Dublin City Council notes the contents of Report No 285/2007” The motion was put and carried.
61. Submitted Report No. 288/2007 of the South Central Area Committee – Breviate for the month of May 2007 - *Councillor Charlie Ardagh, Chairperson*. It was moved by Councillor T. Stafford and seconded by Councillor M. Conaghan “That

Dublin City Council notes the contents of Report No 288 /2007” The motion was put and carried.

62. Submitted Report No. 236/2007 of the South East Area Committee – Breviate for the month of May 2007 – *Councillor Dermot Lacey, Chairperson*. It was moved by Councillor D. Lacey and seconded by Councillor T, Stafford “That Dublin City Council notes the contents of Report No 236/2007” The motion was put and carried.
63. Submitted Report No. 249/2007 of the North Central Area Committee – Breviate for the month of May 2007 – *Councillor Naoise O’Muirí, Chairperson*. It was moved by Councillor L. O’Toole and seconded by Councillor E. Costello “That Dublin City Council notes the contents of Report No 249/2007” The motion was put and carried.
64. Submitted Report No. 234/2007 of the Protocol and Selection Committee – Breviate for the month of May 2007 – *Councillor Gerry Breen, Chairperson*. It was moved by Councillor D. Lacey and seconded by Councillor T. Stafford “That Dublin City Council adopts Report No 234/2007” The motion was put and carried.
65. Motion referred from May Meeting of South Central Area Committee:  
“This Committee agrees that in light of:  
    (a) new significant investment in parks;  
    (b) continuing cases of damage/anti-social behaviour in our parks,  
    that we discuss new ways/means of managing our parks.”  
The motion, having been moved by Councillor K. Humphreys and seconded by Councillor R. Sargent, was put and carried.
66. The City Council agreed that a report be sent to Councillor R. Sargent in relation to following motion, standing in his name at Item No 45 on the Agenda Paper “That the City Manager list the number of antennae and phone masts in Dublin South central; and their locations. The planning status (whether exempt or granted); and whether the Planning Department is made aware or considers the existing masts and antennae in close proximity when making a decision on applications for more masts or antennae”
66. The City Council agreed that a report be sent to Councillor D. Heney in relation to following motion, standing in her name at Item No 61 on the Agenda Paper “That the manager please arrange for POS or other crossing e.g. refuge/island on Glasnevin Avenue, west of roundabout”

The meeting concluded at 10pm in accordance with Standing Order No 8.

**Correct.**

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**LORD MAYOR**

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**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, 11<sup>th</sup> JUNE, 2007.**

**Q1. COUNCILLOR LARRY O'TOOLE**

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

**CITY MANAGER'S REPLY:**

The Area Maintenance Officer has called to this tenant. The repairs to the front external porch door are the responsibility of the tenant.

**Q2. COUNCILLOR LARRY O'TOOLE**

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

**CITY MANAGER'S REPLY:**

Our Electrical Services Section will carry out the necessary repairs to this dwelling within the next two weeks.

**Q3. COUNCILLOR LARRY O'TOOLE**

To ask the Manager to report on tree pruning/ treatment in the Carndonagh area of Dublin 13.

**CITY MANAGER'S REPLY:**

The Parks & Landscape Services Division has inspected the roadside trees in the Carndonagh area. The trees in this area are considered to be young mature and are not considered to require general pruning at this time. The area will be considered for pruning in the preparation of the tree-pruning schedule for the North Central Area for 2007/2008, which is subject to the availability of specific resources.

**Q4. COUNCILLOR LARRY O'TOOLE**

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

**CITY MANAGER'S REPLY:**

The repairs to the front door of this dwelling will be completed within the next week.

**Q5. COUNCILLOR EMER COSTELLO**

To ask the City Manager to clean out the laneway at **(details supplied)** and to extinguish the right of way on the laneway.

**CITY MANAGER'S REPLY:**

The laneway is "in-charge" of Dublin City Council as a public road and, therefore, a public right of way exists over it. In order that it may be closed by any means, the right of way would have to be extinguished.

The signatures and addresses of the proposers and adjoining residents /landowners with properties abutting this laneway must support an application for the extinguishment of the public right of way. As the extinguishment of the public right of way is a statutory procedure, which must be published, there is a right of objection by local residents and members of the general public who may not agree with the proposal and these objections must be considered by Dublin City Council even to the extent of hearing the views of both proposers and objectors at an Oral hearing should the need arise. The extinguishment of a public right of way is a reserved function of Dublin City Council.

An application for extinguishment should also be accompanied by a statement as to how the laneway will be maintained in the future by the fee simple owner of the ground and/or the adjoining owners/occupiers and how access will be provided for any private right of way, and to any public services – E.S.B., Bord Gais, Eircom, Water, Drainage, Etc., that may exist under the laneway if these services are not diverted at the proposers expense.

If the public right of way is extinguished, Dublin City Council will have no further responsibility for maintenance/liability of the laneway and cannot undertake liability for any expense involved in effecting the physical closure.

Planning Permission is not required for the erection of a gate provided it does not exceed two metres in height in accordance with Class 5, Second Schedule, Part 1 of the Local Government (Planning and Development) Regulations 2001.

The agreement of the residents adjoining properties is very important, as the gates will be adjoining their property. Upon receipt of this information and the undertaking as to future maintenance of the laneway and details of the proposed method of closure i.e. gates, wall, etc., the matter will receive further attention.

Waste Management Services inspected this laneway on the 5<sup>th</sup> June 2007 and found that there was a problem with overgrown weeds there. The Public Domain Unit from the Central Area Office have listed these weeds for spraying and subsequent removal.

**Q6. COUNCILLOR CRÍONA NÍ DHÁLAIGH**

To ask the City Manager to consider the request of **(details supplied)**

**CITY MANAGER'S REPLY:**

The matter concerned has already been referred to the Traffic Advisory Group. The Councillor will be informed of the recommendations of the group when these are available.

**Q7. COUNCILLOR CRÍONA NÍ DHÁLAIGH**

To ask the City Manager to reply to the attached correspondence **(details supplied).**

**CITY MANAGER'S REPLY:**

Over the last ten years very significant amounts of cycle lane provision has been implemented, mainly in conjunction with the roll out of the Quality Bus Network.

A new Cycle Forum has recently been formed to promote cycling in Dublin through provision of improved infrastructure, education and promotion. This Forum consists of members of the City Council, Officials and representatives of the Gardai and Dublin Cycling Campaign as well as Health and Education sectors. The Forum will be reviewing current provision with a view to identifying improvements.

In addition to the above Dublin City Council is working with the Dublin Transportation Office in developing new guidelines for new cycle facilities.

**Q8. COUNCILLOR CRÍONA NÍ DHÁLAIGH**

To ask the City Manager to investigate the possibility of redesigning the junction of Landen Road and Kylemore Road and have the no right turn removed.

**CITY MANAGER'S REPLY:**

The matter concerned has been referred to the Traffic Advisory Group. The Councillor will be informed of the recommendations of the group when these are available.

**Q9. COUNCILLOR CRÍONA NÍ DHÁLAIGH**

To ask the City Manager to investigate the issues raised in the attached letter.

**CITY MANAGER'S REPLY:**

In 2004 Dublin City Council purchased a turnkey development for affordable housing at **(details supplied)**

The sale of the affordable property **(details supplied)** closed in February 2004.

The maximum Local Authority Annuity loan available in 2004 to finance a property was €130,000.

As the purchase price of this affordable property was considerably in excess of €130,000 the only loan available to the applicants to finance the purchase of the affordable property was through the Shared Ownership Scheme.

Unfortunately the Mortgage allowance scheme does not apply to Shared Ownership loans as per the regulations governing the Shared Ownership Loan scheme from Department of Environment, Heritage & Local Government.

**Allocation of Affordable Housing scheme 2004 -2006**

The Allocation of affordable housing were made to approve applicants on the affordable housing list under the points based scheme of priorities in place at the time.

Priority for allocations were given as follows:

1. Existing tenant/tenant purchasers of Dublin City Council or of an approved voluntary housing body who surrendered vacant possession of an existing dwelling.

2. Applicants included on or eligible for Dublin City Councils assessment of housing need.
3. All other applicants – offers made to those with the highest number of points.

As the number of applicants far exceeded the number of units available in all cases a lottery was held to determine the successful applicants. A panel consisting of a Senior Executive Officer, Administrative Officer & an independent observer (auditor) from KPMG run the lottery and all applicants drawn from the lottery are placed in order of merit.

This lottery system is used to determine the allocation of affordable housing for all affordable housing applicants and Dublin City Council staff that express an interest in affordable housing developments are processed in this way.

Every person included in the lottery have an equal weight of been drawn from the lottery and it is by chance that a number of Dublin City Council staff were successful in this particular draw.

The applicants in this particular case received priority as outlined in category 1 above.

Dublin City Council carried out a review of its affordable housing allocation process in 2005 and a new user-friendly system of allocating affordable housing has been in operation from January 2006.

The scheme does not prioritise 3 bed properties to joint applicants or families as allocation is based on an individual's ability to repay a loan to purchase the property.

The affordable housing unit will be making a number of recommendations to the Housing & Residential Strategic Policy Committee for discussion including the possibility of prioritising larger accommodation to joint applicants & families.

**Q.10 COUNCILLOR SEAN KENNY**

To ask the Manager if he will request Dublin Bus to provide a bench seat at the bus shelter at the Donaghmede Shopping Centre bus stop at Grange Road, D 13 for local residents who use this bus stop.

**CITY MANAGER'S REPLY:**

A letter has been forwarded to Dublin Bus with this request.

**Q.11 COUNCILLOR SEAN KENNY**

To ask the Manager to confirm the amount of the financial contribution made by Dublin City Council to the Central Remedial Clinic, Clontarf, in relation to the provision of additional public hours, to meet the needs of local people, at the CRC swimming pool following the closure of the swimming pool at St. Paul's College, Raheny, last summer. Can the Manager also say if the making of a financial contribution in these circumstances should require the approval of a full City Council meeting?

**CITY MANAGER'S REPLY:**

At a meeting of the North Central Area Committee on 17<sup>th</sup> July 2006 it was proposed that the City Council should explore the possibility of making an arrangement with the Central Remedial Clinic in relation to the use of its pool for increased public hours to address the shortfall in the availability of affordable swimming facilities in light of the imminent closure of St. Paul's pool. Subsequent to that meeting a delegation of Councillors and the Area Manager met with the Central Remedial Clinic. It was agreed that an amount of €750, 000 would be made available to the Central Remedial Clinic towards refurbishment costs of its pool in exchange for an increased number of public swimming hours, to be provided on a contractual basis for at least a seven-year period. A number of further conditions also attached to the agreement in relation to standards, overall costs etc. This agreement was endorsed by the North Central Area Committee at special meeting on the 20<sup>th</sup> July 2006. This was a contractual service provision agreement and as such does not require the approval of the City Council. No monies have been paid out to date and the City Council is currently in the process of ensuring that all conditions are met before any monies are paid out.

**Q.12 COUNCILLOR DEIRDRE HENEY**

Can the Manager please refer to roadway and path at **(details attached)** which is in poor conditions, with potholes and cracks etc, posing a hazard to pedestrians and motorists alike and say if he will arrange to have the necessary repairs carried out as soon as possible

**CITY MANAGER'S REPLY:**

Works are currently ongoing in this estate and repairs are due to be carried out at this corner in the next 4-6 weeks

**Q.13 COUNCILLOR DEIRDRE HENEY**

Can the Manager please refer to previous commitment to remove overhanging tree at (a) **(details attached)** which is attracting large numbers of wasps and causing a hazard for local elderly pedestrians as well as two local wheelchair bound people who cannot pass the tree on the footpath due to the large amount of wasps in it; pest control have been out to the site on two occasions and say that as its not a nest of wasps they cannot resolve the problem and recommend that DCC arrange to cut the tree back. Can the Manager please attend to this matter without further delay? Also, can an official contact my constituent at (b) (details attached) in this matter?

Please note previous commitment was given by Council in late 2006 in response to my previous City Council question, which was followed by another question in early 2007.

**CITY MANAGER'S REPLY:**

The tree is on private property and the resident has been served a notice to cut back their tree. This situation will be monitored and Dublin City Council will carry out the work if necessary and the resident will be invoiced.

The Executive Engineer and Area Inspector called to (details supplied b) on 7<sup>th</sup> June but there was no answer.

**Q.14 COUNCILLOR GERRY BREEN**

Can the Manager please outline the steps taken in advance of the installing of the pedestrian traffic lights outside the Dollymount House on the Clontarf Road in Clontarf. Who requested the lights, when did the request go through the traffic advisory group and when did the request go through the North Central Area Committee?

**CITY MANAGER'S REPLY:**

Following a request from a public representative in 2002, the location was examined for its suitability for a pedestrian crossing and was found that the crossing was required. However, funding was not available at this time. This was included in the TAG report to the North Central Area Meeting at this time.

In 2004, the location was re-examined following another request from a public representative and a report was issued concurring that a crossing was required.

Unfortunately, funding was not available until 2006, when the pedestrian crossing was included in the 2007 MID works programme. The pedestrian crossing is currently being implemented.

**Q.15 COUNCILLOR GERRY BREEN**

Can the Manager please outline the series of requests for a report on the use of external wooden panelling by me at the Economic, Planning and European SPC. Can the Manager please give the dates that this report was promised and when will this report be available to the Council?

**CITY MANAGER'S REPLY:**

This item was raised by Councillor Breen at the meetings of the Economic Development, Planning & European Affairs Strategic Policy Committee on November 28 2006, February 27 2007 and April 24 2007.

At the November meeting the Councillor was advised that a report was due by the end of February 2007.

At the February meeting an undertaking was given to follow up this matter.

The last SPC meeting on April 24 was informed that a report was expected by the end of May 2007.

The City Architect remains in discussion with the National Standards Authority of Ireland and unfortunately a report is still awaited. The Deputy City Architect will be in contact with the Councillor to update him on the matter.

**Q.16 COUNCILLOR GERRY BREEN**

When will the facility for Councillors to submit planning submissions by email and the fees on account on planning applications be available through Dublin City Council?

**CITY MANAGER'S REPLY:**

Councillors may currently make a submission by email directly to the Planning Office. It is important to note if a submission is made by email there is no payment facility. This submission will be noted as normal, but without the payment of the statutory fee, the Councillor will not have any recourse to appeal to An Bord Pleanala.

Councillors and the public have the facility of online submissions and payments which can be made through the Dublin City Council website.

**Q.17 COUNCILLOR GERRY BREEN**

What date will the water quality measurements taken at Dollymount be up on the Dublin City Council website?

**CITY MANAGER'S REPLY:**

Bathing water quality monitoring commenced at Dollymount on May 22nd 2007. As in previous years results will be displayed on the public notice board at the beach, from June 8th 2007. Results from Dollymount, Shellybanks, Sandymount and Merrion will be posted on the City Council's website from mid-June 2007.

**Q.18 COUNCILLOR AODHÁN Ó'RIORDÁIN**

To ask the Manager to respond to the issue raised in the following correspondence (**details supplied**)

**CITY MANAGER'S REPLY:**

A Litter Warden for the area investigated this situation and removed in excess of forty dumped bags from the area. From these bags a total of 6 litter fines were issued. The Litter wardens have been instructed to survey this area on a regular basis to ensure that any dumped material is investigated.

A request has gone from this office to the Parks Department to investigate the possibility of placing decorative planters at this location to deter further dumping as per request.

**Q.19 COUNCILLOR AODHÁN Ó'RIORDÁIN**

To ask the Manager to respond to the issue raised in the following correspondence (**details supplied**)

**CITY MANAGER'S REPLY:**

A signed graffiti removal waiver form from Mr O'Driscoll was received in this office on the 5<sup>th</sup> June. This has been forwarded to the Department of Justice who will instruct their contractors to remove any graffiti at this location as soon as possible.

A waiver form has also been delivered to Rawlton House to allow the occupier the opportunity to avail of this scheme also.

**Q.20 COUNCILLOR AODHÁN Ó'RIORDÁIN**

To ask the Manager to replace the trees that line (**Details supplied**) with more appropriate ones as they are currently causing the footpath to crack and blocking light for many residents.

**CITY MANAGER'S REPLY:**

The Parks Division will investigate the matter and will report directly to the Councillor.

**Q.21 COUNCILLOR AODHÁN Ó'RIORDÁIN**

To ask the Manager about the timescale for the implementation of the (**details supplied 1**) with particular reference to specific works needed at (**details supplied 2**)

**CITY MANAGER'S REPLY:**

A pilot scheme to replace single glazed window units at this flat complex with double glazed units has been undertaken and the feasibility completed. The feasibility costs are expected over the coming weeks. These works will be undertaken and completed.

The tenant of this address has requested a window board to be fitted. As the current windows do not have window boards, this work will not be carried out at this time. The fitting of a window board for this tenant will be examined when the new units are being fitted.

**Q.22 COUNCILLOR ANNE CARTER**

Will the Manager (a) investigate when the long promised bus shelters will be erected at Priorswood Road and opposite the junction of Moatview Avenue, Dublin 17 (I have been told by Paddy Doherty of Dublin Bus that work would commence at the beginning of 2007, we are now half way through the year and still no sign of the bus shelters) and (b) when will the Darndale route receive low floor buses to facilitate wheelchair users and commuters with buggies?

**CITY MANAGER'S REPLY:**

A letter will be forwarded to Dublin Bus with this request.

**Q.23 COUNCILLOR ANNE CARTER**

Will the Manager request An Post to paint the post boxes in the North Central Area as many are rusting and covered in graffiti, especially the post boxes on Millbrook Road, Ayrfield, Dublin 13, outside Edenmore Shopping Centre, Raheny, Dublin 5 and the one on Greendale Road opposite Greendale Shopping Centre?

**CITY MANAGER'S REPLY:**

A letter will be sent to An Post with this request.

**Q.24 COUNCILLOR ANNE CARTER**

Will the Manager have the runners/trainers removed as soon as possible from the electricity cables at Millbrook Grove, Ayrfield, Dublin 13 and also from the electricity cables connected from the corner house (number 20 Ayrfield Road, Dublin 13 and the Seniors Complex at Newtown Drive, Dublin 13) as this allegedly is a sign of drug dealing at these locations?

**CITY MANAGER'S REPLY:**

A Contractor will be employed to carry out this work and these should be removed within the next week.

**Q.25 COUNCILLOR ANNE CARTER**

Can the Manager give a firm indication as to when the two road signs which were removed will be re-erected at (8 Millbrook Road, Ayrfield, Dublin 13 and on the east side of the Malahide Road at the junction of Blunden Drive, Dublin 13 (recently a sign was erected on the east side of the Malahide Road stating it was Dublin 17 - it is in fact Dublin 13 and I was told the correct one would be erected in a few weeks)?

**CITY MANAGER'S REPLY:**

These signs have already been ordered and as soon as they arrive in the Depot they will be erected (delivery usually takes about 6 weeks). The sign at 8 Millbrook Road will not be placed on the house No. 8 as it is no longer visible from the main road, instead it will be placed on a stand at the junction.

**Q.26 COUNCILLOR RAY CORCORAN**

To ask the City Manager to arrange for the removal of items of rubbish from garden at **(details supplied)**

**CITY MANAGER'S REPLY:**

The Area Maintenance Officer has called to this dwelling. There is no rubbish to be removed from the garden, however the tenant identified an area adjacent to his dwelling where rubbish had been dumped previously. On inspection by the Area Maintenance Officer, there was no rubbish for removal from this area.

**Q.27 COUNCILLOR RAY CORCORAN**

To ask the city to arrange for a pothole outside of **(details supplied)** to be properly filled in and reinstated

**CITY MANAGER'S REPLY:**

**The pothole outside has been permanently reinstated.**

**Q.28 COUNCILLOR RAY CORCORAN**

To ask the city Manager to arrange for parking bays to be placed outside of **(details supplied)** as it is badly needed

**CITY MANAGER'S REPLY:**

(Details supplied) is currently part of St Margaret's road. However, as part of the Ballymun development it is planned that it will change its current status to a residential road. This will change the traffic movements along this road as well as the parking patterns. Discussions are in progress with Fingal County Council regarding the provision of a traffic-calming scheme at this location.

**Q.29 COUNCILLOR RAY CORCORAN**

To ask the city Manager to arrange for hedges and other items out back of (details supplied) to be removed.

**CITY MANAGER'S REPLY:**

These items will be removed this week.

**Q.30 COUNCILLOR DESSIE ELLIS**

To ask the city Manager to arrange for the regular cleansing of lanes at the back of the maisonettes on (details supplied) and also remove rubbish in garden of boarded up house fronting onto Mellows Rd

**CITY MANAGER'S REPLY:**

The lanes referred to were cleaned last week and are included in the cleaning schedule for the area.

The rubbish will be removed from the garden of this house.

**Q.31 COUNCILLOR DESSIE ELLIS**

To ask the City Manager to arrange for the area facing (details supplied) to be cleaned up as it's a health hazard.

**CITY MANAGER'S REPLY:**

This area will be cleaned within the next week

**Q.32 COUNCILLOR DESSIE ELLIS**

To ask the City Manager to arrange for the path between (details supplied) to be repaired as it is damaged in several places

**CITY MANAGER'S REPLY:**

The footpath at (details supplied) has been damaged by the owner of the new house driving their car illegally across the footpath. Road Maintenance will write to the householder and request them to pay for a proper vehicular dishing.

**Q.33 COUNCILLOR DESSIE ELLIS**

To ask the city Manager to arrange for hedges/trees outback of (details supplied) to be removed and trimmed and to also arrange for fencing to be fitted outback

**CITY MANAGER'S REPLY:**

The Area Maintenance Officer will call to this tenant and investigate what works are required.

**Q.34 COUNCILLOR NICKY KEHOE**

To ask the Manager that the Council organise a meeting with the traffic engineer for the Cabra area and the residents or their committee of **(details supplied)** within the next number of weeks for traffic calming measures due to the near fatality of a young boy there.

**CITY MANAGER'S REPLY:**

The Area Traffic Engineer is available to meet a resident's representative /committee during office hours to discuss possible traffic management options for the road.

To reduce through traffic on the road, the following are possible measures:

1. No entry either end of the road with 2 way traffic on the road
2. Introduce a one-way traffic system on the road.

**Q.35 COUNCILLOR NICKY KEHOE**

To ask the City Manager to review the policy of Dublin City Council in regards to the non-notification of the yearly waiver scheme for senior citizens?

**CITY MANAGER'S REPLY:**

Each year the Revenue Section of Environment and Engineering Department deals with over 40,000 waiver applications, Of these approximately 25,000 are issued to Senior Citizens in receipt of pensions. These Senior Citizens' waiver applications are renewed automatically annually and are subject to occasional review, usually every 3 years. In the past, statements of account were issued to all these waiver recipients indicating a nil balance. This caused some confusion as they were mistaken for demands for payment by many customers. As a result it was decided to refrain from this method of notification.

In 2007, it is our intention to notify all waiver applicants by letter that the waiver has been granted.

**Q.36 COUNCILLOR NICKY KEHOE**

To ask the City Manager that the following applicants be included in this year's overcrowding extension scheme which will be rolled out in the next few weeks **(details supplied)**

**CITY MANAGER'S REPLY:**

The following is the position in relation to the above:

1. There is no record of an application from this tenant for a bedroom extension. An application form will be forwarded.
2. This application has been forwarded to our surveyors for completion of survey. If feasible this application will be forwarded to a contractor for commencement.

3. This application, which was received in April 2006, will be examined and surveyed in the coming weeks. If the necessary works are feasible, it will be forwarded to a contractor.
4. There is no record of an application from this tenant.

**Q.37 COUNCILLOR NICKY KEHOE**

To ask the City Council that a list and number of housing applicants be furnished to this Councillor for applicants looking for accommodation in **(details supplied)**

**CITY MANAGER'S REPLY:**

It is not possible to give a breakdown of the numbers seeking accommodation in this location, as the Housing Areas do not correspond to the Area Committee borders.

However, following consultations with the Councillor, it was agreed to furnish him with the following information. The following table represents the number of Older Persons currently seeking accommodation in Area E.

| <b>1<sup>st</sup> Preference – Area E</b> | <b>Total</b> |
|---|--------------|
| Older Persons Housing List                | 83           |
| Older Persons Transfer List               | 158          |
| Overall Medical Priority                  | 42           |
| Overall Welfare Priority                  | 1            |
| <b>Total on List</b>                      | <b>284</b>   |

**Q.38 COUNCILLOR LIAM KELLY**

Would the Manager arrange for the part of the grass margin outside **(details supplied)** to be reinstated to grass?

**CITY MANAGER'S REPLY:**

Arrangements will be put in place to reinstate verge to grass as requested within the next 5 weeks.

**Q.39 COUNCILLOR LIAM KELLY**

Would the Manager note that the Gas Company dug large holes outside **(details supplied)** and these now need to be reinstated? Can you do the necessary?

**CITY MANAGER'S REPLY:**

I can confirm that the openings adjacent to **(Details supplied)** have been recently permanently reinstated

**Q.40 COUNCILLOR LIAM KELLY**

Would the Manager arrange for repairs to the cracked dish outside **(details supplied)** that was cracked by a DCC lorry? Would he further arrange for bollards at the corner of the same street as trucks are using the corner for reversing and are a danger to the young kids playing on the street?

**CITY MANAGER'S REPLY:**

A Traffic Engineer will investigate the alleged hazard to pedestrians from the activities of truck drivers and a report will be forwarded to the Councillor upon completion.

This footpath will be permanently repaired within 4 weeks. Installation of a bollard would hinder access to the adjacent house. During construction an extra depth of concrete will be put in place and this should prevent the path from breaking up in the future

**Q.41 COUNCILLOR LIAM KELLY**

Would the Manager address the following as requested by residents of Glebe View, Church St and the Lawn, Finglas :

- (a) When will the 'taking-in-charge' of Glebe View commence?
- (b) Could litter bins and poop-scoop facilities be erected at either end of the footbridge
- (c) Could the double yellow lines beside the Isle at Church St be repainted?
- (d) When will gates be erected at the gateway at the nearby shop?

**CITY MANAGER'S REPLY:**

(a) Dublin City Councils Public Lighting Division is due to carry out works in Glebe View which are included in this years Works Programme, when these works are finished Dublin City Council will begin the process to take this estate in charge.

(b) Waste Management Services are currently upgrading the existing litter bins throughout the Dublin City Council area. We will arrange to have litter bins erected at either end of the footbridge in this area before the end of June 2007.

An installation of a poop scoop facility is included on the schedule of works programme for 2008. However if any additional poop scoops become available we will erect them in this area. Poop scooper bags are available at all Dublin City Council offices and the nearest one in this case is at Mellows Road, Finglas. They are also available in the Finglas Library.

(c) Traffic Department will arrange for a Traffic Inspector to investigate and action as necessary the repainting of the double yellow lines beside the Isle at Church Street

(d) The gates referred to would be at the entrance to a private laneway. It is understood that the shop owners adjacent to the laneway are making arrangements to have gates installed in the near future.

**Q.42 COUNCILLOR MICK RAFFERTY**

To ask the City Manager for a full report on the issues preventing the sale of houses to tenants at Oriel Hall, Dublin 1, ongoing for several years and to say how this will be resolved.

**CITY MANAGER'S REPLY:**

The sales of some houses in the Oriel Hall area cannot be completed until the City Council acquires the Fee Simple interest in the land on which the houses were built.

Negotiations are ongoing between the City Council and CIE for the acquisition of the Fee Simple interest and we are awaiting a response to a letter from the Law Agent on 15<sup>th</sup> May 2007 before moving on the matter.

**Q.43 COUNCILLOR MICK RAFFERTY**

To ask the City Manager to detail the agreement reached with the developer at Ossory Road, Dublin 3 - Crosbies Yard apartments, giving all details of the agreement.

**CITY MANAGER'S REPLY:**

The City Council has agreed Part V compliance with the developer of the (details above) development. The City Council has agreed that social & affordable housing be provided at a site located at Castleforbes Road Dublin 1.

**Q.44 COUNCILLOR SEAN KENNY**

To ask the Manager to explain the inordinate delay in providing keys to the housing applicants who have made offers of accommodation by Dublin City Council for the Part V apartments at Priory Hall, Dublin 13.

**CITY MANAGER'S REPLY:**

The sale of the apartments (details above) to Dublin City Council for the provision of social & affordable housing has not been completed. The apartments have been inspected by the Superintendent clerk of works a number of times and on each inspection he has indicated that a number of outstanding defects have to be completed by the developer before the City Council close the sale of the apartments.

The superintendent clerk of works has indicated that the developer has addressed all outstanding defects and an instruction will be issued to the law agents to close the sale of the social & affordable housing in this development

The closing of the social & affordable dwellings will take seven to ten days to complete. The social dwellings will be available to applicants from the housing list as soon as the sale has closed with the affordable apartments made available to purchase to successful applicants from the affordable housing draw.

**Q.45 COUNCILLOR PADDY BOURKE**

Would the City Manager please give a report on the condition of the footpaths on Ardlea Rd and when will these paths be repaired?

**CITY MANAGER'S REPLY:**

Extensive works were carried out last year on Ardlea Road. If there are any specific locations in need of inspection, Councillor Bourke should contact the North Central Area Office at 8166710 with exact locations.

**Q.46 COUNCILLOR PADDY BOURKE**

Would the Manager please tell me when the footpath in Belcamp Park will be re-instated following the laying of the North Dublin Main some 2 years ago?

**CITY MANAGER'S REPLY:**

Work is being carried out at present and final resurfacing will take place within 4 weeks.

**Q.47 COUNCILLOR PADDY BOURKE**

Would the City Manager please tell me when the soccer pitches in Belcamp Park will be re-instated following the laying of the North City Main some 2 years ago? These re-instated pitches should be properly drained.

**CITY MANAGER'S REPLY:**

The Parks and Landscape Services Division proposes to nominate the number of playing pitches at Belcamp Park for available letting for the 2007/2008 letting season through Sports Section, which were available prior to the North Fringe Sewer Project works and the North Fringe Water Project works which impacted significant portions of Belcamp Park. These pitches will be installed and available at the commencement of the 2007/2008 season subject to the level of demand identified through the letting applications.

**Q.48 COUNCILLOR MICHAEL RAFFERTY**

To ask the City Manager when the application by the family (**details supplied**) for a bedroom extension to cope with the overcrowding will be progressed?

**CITY MANAGER'S REPLY:**

An examination of all applications for bedroom extensions is currently being carried out. The application from this tenant has been assessed and deemed to be eligible for a bedroom extension. This application has been forwarded to our surveyors who will contact the tenant over the coming weeks. Subject to feasibility this application can then be forwarded to a contractor for commencement on a ranking order appropriate to the priority given.

**Q.49 COUNCILLOR SEAN KENNY**

To ask the Manager to request An Garda Siochana to install a Traffic Speed Camera on the 60kp section of the James Larkin Road to deter "Boy Racers" speeding on this road and the adjacent Bull Island Causeway Road

**CITY MANAGER'S REPLY:**

A letter will be sent to An Garda Siochana with this request.

**Q.50 COUNCILLOR KILLIAN FORDE**

Can the City Manager indicate how many houses have been purchased back from vendors who originally were named tenants of Dublin City Council and availed of the Tenants Purchase Scheme but then found the mortgage payments unaffordable. In addition can the Manager indicate how many Affordable homes have been sold back or handed back to Dublin City Council due to the inability of some owners to pay the mortgages? Can the Manager provide the monetary cost to the Council in relation to the repurchasing and possession of these homes?

**CITY MANAGER'S REPLY:**

The City Council have not purchased any Affordable Homes or Tenant Purchase Homes from borrowers who have found their mortgage payments unaffordable.

No Affordable homes or Tenant Purchase Homes have been handed back to Dublin City Council due to the inability of owners to pay the mortgages.

**Q.51 COUNCILLOR KILLIAN FORDE**

Can the Manager clarify the status of the application for a kitchen and bathroom extension at (**details supplied**). I understand this application was made some years ago but the tenant is still unclear on when the work will start.

**CITY MANAGER'S REPLY:**

An application for a bedroom extension was received from this tenant in 2002. This application was postponed pending clarification of persons residing in the dwelling. As this issue has now been resolved, this application will now be issued for survey, and if feasible, will be forwarded to a contractor.

**Q.52 COUNCILLOR KILLIAN FORDE**

Can the Manager clarify when the empty council houses on Millbrook Ave (no 132) and St Donaghs Road (no 22?) are allocated and occupied? Both of the sites have had problems with youths drinking and engaging in other anti social behaviour in the gardens of these houses.

**CITY MANAGER'S REPLY:**

Number 132 Millbrook Avenue is not our property and 22 St. Donaghs Road is under repair and will be let within the next 2/3 weeks. I have requested the Gardai and my Estate Management staff to investigate the alleged Anti-Social Behaviour.

**Q.53 COUNCILLOR KILLIAN FORDE**

Can the Manager arrange to examine the drainage in the lane between Donaghmede Ave and Donaghmede Park with a view to clearing any blocks in the shores?

**CITY MANAGER'S REPLY:**

This lane is private and gated and therefore any drainage problems are the responsibility of the residents.

**Q.54 COUNCILLOR MARY FITZPATRICK**

Will the Manager please arrange for **(details supplied)**.

**CITY MANAGER'S REPLY:**

The provision of double yellow lines will be examined by the Traffic Advisory Group and a report will be prepared for a future Central Area Committee Meeting.

**Q.55 COUNCILLOR MARY FITZPATRICK**

Will the Manager please advise on **(details supplied)**

**CITY MANAGER'S REPLY:**

The provision of parking controls will be examined by the Traffic Advisory Group and a report will be prepared for a future Central Area Committee Meeting.

**Q.56 COUNCILLOR MARY FITZPATRICK**

Will the Manager please advise on **(details supplied)**

**CITY MANAGER'S REPLY:**

The yellow box on **(Details supplied)** at the entrance will be provided in the coming weeks as the consultation with the Garda Commissioner has been complete.

The Roads and Traffic will write to Iarnród Éireann to seek an update on when the level crossing will be automated and see what improvements can be carried out on the train scheduling to reduce traffic congestion.

The Roads Planning Section has been in contact with the Consultants that designed the flyover bridge on the east side of Rathoath road to discuss possible solutions to concerns raised locally.

**Q.57 COUNCILLOR MARY FITZPATRICK**

Will the Manager please provide a report on **(details supplied)**?

**CITY MANAGER'S REPLY:**

A consultant has been selected for the preliminary design and detailed design of the R102 River Road Improvement Scheme and will be appointed shortly.

**Q.58 COUNCILLOR EIBHLIN BYRNE**

Will the Manager please attend to **(details supplied)**?

**CITY MANAGER'S REPLY:**

The Roads Maintenance Section have inspected the pothole outside **(details supplied)** and have reported that it is not dangerous however permanent reinstatement will be carried out within six weeks.

**Q.59 COUNCILLOR EIBHLIN BYRNE**

Will the Manager please attend to **(details supplied)**?

**CITY MANAGER'S REPLY:**

Drainage Maintenance investigated this matter and found the public sewers to be in good working order. They spoke to the resident and explained that this is a private drainage problem.

This house is a Dublin City Council tenancy. Housing Maintenance have been informed and will be in contact with the resident to resolve the problem.

**Q.60 COUNCILLOR EIBHLIN BYRNE**

Will the Manager please attend to **(details supplied)**?

**CITY MANAGER'S REPLY:**

The Roads Maintenance Engineer has contacted **(details supplied)** and has arranged for an inspector to call out to make good the damage.

**Q.61 COUNCILLOR EIBHLIN BYRNE**

Will the Manager please provide a report on **(details supplied)**?

**CITY MANAGER'S REPLY:**

Dublin City Council is no longer responsible for **(details supplied)**. The Office of the **(details supplied)** now carries out this function. A letter has been sent to them asking that the requested information be forwarded to the Councillor.

**Q.62 COUNCILLOR BRENDAN CARR**

To ask the Manager to report on measures to curb anti social behaviour at **(details supplied)**

**CITY MANAGER'S REPLY:**

The Parks Division will investigate the matter and will report directly to the Councillor.

**Q.63 COUNCILLOR BRENDAN CARR**

To ask the Manager if he would approach Irish Rail with a view to having a railway station provided at **(details supplied)**

**CITY MANAGER'S REPLY:**

This matter has been taken up with Iarnrod Eireann. The reply will be forwarded to the Councillor.

**Q.64 COUNCILLOR BRENDAN CARR**

To ask the Manager what progress has been made on the CPO of the Tolka Valley Lands at Pelletstown, what steps are being taken to secure the fencing along the River Road and what progress has been made towards creating the Tolka Valley amenity area?

**CITY MANAGER'S REPLY**

It is anticipated that construction of the park creating a new amenity area will commence in late Autumn 2007. Securing of the boundary along River Road is included as part of the overall development of the park.

The matter of compensation was referred to arbitration in March and agreement has now been reached. When the contracts issue and title is verified, the land will be transferred to Dublin City Council. Settlement terms have now been agreed. The acquisition of the site can proceed as soon as the City Council has received the Arbitrator's consent.

**Q.65 COUNCILLOR BRENDAN CARR**

To ask the Manager what steps he proposes to take to improve traffic management at Reilly's Bridge and the River Road?

**CITY MANAGER'S REPLY:**

A consultant has been selected for the preliminary design and detailed design of the R102 River Road Improvement Scheme (Ashtown Road to Ratoath Road) and will be appointed shortly.

The Roads and Traffic will write to Iarnród Éireann to seek an update on when the level crossing will be automated and see what improvements can be carried out on the train scheduling to reduce traffic congestion.

The Roads Planning Section has been in contact with the Consultants that designed the flyover bridge on the east side of Rathoath road to discuss possible solutions to concerns raised locally.

Contact: Eoghan Madden, Senior Engineer Tel : 01-2222046

**Q.66 COUNCILLOR EMER COSTELLO**

To ask the Manager to outline the future plans for **(details supplied)**?

**CITY MANAGER'S REPLY:**

A Precinct Improvement Programme is planned for the complex. It is hoped that work will commence on this project in September 2007.

Ongoing liaison in relation to this project is taking place between the Estate Manager and the Committee.

**Q.67 COUNCILLOR EMER COSTELLO**

To ask the Manager to report on why large areas of Dublin Central did not receive polling cards and that individual voters received more than one and to review the system is in place to ensure that all people entitled to be registered are included on the register of electors.

**CITY MANAGER'S REPLY:**

The issue of Polling Information Cards is the responsibility of the Returning Officer at election time. The procedure for the issue of these information cards requires the relevant registration authority prepare an electronic extract from the current Register of Electors to be passed to the Returning Officer. This file is then passed on to a Printing Firm to print the cards within a very tight framework. An Post collect these cards over a number of days and arrange delivery through their postal delivery network. These cards are purely for information purposes and do not entitle the holder to vote. The only requirement for exercising one's franchise is that one's name must be on the current Register of Electors or the Supplement to the said Register.

The preparation of the Register of Electors 2008/2009 has already commenced. Door to door enquiries are ongoing by the outdoor staff of the Franchise Section. The 15 franchise enumerators have been deployed in each of the 13 Local Electoral Areas and registration forms are being dropped at every household throughout the city. The completeness and accuracy of the register depends entirely on the response of the public at large and every effort is made to accommodate the potential electorate in the registration process.

**Q.68 COUNCILLOR EMER COSTELLO**

To ask the Manager to report on progress on the Carlton site and if the legal difficulties are close to resolution and when the Moore Street Traders will have their new stalls?

**CITY MANAGER'S REPLY:**

The Supreme Court handed down judgement in the case of Paul Clinton V An Bord Pleanála and others on 2<sup>nd</sup> May and they unanimously agreed to dismiss Mr. Clintons appeal against the judicial review of the decision of An Bord Pleanála to uphold the City Council's Compulsory Purchase Order on lands at O'Connell Street and Moore Street known as the Carlton Site.

Mr. Clinton is now pursuing a constitutional challenge to the legislation under which the Council acquired the property. The Court has indicated that it will use its best endeavours to have the matter heard as early as possible.

**Q.69 COUNCILLOR ANDREW MONTAGUE**

Will the Manager improve parking on this street (Details supplied) by making the following alterations (**details supplied**)?

**CITY MANAGER'S REPLY:**

The location will be inspected and a further reply will be issued to the Councillor.

**Q.70 COUNCILLOR ANDREW MONTAGUE**

Will the Manager indicate who owns the lane at the back of (**details supplied**)? Will he remove the rubbish that has been dumped in this lane?

**CITY MANAGER'S REPLY:**

The lane at the back of details supplied is a public lane. Waste Management Services had this lane cleaned on Tuesday 5<sup>th</sup> June 2007.

**Q.71 COUNCILLOR ANDREW MONTAGUE**

Will the Manager remove graffiti from (**details supplied**)?

**CITY MANAGER'S REPLY:**

These have been included in the North West Area graffiti removal programme.

**Q.72 COUNCILLOR ANDREW MONTAGUE**

Will the Manager allow a space in the fence to allow pedestrians access to the bus-stop at (**details supplied**)?

**CITY MANAGER'S REPLY:**

The location of the bus stop is such that there is access through the fence from the houses at two locations. One location is approximately 25 metres south of the bus stop. The second is approximately 100 metres north of the bus stop.

**Q.73 COUNCILLOR BRONWEN MAHER**

To ask the City Manager if there has been discussions between the Dept. of Education and Dublin City Council regarding purchasing land to build a school for Gaelscoil Cholmcille, or if there has been any pre planning meetings to discuss the building of a school for Gaelscoil Cholmcille on the Brenfor Site.

**CITY MANAGER'S REPLY:**

Section 183 report No. 279/2007 listed for the June Meeting of the City Council, refers and sets out details of terms and conditions relating to the disposal of site to the Department of Education. The Senior Planner for the

area had pre-planning discussions with the architects on behalf of the Department of Education.

Preliminary discussions took place on 22<sup>nd</sup> May 07 with Arthur Mallon, Architect, regarding the clarification of site boundaries and access. The drawings submitted for the proposed school are satisfactory.

**Q.74 COUNCILLOR BRONWEN MAHER**

To ask the City Manager to respond to reports by local residents that at approximately 9.15pm, sometime during week beginning 16th or 23 April 2007, contractors began digging up a section of the Clontarf Road outside the entrance to the former Dollymount House premises. Was this work carried out by Dublin City Council or by contractors hired by Dublin City Council. The local residents understand that this is designed to put in place a pedestrian crossing at this location. Has this site been approved by Dublin City Council for a pedestrian crossing? If so when was this decision made and was a report made to the North Central Area Committee.

**CITY MANAGER'S REPLY:**

Following a request from a public representative in 2002, the location was examined for its suitability for a pedestrian crossing and was found that the crossing was required. However, funding was not available at this time. This was included in the TAG report to the North Central Area Meeting at this time.

In 2004, the location was re-examined following another request from a public representative and a report was issued concurring that a crossing was required.

Unfortunately, funding was not available until 2006, when the pedestrian crossing was included in the 2007 MID works programme. The pedestrian crossing is currently being implemented.

**Q.75 COUNCILLOR BRONWEN MAHER**

To ask the City Manager when the City Council will proceed with the taking in charge of the public open space at the Cloisters Grace Park Road, and if the City Council has informed the 20 home owners at the Cloisters of the current state of the taking in charge process and time scale for completion.

**CITY MANAGER'S REPLY:**

The original developers had prior to Christmas 2006 been in the process of requesting Dublin City Council to take The Cloister Estate in charge, including the open spaces. However, it is a requirement of taking in charge that arrangements are put in place to permit the transfer of title of the lands defined as public open space to Dublin City Council. When this was indicated to the developing company it was found that that firm did not hold the title of the open spaces and therefore was not in a position to request Dublin City Council to take them in charge. The Parks & Landscape Services Division has no objection to the taking of the lands in charge when the current owners request it and when arrangements are put in place for the title transfer to Dublin City Council of these lands. In the meantime it is understood that the maintenance of the lands remains the responsibility of registered landowners.

**Q.77 COUNCILLOR MARY MURPHY**

Will the Manager arrange for a solid kerb to be installed around the green area at **(details supplied)** which in its present condition is wholly inadequate. Repairs have been promised for years but not delivered.

**CITY MANAGER'S REPLY:**

A kerb was removed from this location due to roadworks and due to an oversight was not replaced. The missing kerb will be replaced within the next month.

**Q.78 COUNCILLOR MARY MURPHY**

Will the Manager arrange for the footpath outside of **(details supplied)** to be repaired?

**CITY MANAGER'S REPLY:**

- a) The damaged to the footpath is caused by the householder traffic over the footpath. The householder will be written to and requested to fund a proper vehicular dishing.
- b) A temporary repair has been carried out on this opening and a permanent repair will be carried out within 4 weeks.

**Q.79 COUNCILLOR MARY MURPHY**

Will the Manager arrange for pruning works to be carried out at **(details supplied)** which have been severely neglected despite earlier requests for pruning? Trees on the road are seriously neglected, several promises to prune them, but nothing has happened to date. Lights are obscured by overgrown trees. Several elderly people have complained about this.

**CITY MANAGER'S REPLY:**

The location will be treated as a matter of priority in the tree-pruning schedule 2007. It is anticipated that the work will commence within the next 8 weeks.

**Q.80 COUNCILLOR MARY MURPHY**

Will the Manager outline what measures are currently in place to stop dumping at a site **(details supplied)**; and will he undertake to install CCTV or an appropriate alternative deterrent to prevent the persistent dumping at this site.

**CITY MANAGER'S REPLY:**

The Environmental Liaison Officer and the Litter Wardens have been instructed to pay particular attention to this location.

**Q.81 COUNCILLOR KEVIN HUMPHRIES**

Ask the Manager for signs to be erected at the Bus Stops in Sandymount Village informing motorists that there is a high usage by people with disabilities at these Bus Stops. As currently people with disabilities are unable to get on or off the bus as there are cars parked in the way.

**CITY MANAGER'S REPLY:**

This matter has been referred to the Traffic Advisory Group and the Councillor will be contacted when a response is available.

**Q.82 COUNCILLOR KEVIN HUMPHRIES**

Ask the Manager to consider putting bollards on the footpath between Olympic House Lane and Pleasant Lane as they are blocking wheelchairs and even pedestrians from getting by as the footpath is very narrow. Clamping seems to be having no effect and would the Manager highlight to the guards that the people keep driving the wrong way up Pleasant Street?

**CITY MANAGER'S REPLY:**

Both of these matters have been referred to the Traffic Advisory Group and the Councillor will be contacted when a response is available.

**Q.83 COUNCILLOR KEVIN HUMPHRIES**

Ask the Manager will he be able to facilitate the Vintage Docklands Football Club with a permit to play their match on a Saturday on the all-weather pitch which is being built during the summer in Ringsend Park?

**CITY MANAGER'S REPLY:**

The all weather pitch is currently under construction and it is anticipated that it will be completed in late 2007. The interest of the club has been noted and we will contact them when lettings are being considered and allocated for the pitch.

**Q.84 COUNCILLOR KEVIN HUMPHRIES**

Ask the Manager for the open area in front of 5 Cathedral View Court to be cleaned up.

**CITY MANAGER'S REPLY:**

The Area Maintenance Officer has called to the tenant of this address, who identified a small park area to the front where there is some debris. In addition hedging and trees are in need of pruning. The area has been cleaned of debris etc. and the Parks Division has been requested to carry out the necessary works to hedging and trees.

**Q.85 COUNCILLOR NAOISE O'MUIRÍ**

Further to the response I received to Question 126 at the May 07 City Council meeting concerning the taking in charge of the Cloisters, can the Manager:

- outline what enforcement action has since been undertaken in this regard
- supply any additional information that has come to light regarding the purchaser of the green space
- provide a copy of the advice obtained from the City Council Law Agent on this matter.

Can the Manager provide a full report on the matter.

**CITY MANAGER'S REPLY:**

Condition 3 of An Bord Pleanála's decision under plan reference PL29N.096447 dated 17<sup>th</sup> November, 1995 required, inter alia, the following: -

"Prior to the commencement of development, details of the following shall be submitted to and agreed with the planning authority:-"

"a landscaping and planting scheme (to include a timescale for completion) for the public open space area and road sides".

The landscaping scheme was submitted and agreed with the planning authority and as the developer complied with this condition, no enforcement

action is possible by the Planning Enforcement Section in regard to this matter.

The original developers had prior to Christmas 2006 been in the process of requesting Dublin City Council to take The Cloister Estate in charge, including the open spaces. However it is a requirement of taking in charge that arrangements are put in place to permit the transfer of title of the lands defined as public open space to Dublin City Council. When this was indicated to the developing company it was found that firm did not hold the title and that therefore was not in a position to request Dublin City Council to take it in charge. The matter was brought to the attention of Planning Enforcement Division and to the attention of the North Central Area Office who are understood to be investigating the matter further. The Parks & Landscape Services Division has no objection to the taking of the lands in charge when the current owners request it and when arrangements are put in place for the title transfer to Dublin City Council of these lands. In the meantime it is understood that the maintenance of the lands remains the responsibility of registered landowners.

In brief, legal advice suggested that having established ownership, negotiations should proceed with the owner in relation to the green space. Contacts were made with the previous Developers office and other parties who could not confirm ownership. However, following further contact, addresses for Solicitors acting for owner (in trust) have been given. A letter has been forwarded, outlining the following: difficulties regarding the Taking-in-Charge procedure ref title, our objective in completing same for benefit to residents, and suggesting two methods of resolving the situation. We expect a reply shortly and then hope to proceed to final completion of the Taking-in-Charge procedure. In the meantime we have written to the Resident Association representative at All Hallows (which includes the Cloisters Estate) and individual residents of The Cloisters outlining the situation.

**Q.86 COUNCILLOR NAOISE O'MUIRÍ**

Can the Manager install double-yellow lines at the Mount Prospect Avenue entrance to Baymount Park to facilitate the safe exit of cars onto Mount Prospect Avenue - parked cars at this junction currently cause visibility problems.

**CITY MANAGER'S REPLY:**

The installation of double yellow lines was investigated in Jan 2005 and were not recommended at that time. However, as two years have passed, I will refer the issue to TAG to be re-examined and a report will be forwarded to the Councillor upon completion.

**Q.87 COUNCILLOR NAOISE O'MUIRÍ**

Can the Manager provide me with an updated report regarding the provision of a site to the Dept Of Education for Gaelscoil Cholmcille; have there been any additional approaches to the City Council in this regard in the last 6 months?

**CITY MANAGER'S REPLY:**

Preliminary discussions took place on 22<sup>nd</sup> May 07 with Arthur Mallon, Architect, regarding the clarification of site boundaries and access. The drawings submitted for the proposed school are satisfactory.

**Q.88 COUNCILLOR NAOISE O'MUIRÍ**

Can the Manager confirm the process by which Dublin Bus is granted permission to extend/amend bus stops to e.g. facilitate wheelchair access? I was contacted by a resident of Collins Avenue East who feels that this was done there recently with little or no consultation. Is Dublin Bus obliged to advertise, erect local site notices etc in this regard?

**CITY MANAGER'S REPLY:**

The location of bus stops, that is, the position of the bus stop pole and sign, is a matter for agreement between the Gardai and the bus service provider. Planning permission is not required for the stop itself. Planning permission is required for a bus shelter.

Regarding works being carried out at bus stops to make them accessible for wheelchair users. There is a requirement under the 2005 Disability Act to make all services accessible. There is an on going programme to provide kassel kerbs at all existing bus stops where possible. The funding for this programme comes from the Department of Transport to Dublin Bus. Dublin City Council carries out the work on behalf of Dublin Bus.

**Q.89 THE LORD MAYOR, COUNCILLOR VINCENT JACKSON**

That Dublin City Council please furnish me with the following information on Thornton's Waste Facility at Killeen Road Ballyfermot Dublin 10.

- a. Storage of skips, trucks etc adjoining Killeen Road at the old entrance of Semperit Tyre Facility.
- b. Operation of an End of Life Recovery facility at Kylemore Park West adjoining Thornton's Main Facility.
- c. What business does Dublin City Council now give to Thornton's Facility?
- d. Is the Manager aware of the serious ongoing problems the operation of this huge facility has on the ongoing community here in Ballyfermot & what action can Dublin City Council or the local residents take to have these facilities reduced or closed down?
- e. I would ask what aspects of the above need Planning Permission & if all are in order I would be grateful for copies of same.

**CITY MANAGER'S REPLY:****(Sections B & C)**

The Thornton facility is a licensed facility under the control of the EPA. A Waste Permit was issued by Dublin City Council (WP 98098) for the dismantling or recovery of vehicles, which is operated from an industrial unit at Kylemore Park West Industrial Estate. This facility is inspected by the Council's Waste Enforcement Unit and is currently in compliance with the relevant legislation relating to end of life vehicles. Dublin City Council currently diverts organic waste (brown bin material), plastics (from bring centres) and domestic waste from DCC's night shift to Thornton's facility.

**(Sections A & E)**

The storage of skips, trucks, etc. adjoining Killeen Road at the entrance to the old Semperit tyre facility is a short-term temporary facility pending the completion of the works at Labre Park, Killeen Road, (Plan No. 3899/06) where permission was granted in August 2006 to Thorntons Recycling Ltd. for a development consisting of hard landscaping and drainage of an existing

disused site for use as storage, vehicular storage and servicing/washing of vehicles.

A range of permissions relating to the processing and recycling of materials have been granted by Dublin City Council to Thorntons Recycling Ltd. A full report on permissions will issue directly to the Lord Mayor.

**(Section D)**

The main waste facility is operated by way of licence from the Environmental Protection Agency (E.P.A.). That agency is responsible for the ongoing monitoring the facility to ensure that the various conditions attaching to the licence are being adhered to. The City Council is aware of the concerns of local residents with regard to the operation of the plant. These concerns were voiced directly to officials from the E.P.A. at a meeting held on 29<sup>th</sup> May in the Ballyfermot Area Office. The power to suspend the operating licence or to amend its conditions (with regard to the tonnage, types of wastes processed etc.) rests solely with the E.P.A. Any complaints or concerns relating to the plant should continue to be made to the E.P.A.

**Q.90 THE LORD MAYOR, COUNCILLOR VINCENT JACKSON**

That Dublin City Council please confirm that the Christmas Trees will again be placed at the Following Locations in my ward - Bluebell, Cherry Orchard, Landen Road Ballyfermot, Ballyfermot Civic Centre & Chapelizod. These initiatives add magical colour to our Communities at the Christmas period.

**CITY MANAGER'S REPLY**

It is the intention of the City Council to have a Christmas Tree in Bluebell and Chapelizod again this year.

Christmas trees will again be provided this year at the Ballyfermot Civic Centre, the junction of Landen/Lally Road and in the church grounds at Cherry Orchard.

**Q.91 THE LORD MAYOR, COUNCILLOR VINCENT JACKSON**

To ask the City Manager to ensure that all measures including a meeting are agreed in relation to the following traffic situation at chapelizod. That a traffic warden service is provided due to serious traffic congestion at the Chapelizod National School St Patrick's. That a set down area for one bus is provided or a sharing of the Dublin Bus Stop with the School Bus is provided, Amber Flashing Lights be provided outside the School area and signage be provided warning motorists that a School is in the vicinity & a waste bin be provided at the bus stop outside the School. The Bus will be lost to this school due to no set down after for bus to drop on to School.

**CITY MANAGER'S REPLY:**

A meeting to discuss these issues was held on 7<sup>th</sup> March, 2007, between the school authorities, Dublin City Council and the Gardaí. Following this meeting, a proposal for a parking space for the school bus was made to the school. No response to the proposal was received. However, the school has informed the Traffic Department that the private bus service is ceasing from next September and the pupils will be availing of the public bus service. Therefore, the set down area is no longer required.

The matter of school warden, provision of amber flashing lights and school signage has been referred to the Traffic Advisory Group. The Councillor will be informed of the recommendations of the group when these are available.

Waste Management Services are currently upgrading the existing litterbins throughout the Dublin City Council area. We will arrange to have a new litterbin installed at the bus stop outside the Chapelizod National School St. Patrick's before the end of June 2007.

**Q.92 THE LORD MAYOR, COUNCILLOR VINCENT JACKSON**

To ask the City Manager that Dublin City Council provide a proper Litter Management Plan for the Ballyfermot Road Area & All roads where Schools are Located to include more regular cleansing, additional Litter Bins & contact with the adjoining Schools to ask them to provide environmental programmes to help this issue.

**CITY MANAGER'S REPLY:**

The South Central Area Office is currently reviewing the cleaning arrangements with the view to providing an improved cleaning service for this area, particularly around the schools.

Waste Management Services will examine this area again in relation to litterbins and new bins will be provided where required.

Seven schools in the Ballyfermot area are registered in An Taisce's 'Green Schools' programme. Clare Egan, Green Schools Officer, has worked with St. Louise's, St. Michael's and St. Raphael's National schools during the year and it is hoped that they will be in a position to apply for the green flag during the next school year. Helen Bourke, Community Officer, is also working very closely with all schools in the area promoting environmental awareness.

The City Council is in the process of preparing a new Litter Management Plan for the City. We are also proposing to carry out an extensive Anti-Litter awareness campaign later this year aimed primarily at teenagers.

**Q.93 COUNCILLOR DEIRDRE HENEY**

Will the Manager please report and say when provision of pedestrian signals or other crossing (island) was last examined for the area outside or adjacent to shops at location (**details supplied**), say how near required warrant for levels of traffic/pedestrians it was and if new examination can take place in view of new estates, extra traffic etc

**CITY MANAGER'S REPLY:**

Requests for pedestrian lights were considered at the above location as part of the Willow Park Traffic Calming Scheme Review and following traffic and pedestrian counts undertaken for the review, pedestrian signals were not recommended due to a low pedestrian count and adequate gaps in traffic flow. Recent counts show that pedestrian numbers are still below the level to warrant pedestrian signals.

However, a Traffic Engineer will investigate the road in relation to an alternative traffic-calming device, such as a ped island, to assist pedestrians crossing at this point.

**Q.94 COUNCILLOR DEIRDRE HENEY**

Will the Manager please report on planning permission given for house beside address (**details supplied**) and outline what dispute exists as existing householders, who gave permission for drainage connection through her garden wants matters finalised and re-instated after one year delay.

**CITY MANAGER'S REPLY:**

The owner of the new house applied to the City Council for a drainage connection. A quotation in the sum of €19,000 was given to the householder who must arrange payment prior to works being carried out. The City Council is not aware of any other dispute regarding this matter.

**Q.95 COUNCILLOR MAURICE AHERN**

Will Manager please outline position with affordable houses in development as per **details supplied** and say:

- (1) How many are still occupied under Caretaker's Agreement.
- (2) Why this is still happening at this stage and timescale for regularisation.
- (3) If City Council is taking action with occupant of No. 35 to protect its investment as house and garden are being undermined by adjacent development with part of garden disappearing.
- (4) If all houses are occupied with particular reference to No. 27.

**CITY MANAGER'S REPLY:**

1. There are 12 residents on Caretakers Agreement.
2. Dublin City Council is currently finalising arrangements with these residents for the closing of the sale of their properties. Agreement has been reached in principle with a number of these residents in relation to items of work that required further attention. The developer has been instructed to commence these works. It is anticipated that the sale of these will be completed in the coming weeks.
3. The resident of No.35 contacted Dublin City Council Architects Division expressing concern over the appearance of a divot like impression in their back garden. A Structural Engineer visited No.35 together with a City Council official and a written report is pending. Verbal communication has indicated that the new development has not undermined this property.
4. All affordable houses are occupied with the exception of No.27. An offer has been made to an applicant on the Affordable Housing panel.

**Q.96 COUNCILLOR MAURICE AHERN**

Will the Manager please inspect entrance to park and:

- (a) arrange to erect wire mesh over it, to prevent entry after dark, as residents are badly affected by anti-social behaviour, the causers of which disappear into the park when Gardai, etc. come.
- (b) Report on anti-social behaviour in park, out of hour's security, etc.

**CITY MANAGER'S REPLY:**

Modifications to the two existing access gates will require significant structural change to comply with the residents' request. There are currently plans to upgrade the entrance as part of our obligations under the Disability Act 2005. Securing of the entrances will be addressed in this context.

After hours anti social behaviour and vandalism of the park is sporadic in nature. The last most serious case of vandalism was caused to equipment in the playground on two occasions in March. Attacks on the current pavilion, which is in an isolated position, is an ongoing problem. There is no specific out of hour's security service.

The local Garda station has been issued with keys to the park.

**Q.97 COUNCILLOR MAURICE AHERN**

In relation to roads and shops as per (**details supplied**), will Manager please:

- (1) Arrange for installation of ramps to prevent speeding (Traffic).
- (2) Outline and clarify situation re ownership of forecourt and plans to upgrade same (Roads).
- (3) Say if any action is possible in relation of appearance of shops and flats (Planning)
- (4) If any inspections re standards of rented flats has taken place and results of same (Housing).
- (5) If inspections and enforcement of litter laws in laneway behind shops can be done on ongoing basis and why householder had to organise a skip to remove rubbish (Cleansing).
- (6) If owners of various properties is known and available.

**CITY MANAGER'S REPLY:**

- (1) The request to examine the issue of providing ramps on details supplied will be referred to the Traffic Advisory Group, TAG, for investigation and recommendation. A report will be issued to the Councillor upon completion.
- (2) The forecourt of the shops is in charge to DCC. Upgrading of this section of footpath will be considered when drawing up 2008 works programme.
- (3) There are no planning issues outstanding. Maintenance/improvement is a matter for the owners.
- (4) The following are the up to date details of the environmental health sections involvement under the Housing (Standards for Rented Houses) Regulations 1993 in relation to private rented dwellings on Shanard Road, Dublin 9:
  - 115 Shanard Road: Inspected July 2004 - in compliance with the regulations.
  - 112 Shanard Road: Inspected February 2007 - in compliance with the regulations.
  - 88 Shanard Road: A notice was served on the owner on 15 May 2007 requiring remedial works to be undertaken. Dwelling due for re-inspection in June 2007.

The non-registration of the dwelling has been referred to the Private Residential Tenancies Board.

- 71 Shanard Road: Inspected January 2007 – in compliance with the regulations.
- 49/51 Shanard Road. Inspected January 2007 – property vacant.

Inspections of the following properties have been scheduled for later this month.

- 70 Shanard Road
- 31 Shanard Road
- 103 Shanard Road.

- (5) The laneway behind the shops on Shanard Road is private and Dublin City Council is not responsible for the cleaning and maintenance of this laneway. Our Litter Warden was in contact with the people whose property back onto this laneway. This laneway was cleaned up and the rubbish removed by a skip hired by some of the property owners there. He will monitor the future cleanliness of this laneway to ensure that the property owners make every effort to keep this location as clean as possible.
- (6) If the Councillor supplies specific details of properties, the question of identifying the relevant registered owners will be examined.

**Q.98 COUNCILLOR MAURICE AHERN**

Will Manager please examine situation beside house as per **details supplied** and put one bollard in path in order to stop vehicles taking a short cut out from cul-de-sac over path/grass onto new link road.

**CITY MANAGER'S REPLY:**

Appropriate measures will be taken to ensure that vehicles will not be able to drive across the grass.

**Q.99 COUNCILLOR JULIA CARMICHAEL**

That the Manager liaise with the ESB to move the electricity box from outside of **(details supplied)** to allow the family to extend the driveway for wheelchair access for a family member and respond with details of the time and date when this work can be completed by the ESB.

**CITY MANAGER'S REPLY:**

The ESB have been contacted. A reply will be forwarded directly to the Councillor when confirmation is received from the ESB.

If a new vehicular entrance is being created, planning permission is required for the entrance. If the dishing of the footpath is required the Parking Section will only dish footpaths after it has established that planning permission has been obtained.

**Q.100 COUNCILLOR JULIA CARMICHAEL**

That the timing of the lights at the Omni Plex in Santry is reviewed in relation to pedestrians crossings from Lorcan Road over to the Shopping centre, with a view to installing a pedestrian crossing at this point.

**CITY MANAGER'S REPLY:**

New equipment for the audios was installed at the site on 25th May and all faulty audios were fixed by the evening of 29th May.

At this particular site all the audios are now operating normally with a locator bleep and a walking tone for the green man, the only exception is on the island to the right hand side of the main entrance/exit to Omni Shopping Centre (on the right hand side as you are exiting the shopping centre). There are three poles with audios on this island. Two of them are 1.5 metres apart, so they operate with a location bleep only.

However we are currently working with the National Council for the Blind of Ireland with regard to situations such as this, and this particular site will be examined to determine if any improvements can be made.

**Q.101 COUNCILLOR JULIA CARMICHAEL**

That the Manager review the current water heating system that has been implemented in Senior Citizens complexes such as **(details supplied)**, when the resident turns on hot water, the heating system turns on as well and review the placement of these on/off control points, which in some cases, are positioned in difficult to reach and awkward areas within the apartment or house. Can this be reviewed making the hot water system user friendly and easier to use?

**CITY MANAGER'S REPLY:**

The Area Maintenance Officer has called to this address but was unable to gain access. The problem may be that the tenant has difficulty adjusting the thermostatic valves on the radiators in the flat when he only requires hot water. Installation of an immersion heater would solve this problem. Further calls will be made to this dwelling to gain agreement from the tenant for this work to be completed.

In relation to flats in general this issue will be examined.

**Q.102 COUNCILLOR JOHN GALLAGHER**

To ask the City Manager for an update on the proposals for Social and Affordable Housing at **(details supplied)** and if he will make a statement on the matter.

**CITY MANAGER'S REPLY:**

It is intended to develop the former OPW site in Jamestown Road for Affordable Housing. There are no plans for this development to contain Social units. A planning application has been lodged by the Developer for 300 housing units. A total of 240 units will be allocated for affordable Housing. The Planning Department has requested additional information from the developer and this has been received and is being evaluated at present.

**Q.103 COUNCILLOR JOHN GALLAGHER**

To ask the City Manager if he will arrange to have graffiti removed from areas **(details supplied)** and if will make a statement on the matter.

**CITY MANAGER'S REPLY:**

I have listed these with our contractors for cleaning and expect that all the work will be carried out by the end of the month.

**Q.104 COUNCILLOR JOHN GALLAGHER**

To ask the City Manager if he will outline the requirements in relation to the dishing of footpaths in an area **(details supplied)** ; why some residents have been given recent approval for the dishing of the paths whereas others have been refused; and if he will make a statement on the matter

**CITY MANAGER'S REPLY:**

Manager's Order No. DOT/18/07 specified the new charges to be levied in respect of domestic vehicular dishing in concrete footpaths. A number of points need to be made in order to eliminate any confusion that may have arisen with regard to the construction of these dishings:

- A standard domestic concrete dishing measuring up to and including 7 square meters will be charged at €420 and larger domestic dishings will be charged at €60 per square metre. Where granite kerbs or other modular material occurs, an extra charge will be levied;
- Under the Planning and Development Regulations, 2001, planning permission is required for the creation of, or widening of, a vehicular access to a domestic dwelling. A copy of the grant of planning permission must be produced with any request for a dishing;
- Where no planning permission exists and the entrance has clearly been in existence for a long time, it will be necessary for the property owner to prove by sworn affidavit that the entrance has been in use as a vehicular access for a period of seven years. Please note that a sworn affidavit is a letter of declaration signed / witnessed by a Solicitor or a Peace Commissioner.

**Q.105 COUNCILLOR JOHN GALLAGHER**

To ask the City Manager for an account of the efforts being made to ensure **(details supplied)**

**CITY MANAGER'S REPLY:**

There have been problems with **(details supplied)** for a number of months. The main basis of the problems centre around the introduction of new software. The function of this new software is to convert documents to make them available on the web.

Unfortunately other issues arose during the conversion process and these issues are currently being investigated. The issues are being examined by ANITE who are the providers of our documents-on-line service. ANITE have referred these issues to a Canadian company 'Ad-Lib' who are currently working on a resolution.

**Q.106 COUNCILLOR MICK RAFFERTY**

Would the Manager please provide a report on the accommodation situation of Rose Maughan, a Traveller woman living in appalling conditions with her family in Pigeon House Road and who is now on the ordinary allocation list, and is seeking to be accommodated urgently?

**CITY MANAGER'S REPLY:**

This lady, accompanied by Councillor Rafferty, has had a number of meetings with senior officials from the Travelling People Section. She has clearly indicated that she is not interested in Traveller Specific Housing. A Social Worker from the Traveller Team has assessed her situation and recommended that she be awarded an overall priority for standard accommodation. This application and recommendation will be addressed in accordance with established criteria.

**LOCAL FUND FINANCIAL STATEMENT**

**LOCAL GOVERNMENT ACT 2001**

**31st March 2007 to 27th April 2007**

|                         |        |             |                   |
|-------------------------|--------|-------------|-------------------|
| Balance                 | Debit  |             | 71,076,016        |
| Payments during period  |        | 127,698,236 |                   |
| Receipts during period  |        | 167,109,712 |                   |
| Difference              | Credit |             | 39,411,476        |
| Balance                 | Debit  |             | <u>31,664,540</u> |
| Revenue Account Balance | Debit  |             | 6,835,224         |
| Capital Account Balance | Debit  |             | 24,829,316        |
|                         | Debit  |             | <u>31,664,540</u> |

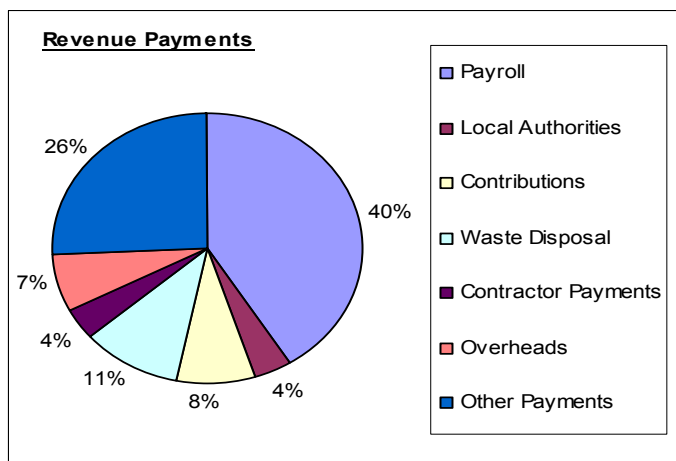
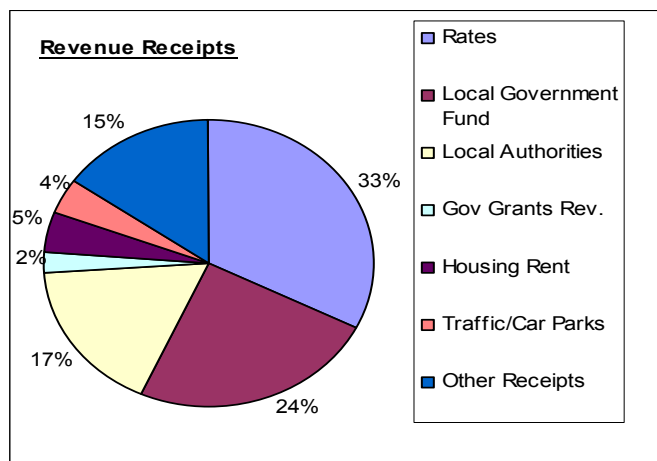
**Analysis of Revenue Receipts & Payments April 2007**

| Receipts               | %              | This period        | Cumulative to 27/04/07 | Payments                    | %              | This period       | Cumulative to 27/04/07 |
|------------------------|----------------|--------------------|------------------------|-----------------------------|----------------|-------------------|------------------------|
| Rates                  | 32.58%         | 33,780,910         | 94,100,622             | Payroll                     | 41.08%         | 31,222,190        | 139,125,401            |
| Housing Rent           | 4.79%          | 4,967,568          | 21,271,026             | Contractor Payments         | 3.57%          | 2,715,246         | 8,074,275              |
| Shared Ownershp        | 1.86%          | 1,928,460          | 7,654,417              | Local Authorities           | 3.95%          | 3,003,784         | 15,354,681             |
| Other Housing Receipts | 1.90%          | 1,971,845          | 6,433,821              | Grants                      | 1.74%          | 1,318,747         | 12,228,478             |
| Gov Grants Rev.        | 2.17%          | 2,251,729          | 19,400,580             | Rent/Rates                  | 1.96%          | 1,490,745         | 6,955,525              |
| Water/Refuse           | 1.88%          | 1,947,562          | 9,821,402              | Fees Payable                | 1.01%          | 765,677           | 8,816,761              |
| Local Gov Fund         | 24.18%         | 25,077,634         | 50,155,268             | Overheads                   | 6.84%          | 5,199,149         | 19,506,770             |
| Traffic/Car Parks      | 3.91%          | 4,058,934          | 14,830,838             | Computer Purch/Maint        | 1.85%          | 1,403,830         | 4,125,599              |
| Local Authorities      | 17.18%         | 17,818,644         | 37,136,373             | Contributions               | 8.16%          | 6,200,500         | 18,384,856             |
| Superannuation         | 0.39%          | 406,749            | 2,044,564              | Utilities                   | 0.00%          | 0                 | 8,721,093              |
| Other Debtors          | 1.87%          | 1,941,363          | 14,043,089             | Vehicle Equipment Hire      | 2.20%          | 1,673,479         | 9,006,947              |
| Planning Fees          | 0.37%          | 380,483            | 1,383,378              | Equipment Vehicle/Materials | 4.07%          | 3,095,927         | 11,421,000             |
| City Estate Rental     | 0.26%          | 274,485            | 1,899,317              | Waste Disposal              | 10.55%         | 8,016,019         | 21,355,486             |
| Administration         | 6.64%          | 6,885,519          | 19,193,163             | Stores                      | 2.08%          | 1,578,180         | 6,508,374              |
| <b>Total Receipts</b>  | <b>100.00%</b> | <b>103,691,886</b> | <b>299,367,859</b>     | Personal/Property Awards    | 1.29%          | 978,051           | 7,279,250              |
|                        |                |                    |                        | Site Clearance              | 0.61%          | 461,929           | 2,302,180              |
|                        |                |                    |                        | Installations               | 1.06%          | 808,953           | 4,608,900              |
|                        |                |                    |                        | Relocation of Utilities     | 2.87%          | 2,180,229         | 2,584,918              |
|                        |                |                    |                        | Insurance                   | 0.10%          | 77,624            | 4,561,342              |
|                        |                |                    |                        | Clamping                    | 0.92%          | 699,907           | 2,761,052              |
|                        |                |                    |                        | Administration              | 4.09%          | 3,110,089         | 17,927,318             |
|                        |                |                    |                        | <b>Total Payments</b>       | <b>100.00%</b> | <b>76,000,256</b> | <b>331,610,207</b>     |

The above analysis sets out the movement between payments and receipts over the period 31st March 2007 to 27th April 2007. Total receipts amounted to € 167.1m with payments of €127.7m, leaving a net Receipts difference of € 39.4m

Revenue receipts for the period amounted to €103.7m with Revenue Payments of €76m. Included in Revenue receipts are the second instalment of the Local Government Fund of €25m, Government Grants of €2.2m; this amount includes €1.5m for Homeless Policy. Local Authorities receipts include €5.6m for Fire Brigade, €4.9m for Sewers, €5.2 for Commercial Waste and €1.9m for Water. Traffic receipts include €2.6m from Parking Meter Fees and €0.4m for Traffic enforcement.

Included in the Revenue Payments is €31.2m for Payroll.

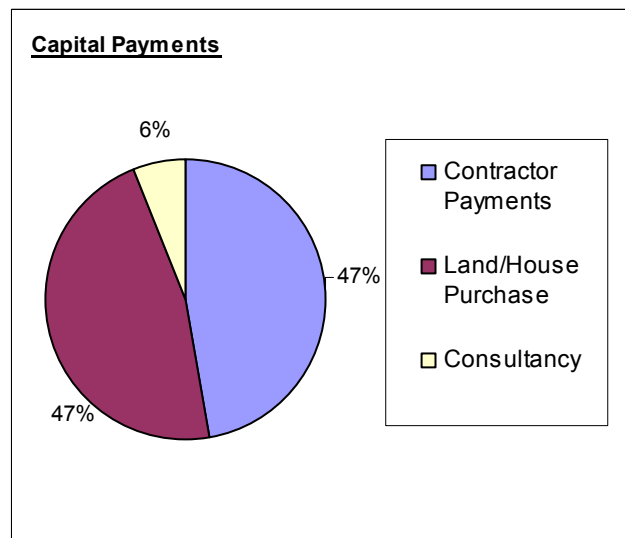
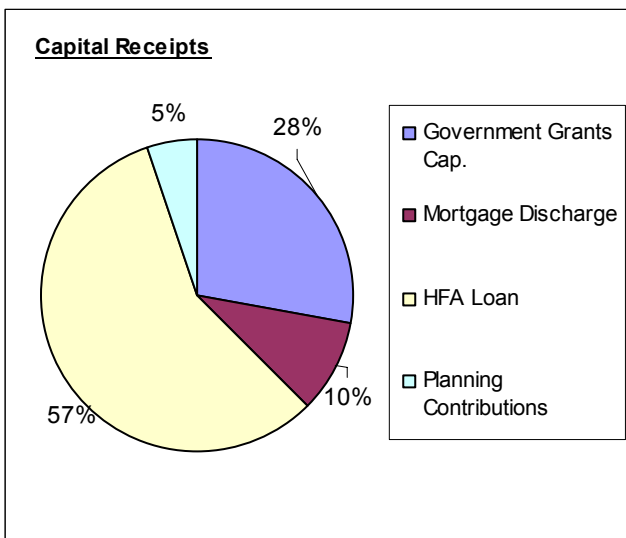


**Analysis of Capital Receipts & Payments April 2007**

| <b>Receipts</b>          | <b>%</b>       | <b>This period</b> | <b>Cumulative to 27/04/07</b> | <b>Payments</b>          | <b>%</b>       | <b>This period</b> | <b>Cumulative to 27/04/07</b> |
|--------------------------|----------------|--------------------|-------------------------------|--------------------------|----------------|--------------------|-------------------------------|
| Mortgage Discharge       | 9.22%          | 5,848,441          | 18,552,939                    | Contractor Payments      | 47.17%         | 24,387,104         | 109,217,152                   |
| Government Grants Cap.   | 25.84%         | 16,388,850         | 67,998,620                    | Land/House Purchase      | 46.65%         | 24,117,977         | 91,469,725                    |
| Planning Contributions   | 5.02%          | 3,185,263          | 15,709,268                    | Consultancy              | 6.18%          | 3,192,899          | 15,201,178                    |
| HFA Loan                 | 53.24%         | 33,760,980         | 98,223,254                    | Loan Charges/Redemptions | 0.00%          | -                  | 40,077,563                    |
| Sale of Sites/Apartments | 6.68%          | 4,234,292          | 10,193,907                    |                          |                |                    |                               |
| <b>Total Receipts</b>    | <b>100.00%</b> | <b>63,417,826</b>  | <b>210,677,988</b>            | <b>Total Payments</b>    | <b>100.00%</b> | <b>51,697,980</b>  | <b>255,965,618</b>            |

Capital receipts for the period amounted to €63.4m with capital payments of €51.7m. Capital Grants received were €16.4m, just over €12.8m was for Housing, €1.4m was for Roads and €1.2m was for Water. HFA loans were €33.8m of which €27.6m was for Shared Ownership with the balance of €6.2m for Affordable Housing

Capital payments to contractors totalled €24.4m; €13.5m is if for Voluntary and Affordable Housing and €5.9m is for Ballymun Regeneration. Land / House Purchase is €24.1m, €10.5m is for Housing Construction and €5.8m is for Affordable Housing.



**Kathy Quinn**  
**Head of Finance**