



FÓGRA FREASTAIL DO CHRUINIÚ MÍOSÚIL NA COMHAIRLE

**SEOMRA NA COMHAIRLE, HALLA NA CATHRACH, CNOC CHORCAÍ,
DÉ LUAIN, AR 2 MÁRTA 2015 AG 6.15 I.N.**

**NOTIFICATION TO ATTEND MONTHLY MEETING OF COUNCIL TO BE
HELD IN THE COUNCIL CHAMBER, CITY HALL, DUBLIN 2,
ON MONDAY, 2nd MARCH 2015 AT 6.15PM**

Do Gach Ball den Chomhairle.

A Chara,

Iarrtar ort a bheith I láthair ag an Cruinniú Míósúil de Chomhairle Cathrach Bhaile Átha Cliath a thionólfar i **Seomra na Comhairle, Halla na Cathrach, Cnoc Chorcaí, ar 2 Márta 2015 ag 6.15 i.n.** chun an ghnó seo leanas a phlé agus gach is gá i dtaca leis a dhéanamh, nó a chur a dhéanamh, nó a ordú a dhéanamh:-

Silent Prayer/Reflection

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- (b) Letter from Limerick City and County Council dated 13th February 2015 conveying the terms of a motion from a recent meeting calling on the Minister for the Environment, Community and Local Government to review the declaration of “off the road” vehicles when declared off the road and that the system in England, i.e. “Lifetime” declaration and not “Annual” be used. **31**

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- (b) Report No. 77/2015: Demolition of 6 Ballybough Road, Dublin 3 and the redevelopment of No.’s 2, 3, 4 and 5 Ballybough Road, Dublin 3. **125**
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- Economic Development and Enterprise SPC
 - Markets & Trading in the Public Domain Committee
 - Parnell Square Special Committee
 - Southern and Eastern Regional Assembly
9. (a) The appointment of a Member to replace Councillor Claire Byrne on the following Boards following her resignation from these Committees:
- I. Commemorative Naming Committee
- II. Dublin City Joint Policing Committee
- (b) nomination to the Dublin City Leisure Services Company Limited
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In compliance with Section 183 of the Local Government Act 2001 copies of Report No.’s 76, 79, 80, 81, 82, 83, 84 and 85/2015 were circulated to every Member of Council on 18th February 2015.

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PART IV – MOTIONS

29. Emergency Motion(s) – ***to be taken no later than 8.30pm followed by Items 30 and 31 on the Agenda. Revert to Business on the Agenda no later than 9.pm.***

Motions on Notice

30. **COUNCILLOR BRÍD SMITH** **Received: 27/06/2014**
Replaced: 20/02/2015

Members of this City Council condemn the recent jailing of protesters against Irish Water metering and call on Justice Gilligan to immediately release those who have been imprisoned. We further call for an end to the 20 meter exclusion zone applied in the vicinity of GMC Sierra metering to peaceful protesters.

31. **COUNCILLOR KATE O'CONNELL** **Received: 27/06/2014**

That this Council calls on the Chief Executive to ensure a level playing field for businesses by withdrawing financial support for advertising for local markets, which hurts rates-paying, nearby, competing businesses and by ensuring the market traders are held to the same food-preparation standards as traders in fixed premises. Further to this, when market operators are being granted permission to erect stalls, that stalls that are in direct competition with existing rate-paying businesses are prohibited from being part of the market in question.

32. **COUNCILLOR SEÁN HAUGHEY** **Received: 27/06/2014**
Replaced: 20/02/2015

Dublin City Council fully supports the on-going planting of trees throughout the city in the interests of the environment and visual amenity. However where there is a conflict between the interest of a citizen and the welfare of a tree, the interest of the citizen shall take precedence.

33. **COUNCILLOR CATHERINE ARDAGH** **Received: 27/06/2014**
Replaced: 19/12/2014

That the Chief Executive asks Minister Aodhán Ó Ríordáin, TD, to investigate the daily workings and operations of Direct Provision Centres in the Dublin area, particularly in relation to the well-being of dependent children.

34. **COUNCILLORS NOEL ROCK & RAY McADAM** **Received: 27/06/2014**
Replaced: 23/01/2015

To call on the City Council, given the urgent issue of waste collection in the city, to implement a more regular junk collection service on a one-year or two-year schedule.

35. **COUNCILLOR DAMIAN O'FARRELL** **Received: 27/06/2014**
Replaced: 21/11/2014

This Council requests that DCC join GLEN's (Gay, Lesbian Equality Network) Diversity Champions Programme in support of Lesbian, Gay, Bisexual and Transsexual employees (LGBT). We believe that being part of the Diversity Champions Programme confirms DCC's commitment to LGBT inclusivity for employees.

36. **COUNCILLOR NOELEEN REILLY** **Received: 25/07/2014**
Replaced: 05/02/2015

That this Council calls for full proceeds of Motor Tax to be used for its intended purpose- the construction, maintenance and upkeep of our roads and footpaths. Up until 2012 Motor tax was used by Local authorities to fund road works and other services through the local government grant. Since then the government have syphoned of these funds to pay for the banking debt and now to subvent Irish water attacking the very heart of Local government funding. We have now seen that both the Property Tax and Motor Tax have been taken from Local services to set up Irish water a state quango which is completely opposed by the Irish people.

Actions:

- 1) A letter is written from Dublin City Council to the Minster for Transport and the Minster for Environment, Community and Local Government calling for Motor Tax to be redirected to Local Authorities.
- 2) Calling for the Minster for Environment, Community and Local Government to reverse the decision to replace the €5.7m Road block grant with the surplus on the property tax in 2015 and to take account of this in future years.

37. **COUNCILLOR CHRIS ANDREWS** **Received: 18/06/2014**
Replaced: 5/12/2014

Swapped with Motion 35 on 02/02/2015

That Dublin City Council will introduce wifi for all Council senior citizens in developments and community centres and carry out a pilot scheme in Maxwell Court in Rathmines.

38. **COUNCILLOR MANNIX FLYNN** **Received: 22/08/2014**

That this City Council calls on the Chief Executive to initiate a full independent forensic audit of Dublin City BIDS company – also known as Dublin Town. This review and assessment to include effectiveness measures, all financial dealings and incomes, salary and payment levels for the staff and executive officers, all service contractual arrangements. Also, that DCC carries out an evaluation survey within the BID area and within the BID membership regarding the satisfaction rating, effectiveness and performance of BIDS within the City area. This report also to include compliances to corporate governance and accountancy practices. The BIDS company was inaugurated under legal act of the Council and it is the duty of Dublin City Council to carry out such an assessment and overview in keeping with best practice.

39. **COUNCILLOR DAITHÍ DE RÓISTE** **Received: 22/08/2014**
Replaced: 23/10/2014

That Dublin City Council supports The Carers Association call on the Minister for Social Protection to amend the Social Welfare Bill to make provision for the restoration of the Respite Care Grant.

40. **COUNCILLOR MICHAEL O'BRIEN** **Received: 22/08/2014**

Noting the case of a migrant woman who became pregnant arising from a rape and who, despite suicidal ideation, was unable to secure a timely abortion and endured horrific physical and mental suffering, this Council calls on the government to hold a referendum during the remainder of its term so that the Eighth amendment to the Constitution can be repealed.

41. **COUNCILLOR RUAIRÍ MCGINLEY** **Received: 18/09/2014**

That this City Council supports measures for a Noise Control Act and seeks a report from the DoECLG on the matter.

42. **COUNCILLOR CRÍONA NÍ DHÁLAIGH** **Received: 25/09/2014**

Dublin City Council notes :

- That the Better Apartment Living Standards adopted by this council were a progressive step and will lead to a better quality of life for families who choose to live in apartments,
- with concern recent media articles that have called for the reduction in our standards quoting the chief executive of the Governments Housing Agency stating that he expects the next Dublin City Development Plan to see reductions in the minimum sized apartments.
- Any attempt to reduce the apartment guidelines as a retrograde step.

Dublin City Council will reject any attempt to lower the standards contained in these apartment guidelines.

43. **COUNCILLOR DAITHÍ DOOLAN** **Received: 26/09/2014**

That Dublin City Council proceeds with seeking Part 8 Planning Permission for housing on council land zoned for housing.

44. **COUNCILLOR JOHN LYONS**

Received: 26/09/2014

Replaced: 19/12/2014

That the following 1916 Buildings, identified in the Frank Myles Battlefield Report, commissioned by Shaffrey Associates on behalf of Chartered Land, be added to the list of protected structures as buildings of National historical importance.

- 1 .O' Briens Mineral Water Building, Henry Place - Occupied by volunteers.
- 2 .The White House, Henry Place - Occupied and held by Michael Collins.
3. No.10 Moore Street - Point of entry -The First Council of War - Overnight stay.
4. The Bottling Stores rear. 10 Moore Street and Moore Lane - Occupied by Frank Henderson.
5. Hanlons, 20/21 Moore Street - Surrender order accepted by volunteers after consultation with Thomas Clarke, Joseph Plunkett, Michael Collins and Sean Mac Diarmada.

45. **COUNCILLOR VINCENT JACKSON**

Received: 20/10/2014

That Dublin City Council brings forward a plan to provide a suitable street furniture plan for Dublin City Centre &, as part of this, identify some solutions to the lack/non existence of restrooms within the city.

46. **COUNCILLOR SÉAMAS McGRATTAN**

Received: 22/10/2014

Dublin City Council supports The Carers Association call on the Minister for Social Protection to amend the Social Welfare Bill to make provision for the restoration of the Respite Care Grant.

47. **COUNCILLORS D. COSTELLO & T. BRABAZON**

Received: 23/10/2014

That this Council supports the cause of the 500 members of the Irish Defence Forces (Óglaigh na hEireann), who entered into service after 1997, to have their service contracts extended beyond 21 years, based on an assessment of ability to serve.

48. **COUNCILLOR ALISON GILLILAND**

Received: 23/10/2014

That this Council commits to give effect, without delay and with regard to all Dublin City Council public procurement contracts, the following principles established by the reformed EU Public Procurement Directives. These three Directives have been signed by the Irish Government and are required to be transposed into national law by April 2016. Member States, however, do not have to wait and can implement the terms of the Directive at any stage prior to April 2016.

It applies the following principles:

- **Most economically advantageous tender (M.E.A.T.)** so formulated to always include social considerations such as the impact on local employment. Under this DIRECTIVE it is essential that social considerations are given a suitable weighting.
- **Compliance with Labour Law:** 'Member States shall take appropriate measures to ensure that in the performance of public contracts economic operators comply with applicable obligations in the fields of environmental, social and labour law established by Union law, national law, collective agreements or by the international environmental, social and labour law provisions' Article 18

- **Inclusion of Social Clauses:** *to detail specific criteria to require as a condition of the contract, respect for employment rights, including respect for right to collective bargaining and compliance with relevant JLCs (and EROs/REOs and REAs) and/or relevant Minimum/Living Wages (ILO Convention 94 on Labour Clauses in Public Contracts).*
- **Selection and Exclusion Grounds for Tendering:** *including the exclusion of abnormally low tenders, having regard for economic and financial standing of tenders and previous behaviour compliance behaviour with legal/employment rights obligations.*
- **Joint and Several Liability in Contracting Chains:** *that the tenderer be asked to indicate in its tender any share of the contract it may intend to subcontract to third parties and to name and have oversight of any proposed subcontractors.*

49. **COUNCILLOR GREG KELLY**

Received: 23/10/2014

Replaced: 21/11/2014

Dublin City Council calls on the Government to respect the wishes of hundreds of thousands of people throughout this state by scrapping water charges. Dublin City Council recognises that Irish Water is not fit for purpose and should be abolished, returning the infrastructure to Local Authorities.

50. **COUNCILLOR TINA MACVEIGH**

Received: 23/10/2014

Replaced: 23/01/2015

That this Council will, in line with Dublin City Council's own key objectives, and in response to the Government's *Action Plan for Jobs*, policy for reform and development of Local Government, Ireland's Sustainability Policy and the mission of the Office of Government Procurement in Ireland develop a *Sustainable Procurement Policy* which will include a policy on the inclusion of Social Benefit Clauses in the City Council's procurement process.

The aim of the policy will be to embed sustainability principles (social, economic and environmental) into all procurement within Dublin City Council. Local authorities in Ireland spend approximately €2.14bn per annum through procurement which could provide a vital springboard to support economic growth in Dublin. We must use innovative, evidence-based approaches to procurement to support the design and delivery of efficient and effective public services and to optimise the added value that is delivered to the economy and communities of Dublin.

To this end, Dublin City Council will before carrying out a regulated procurement, consider how in conducting the procurement process it can:

- i. improve the economic, social and environmental wellbeing of the authority's area,
- ii. facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process.

51. **COUNCILLOR DEIRDRE HENEY**

Received: 23/10/2014

That the Chief Executive gives a detailed report on emergency plans for winter, storms, floods, frost etc.

52. **COUNCILLOR PATRICK COSTELLO** **Received: 23/10/2014**

As the former provider of public water services in Dublin City, this Council calls for the amendment of the Constitution in order to prohibit the privatisation of water provision and waste-water services.

53. **COUNCILLOR PAUL MCAULIFFE** **Received: 23/10/2014**
Replaced: 19/12/2014

Following the decision of Dublin City Council not to approve the land swap involving 24/25 Moore Street, we call on the Chief Executive to meet with all elected public representatives and those involved in Save Moore Street Campaign to clarify the status of the extant planning permission for this site. Given that the City Council as owners of No.'s 24/25 do not wish for this site to be sold to the applicant of the planning permission and do not want the current planning application to proceed, can the Chief Executive clarify if this now renders the planning application/permission void.

54. **COUNCILLOR CLAIRE BYRNE** **Received: 21/11/2014**
Replaced: 20/02/2015

That this Council calls on The Minister for Environment, Community and Local Government Alan Kelly to introduce legislation as matter of urgency to improve tenancy rights for the private rental sector and to introduce proper rent control legislation that would limit annual housing increases and prevent over heating in the rental market in the City.

55. **COUNCILLOR NIAL RING** **Received: 01/12/2014**

That the Members agree that Dublin City Council's intensive inspection of rented accommodation scheme should be funded for a further three year period.

56. **COUNCILLOR ANDREW KEEGAN** **Received: 17/12/2014**

That all contracts carried out by contractors and sub-contractors working on any project for DCC comply with all agreed rates of pay for their trades men and other operatives under their employment, and any agents employees on the bogus and illegal subcontract certificate RCT should not be permitted with DCC tender contracts and that DCC sets the gold standard for employment and workers employed properly with the full benefits of the state and not exploited.

57. **COUNCILLOR LARRY O'TOOLE** **Received: 19/12/2014**

Noting the concerns raised by Public Representatives, Trade Unions and other organisations in relation to exploitation of workers engaged in the Construction Industry, Dublin City Council adopts the following policy:

1. All workers on Dublin City Council Construction Projects shall receive the terms and conditions of employment as contained in the Construction Industry National Collective Agreements. All workers whether employed by the main contractor, a sub-contractor or an agency will be treated equally and receive all of their entitlements.
2. All workers to be employed on a PAYE basis. Bogus self employment along with other Black/Grey employment practices will not be tolerated.
3. DCC encourages the creation of training opportunities for our young people through the creation of apprenticeships based on a ratio of one apprentice for every six Craftworkers.

4. Trade Unions affiliated to the Construction Industry Committee of ICTU will have access to Projects in order to monitor compliance with the Collective Agreements and to service their members.

58. **COUNCILLOR CIERAN PERRY** **Received: 19/12/2014**

This Council calls on the Minister for Finance to rescind the Student Service Charge being imposed on apprentices in this country. Apprentices already pay tax as employees and an additional tax on low income earners such as this is totally inequitable, The Government should be incentivising apprentices rather than penalising them.

59. **COUNCILLOR FRANK KENNEDY** **Received: 22/01/2015**

The Members of Dublin City Council resolve to formally call on the Ministry of Foreign Affairs of the United Arab Emirates not to invoke diplomatic immunity in order to avoid satisfying an award of €240,000.00 made in November 2014 by the Employment Appeals Tribunal in favour of three former employees of the UAE Ambassador to Ireland.

60. **COUNCILLOR JIM O'CALLAGHAN** **Received: 22/01/2015**

Dublin City Council opposes the proposed Love Ulster parade due to go ahead in 2015. The previous march damaged the reputation of the City and left the City and State with a large policing and clean up bill. The resources used for hosting such an event in 2015 would be better spent elsewhere.

61. **COUNCILLOR ANTHONY CONNAGHAN** **Received: 23/01/2015**

This Council calls on the Minister for Arts, Heritage and Gaeltacht Heather Humphreys to recognise and act on her responsibility as Heritage Minister to protect and preserve the historic Moore Street area of Dublin City, including the terrace 10-25 Moore Street which was occupied by the Volunteers at the end of Easter Week 1916 and where the final meeting of the Provisional Government of the Irish Republic took place. This requires the preservation not only of the National Monument 14-17 Moore Street but the protection of the terrace and of the integrity of the surrounding area which has been described as 'the lanes of history' and which has the potential to be sensitively developed as an historic quarter of our capital city, enhancing the living market trading tradition and bringing to life the area's central role in the 1916 Rising.

62. **COUNCILLOR KIERAN BINCHY** **Received: 23/01/2015**

That the Chief Executive introduces 30 km per hour speed limits on appropriate inner city and suburban residential roads in order to increase the quality of life, protect children, and to encourage walking and cycling for short local journeys.

63. **COUNCILLOR SONYA STAPLETON** **Received: 23/01/2015**

That this Council calls on the Minister for the Environment, Community and Local Government, Alan Kelly, to make a formal statement to this Council as to how, given that over the course of the past twenty years successive Councils have voted against the development of the Poolbeg Incinerator and, given that international best practice points to smaller, more localised models, and given that in this Council there was cross party unanimity in opposition to the proposals how, flying in the face of local democracy, this decision remains an executive function of the Chief Executive and is now set to proceed. We call on the Minister to do everything within his power to immediately put a stop to this.

64. **COUNCILLOR CIARÁN CUFFE** **Received: 23/01/2015**
- Given the emergence in recent years of unauthorised trading in prescription drugs, that this Council calls on Government as a matter of urgency to implement legislation or regulations that will prohibit the on-street and/or unregulated sale of Benzodiazepine, Zimovane and other substances that can be harmful unless dispensed by qualified medical practitioners.
65. **COUNCILLOR RAY McHUGH** **Received: 03/02/2015**
- That this DCC agree to the return of Public Toilets to main streets of our city.
66. **COUNCILLOR BRENDAN CARR** **Received: 09/02/2015**
- That this Council call on the Planning Department of Dublin City Council to endorse their previous decision to refuse permission for the telecommunications tower, equipment and cabin within the compound adjoining Unit 1 Slaney Road, Dublin (Glasnevin) Industrial Estate, Dublin, by ensuring that any future planning application for the retention of this mast at this site be refused by the Planning Department of Dublin City Council.
67. **COUNCILLOR CIARAN O'MOORE** **Received: 20/02/2015**
- That this Council, recognising the need for safety for children at play in the housing estates in which they live, calls on the Minister for Transport to pass the Road Traffic Amendment Bill 2015 commonly known as Jake's Law, in memory of Jake Brennan, in order to introduce a new mandatory speed limit of 20km specifically for housing estates. The council further commits to writing the Minister on this issue and circulating this letter to all other local authorities in the state for their consideration.
68. **COUNCILLOR GARY GANNON** **Received: 20/02/2015**
- This Council calls on the Department of Social Protection to cease immediately the intended cut to One Parent Carers. In recognition of the societal value of their work & the disproportionate impact this cut of €86 a week would have on the Carers Child(ren) & the person to whom they are charged with caring for, we the elected Councillors of Dublin City Council call on the Minister for Social Protection, Joan Burton to insure this loss of income and the many unintended consequences that would surely arise if implemented, does not proceed.
69. **COUNCILLOR JANICE BOYLAN** **Received: 20/02/2015**
- That this Council recognising the need for safety for children at play in the housing estates in which they live, calls on the Minister for Transport to pass the Road Traffic Amendment Bill 2015 commonly known as Jake's Law, in memory of Jake Brennan, in order to introduce a new mandatory speed limit of 20km specifically for housing estates. The council further commits to writing to the Minister on this issue and circulating this letter to all other local authorities in the state for their consideration.
70. **COUNCILLORS CIARÁN CUFFE & ANDREW MONTAGUE** **Received: 20/02/2015**
- That this City Council initiates a formal public consultation process on the introduction of 30 kph speed limits in all residential areas within the city, and advertise such consultation at the earliest opportunity.

That Dublin City Council recognises the global growth in the sport of MMA (Mixed Martial Arts) and the opportunities this sport potentially gives to the economic growth of this City. To this end the City Council requests the Economic Development and Enterprise SPC, the Planning and International Relations SPC and Dublin City Council staff to do the following.

- Develop a plan for enticing MMA events to be held in the Dublin City Council Area.
- Build a relationship with the UFC, with the long term aim to have an annual Fight Night event held in the 3 Arena in and around St. Patrick's week.
- In the event there is an Irish champion in the UFC to attempt to get a title fight held in either Croke Park or Lansdowne Road in the summer months.
- Build a relationship with other MMA organisations and attempt to get them hold events in Ireland, such as Bellator, ONE FC, Invicta FC, WSOF, EFC etc..

Vincent Norton
Bainisteoir Feidhmiúcháin
An Ché Adhmaid
Baile Átha Cliath 8

25 Feabhra 2015