

COMHAIRLE CATHRACH BHAILE ÁTHA CLIATH



Miontuairiscí Chruinniú Speisialta a tionóladh ar 25 Iúil 2016 i Seomra na Comhairle, Halla na Cathrach, Cnoc Chorcaí ag 6.15 i.n. I Láthair an tArdmheara Brendan Carr sa chathaoir

**Comhairleoir:**

Chris Andrews  
Janice Boylan  
Cathleen Carney Boud  
David Costello  
Hazel De Nortuin  
Pat Dunne  
Declan Flanagan  
Alison Gilliland  
Vincent Jackson  
Greg Kelly  
Micheal Mac Donncha  
Paul McAuliffe  
Seamas McGrattan  
Rebecca Moynihan  
Criona Ni Dhalaigh  
Ciaran O'Moore  
Noeleen Reilly  
Paddy Smyth

**Comhairleoir:**

Kieran Binchy  
Brabazon  
Brendan Carr  
Patrick Costello  
Daithi De Roiste  
Gaye Fagan  
Mary Freehill  
Paul Hand  
Andrew Keegan  
Frank Kennedy  
Sean Paul Mahon  
Paddy McCartan  
Ray McHugh  
Michael Mullooly  
Naoise O'Muire  
Larry O'Toole  
Eilis Ryan  
Sonya Stapleton

**Comhairleoir:**

Paddy Bourke  
Christy Burke  
Aine Clancy  
Ciaran Cuffe  
Daithi Doolan  
Anne Feeney  
Gary Gannon  
Deirdre Heney  
Teresa Keegan  
Dermot Lacey  
Ray McAdam  
Ruairi McGinley  
Edel Moran  
Emma Murphy  
Claire O'Connor  
Cieran Perry  
Norma Sammon

**Oifigigh**

Oonagh Casey  
Yvonne Kelly  
Kevin Meade  
Kathy Quinn  
Brian Swan

Bernie Flood  
Brendan Kenny  
David Moore  
Deirdre Ni Raghallaigh  
Jim Keogan

Anthony Flynn  
Carol McEntee  
Vincent Norton  
Celine Reilly

1 Lord Mayor's Business

9 - 12

The Lord Mayor opened the meeting by expressing condolences on his own behalf and on behalf of the City Council to the family and friends of the late Dr Finbarr Flood, former Chairman of the Labour Court and Chair of St Michael's & Fatima Mansion's Regeneration Boards. All stood for a minute's silence as a mark of respect for the deceased.

The Lord Mayor then put the following attendances at conferences to the City Council for approval :-

- Scoil Samhraigh and Piarsaigh 2016 29<sup>th</sup> - 30<sup>th</sup> July – Cllr. Heney
- Public Transport Network Design workshop 31.08.16 & 2016 Conference of Irish Transport Research Network – Cllr A Montague

Referring to the current revision of Standing Orders, The Lord Mayor informed the meeting that Review Group would meet on Thursday, 28<sup>th</sup> July, and that all suggestions for changes received would be put forward to that group under the Lord Mayor's name.

It was then proposed by Councillor D Lacey and seconded by the Lord Mayor "That Councillors Ring, MacDonncha, Lyons and Mahon be nominated to represent Dublin City Council on the Government's Moore St Consultative Group and that Councillor Cuffe's name be put forward with a request for a 5<sup>th</sup> place on that group" The motion was put and carried.

The Lord Mayor then referred to a report circulated to Members in relation to the offer of gift of a Chinese garden from Yangzhou City, China, which it is proposed to site in Herbert Park. The Members approved the acceptance of the gift and the siting of the garden in Herbert Park. For full text of the report, please see **Appendix A** to these Minutes.

The Lord Mayor then proposed that, due to the absence of many Members on holiday, all motions would be deferred where the proposer was absent from the Chamber when the motion was reached. This was agreed by the Members. Some discussion then took place on a proposal to award the Freedom of the City but any decision in relation to this was deferred.

The Lord Mayor then allowed 30 minutes discussion on the Action Plan for Housing & Homelessness which was recently launched by Minister Simon Coveney. He referred Members to a report circulated earlier - for full text of the report, please see **Appendix B** to these Minutes. Many Members contributed to the discussion and welcomed the initiative. The special meeting of the Housing SPC to take place on Friday, 29<sup>th</sup> July to discuss these issues was welcomed. It was also agreed that a monthly meeting of the SPC would take place in future and that a status report would be presented to the City Council Meeting each month. The Lord Mayor also informed the Members that he and Cllr D Doolan, Chair of the Housing SPC, were available to meet with residents of Lynam Hotel.

The Members and the Chief Executive all congratulated Dr Cathal Morgan, Executive Manger, Dublin Regional Homeless Executive, on his recent promotion to the Health Service Executive and wished him well in his new role. Many tributes were paid to him for his commitment to his role in trying to find solutions to such an important issue.

- 2 Submitted Report of the Chief Executive, 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 and Development Regulations 2001, Part 8: Report No. 217/2016: Intention to demolish the remaining four flat blocks at the O'Devaney Gardens site known as numbers 149-180, 181-212, 213-244 and 245-276 O'Devaney Gardens, Arbour Hill, Dublin 7. (Circulated separately).

It was moved by Councillor R McAdam and seconded by Councillor A Clancy "That Dublin City Council notes Report No 217/2016 and hereby approves the contents therein". The motion was put and carried.

- 3 The City Council agreed to take Motion No 36 on this subject at this time. Accordingly, it was proposed by Councillor E Ryan and seconded by Councillor C Perry:

“The Council recognises the vibrant history of O'Devaney Gardens as a public housing community, and commits to maintaining the role of O'Devaney Gardens in providing high quality, affordable housing and community facilities within Dublin's Canals. The Council furthermore accepts the role of the government, council and private developers in failing to deliver regeneration at O'Devaney Gardens, including Dublin City Council failing to honour written guarantees to numerous former residents that they could return to O'Devaney Gardens. In light of this history, and considering the housing crisis which those on low- and middle-income households in Dublin, the Council supports the development of a pilot scheme of 100% public, mixed income housing on the O'Devaney Gardens site.

Under the scheme, all housing on the site will be built by and rented from the Council, with 50% of housing units rented at current differential rents to households currently on housing waiting lists, while 50% of housing units will be rented to households earning above the waiting list threshold, but with demonstrated housing need, and paying higher rents in line with their income” The motion was put to a roll call vote and carried. For full details of the vote, please see **Appendix C** to these minutes. Mr Brendan Kenny, Chief Executive, and Mr Anthony Flynn, Executive Manager, Housing Department gave updates on the situation and answered Members questions.

- 4 Submitted Report of the Chief Executive, 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 and Development Regulations 2001, Part 8: Report No. 218/2016: Development works at a site bounded by North King Street to the North, Anne Street North to the East and Beresford Street to the West, Dublin 7.
- 5 Submitted Report of the Chief Executive, 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 and Development Regulations 2001, Part 8: Report No. 219/2016: Refurbishment works to Sealawn Lodge, St. Anne's Park, James Larkin Road, Dublin 5.
- 6 Submitted Report of the Chief Executive, 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 and Development Regulations 2001, Part 8: Report No. 220/2016: The Red Stables, St. Anne's Park, Dublin 5 (Protected Structure)
- 7 Submitted Report No 221/2016 of the South East Area Manager (R Kenny): Proposal to rename Belmont Court as Woods' Way and holding of a plebiscite.
- It was proposed by Councillor D Lacey and seconded by Councillor P McCartan “That Dublin City Council notes the contents of Report No 221/2016 and hereby approves the holding of a plebiscite in relation to a proposed renaming Belmont Court as Woods' Way” The motion was put and carried.
- 8 Submitted Report No. 227/2016 of the Assistant Chief Executive (J Keogan): Amended Draft Dublin City Development Plan 2016 - 2022.

It was proposed By Councillor D Flanagan and seconded by Councillor S McGrattan "That Dublin City Council notes the contents of Report No 227/2016" The motion was put and carried. It was agreed following discussion of the timelines involved that the meetings should start earlier than the usual time to facilitate an early expedition of the business on hand. The very tight timeframe involved was outlined for the Members and a possible 1pm start for the meeting on the 26<sup>th</sup> September was agreed.

9 It was proposed by Councillor S Stapleton and seconded by councillor J Boylan:

"This Council recognises and supports families that are struggling to access affordable, flexible, high quality childcare in their communities. The great need for investment and political will from government in this area is long over- due. We ask that the government make this a high priority. This council resolves to: Implement a plan that will ensure childcare facilities are giving high priority in all future residential housing and commercial builds through the planning process To write to the Minister for Children and Family Affairs and ask her to implement a plan that will afford all families access to high quality, flexible and affordable childcare in their communities regardless of their income". The motion was put and carried.

10 It was proposed by Councillor G Gannon and seconded by Councillor A Keegan:

"Accordance with The World Health Organisation's 2001 Stockholm Declaration on Young People and Alcohol, which stated: "Public health policies concerning alcohol need to be formulated by public health interests, without interference from commercial interests." The Members of this City Council call on DCC to prohibit the granting of advertising space and the use of Dublin City Council venues for the promotion of any alcohol-related health campaigns which are funded by commercial interests involved in the sale of alcohol" The motion was put and carried.

11 The City Council agreed to defer the following motion submitted by Councillor P Hand and standing at Item No 3 on the Motions Document:

"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."

12 It was proposed by Councillor P Smyth and seconded by Councillor:

"To amend the Council's litter bye-laws to prohibit the use of council property (i.e. street furniture and lamp-posts) for the erection of election material/advertisements during the allotted period of time in which it is permissible to advertise election material under the below legislation (1-8) and instead allow Local Area Committees to designate specific areas, such as village

centres or shopping precincts, where an equal amount of space can be allocated to each candidate running in the ward/constituency to display their electoral material, e.g. Photo, contact details, biography, message to voters.

1. Litter Pollution Act 1997, amended by the Electoral (Amendment) (No. 2) Act 2009
2. Protection of the Environment Act 2003
3. Planning and Development Regulations 2001-2013
4. European Parliament Elections Act 1997
5. Local Elections Regulations 1995
6. Referendum Act 1994
7. Electoral Act 1992
8. Road Traffic Act 1961

An Amendment (No 1) was put forward by Cllrs Ryan, Dunne, Perry & Hand as follows – to add the following wording to the original motion ““The Council recognises that these measures may have the unintended impact of increasing the use of paid advertising spaces (including, for example, bus shelters, buses, commercial advertising billboards, etc) during election periods. To avoid this, all such spaces should be subject to the same guidelines as council spaces during election periods”

The following amended motion was then put and carried “To amend the Council's litter bye-laws to prohibit the use of council property (i.e. street furniture and lamp-posts) for the erection of election material/advertisements during the allotted period of time in which it is permissible to advertise election material under the below legislation (1-8) and instead allow Local Area Committees to designate specific areas, such as village centres or shopping precincts, where an equal amount of space can be allocated to each candidate running in the ward/constituency to display their electoral material, e.g. Photo, contact details, biography, message to voters.

1. Litter Pollution Act 1997, amended by the Electoral (Amendment) (No. 2) Act 2009
2. Protection of the Environment Act 2003
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4. European Parliament Elections Act 1997
5. Local Elections Regulations 1995
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7. Electoral Act 1992
8. Road Traffic Act 1961

The Council recognises that these measures may have the unintended impact of increasing the use of paid advertising spaces (including, for example, bus shelters, buses, commercial advertising billboards, etc) during election periods. To avoid this, all such spaces should be subject to the same guidelines as council spaces during election periods”

An Amendment (No 2) was then put forward by Sinn Fein Group as follows : To delete the words from ‘bye-laws’ to ‘allow’ and all words after ‘material. The following amended motion was then put and carried - “To amend the Council's litter bye-laws to allow Local Area Committees to designate specific areas, such as village centres or shopping precincts, where an equal amount of space can be allocated to each candidate running in the ward/constituency to display their electoral material”

An Amendment (No 3) was then put forward by Cllrs Freehill & Lacey as follows – The addition of the following wording : “That all proposals & amendments be

examined by the Environment & Transportation Dept (of DCC) and to report back on a realistic model that could be implemented. That this report be sent to all Members and discussed by the full Council within 6 months”

Accordingly, the following final amended motion was put and carried “To amend the Council's litter bye-laws to allow Local Area Committees to designate specific areas, such as village centres or shopping precincts, where an equal amount of space can be allocated to each candidate running in the ward/constituency to display their electoral material and that all proposals & amendments be examined by the Environment & Transportation Dept (of DCC) and to report back on a realistic model that could be implemented. That this report be sent to all Members and discussed by the full Council within 6 months”

13 It was proposed by Councillor N Reilly and seconded by Councillor E Moran:

"That Dublin City Council recognises:

- The use of wild animals in circuses is outdated now that there are other, better ways to see and learn about wild animals
- Using wild animals in circuses adds nothing to human understanding and conservation of wild animals and the natural environment
- Circuses can still be enjoyed even if they do not include animals
- People should recognise and respect the wild nature and innate value of wild animals
- Using wild animals solely for circus performance is unbecoming to their wildness
- Calls on the Minister of Agriculture and Rural Development to introduce and ensure appropriate enforcement of a strict ban on the use of wild non-domesticated animals in circuses
- Bans the use of Dublin City Council land for wild animal circuses until a time that legislation is brought in to enact a ban”

The motion was put and carried.

**The meeting concluded at 9.30pm in accordance with Standing Orders and all items remaining on the agenda were deferred to the next monthly meeting of the City Council to be held on the 5th September 2016.**

**Correct.**

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**LORD MAYOR**

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**MEETINGS ADMINISTRATOR**

## Appendix A to Minutes of Special City Council Meeting of 25<sup>th</sup> July 2016

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### Report to the Chairperson and Members of Dublin City Council

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#### **Offer from Yangzhou City, China of a 'Friendship Garden' for Herbert Park, Ballsbridge.**

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At the South East Area Committee meeting of 11<sup>th</sup> July, the City Parks Superintendent put a proposal to the committee for the installation of a small (20m x 10m) Chinese garden in Herbert park. The garden originates from Yangzhou City, (population 4.5M), located in Jiangsu province, which is an ancient city, famous for its gardens, Islamic relics and ancient shrines.

The garden, named the 'Yi Garden', which literally means 'The Garden of Friendship', contains traditional elements from the Jiangsu region and applies the theory of traditional Chinese painting to the design layout.

The garden was exhibited as one of the show gardens in "Bloom 2016" and has now been offered to Dublin City Council "As a bridge of friendship connecting Ireland and China".

The Chinese Embassy has requested that, if possible, the garden be located in a park close to the Chinese embassy on Merrion Road. Herbert Park, the most prestigious park in the area is considered fitting as a permanent location for the garden. The exact location within the park would be adjacent to the gate entrance from the new street (Herbert Park Hotel) which leads to the pond.

The garden includes a shelter, planting, seating, a rockery, a pond and waterfall. Yangzhou City will cover the cost of the garden construction on site by Chinese craftsmen who will travel from China. There will also be ancillary costs for Dublin City Council which can be covered in the existing Parks budget.

The committee following discussion agreed that the garden was appropriate and suitable for location in Herbert Park. As this proposal constitutes a 'gift' to the City it is also hereby submitted to the City Council for approval.

**Brendan Kenny**  
**Chief Executive**  
**25<sup>th</sup> July 2016**



To the Lord Mayor and  
Members of Dublin City Council

Report of the Chief Executive



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## Re-Building Ireland – New Housing Plan

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It is a very seldom that there is general consensus on the term “crisis” but there is such a consensus on the current national housing situation, particularly in Dublin. Undoubtedly Housing and Homelessness is the biggest and most urgent issue facing Dublin City and it will be for the next few years. It is also the biggest and most urgent issue facing this City Council for both Councillors and Management.

Decisions made by this Council over the coming months and years will have life changing implications for thousands of families and individuals on our Waiting Lists or in Emergency Accommodation. Not making key decisions or delays in delivery and implementation by this Council will have very negative implications for those same people. Dublin City urgently needs more housing, private and public, and this Council is the most important structure in what can be a complex process until a householder ultimately gets their keys to a new home.

Following the economic crash from 2008 onwards the Housing “Tap” was turned off but the demand and need continued, and this led to inevitable results. Despite some improvement to the economic situation it has been frustratingly difficult to turn the Housing “Tap” back on. While the City Council has achieved a lot over the last couple of years in relation to Housing and Homelessness it is glaringly insufficient.

It is within this context that we strongly welcome the Government’s new Housing Plan – **Re-Building Ireland**. It provides the funding required and eliminates many of the obstacles and hurdles which were previously in the system. It brings new ideas, opportunities for innovation and considerable powers for local authorities to deliver several different forms of housing provision. Any excuses, perceived or not, that were previously used are now largely removed and it is now up to the City Council to urgently plan deliver and implement. This should not be a case of councilors battling with management or management battling with councilors, as we all need to work together in partnership to deliver a very essential commodity for the citizens and future new citizens of the City.

Despite the clear need and urgency, it is likely that there will be considerable opposition by existing communities to most new proposals for Housing, including in some cases private housing but particularly so in respect of public housing. While it is essential that local communities are consulted properly on proposed new developments in their areas, and they can use their rights under the Planning Legislation, it is not sustainable that such communities (or elements within communities) would veto or campaign vigorously to prevent such essential developments.

As Management we need to fully understand the difficult situation that public representatives are in when such opposition or controversies arise and therefore we (Management) must provide accurate, timely and upfront information to Councillors and engage at an early stage with local interests. We need to appreciate and value the support, assistance, expertise and advice offered by local councilors in trying to overcome opposition and concerns.

## APPENDIX B TO MINUTES OF SPECIAL MEETING ON 27<sup>TH</sup> JULY 2016

The Housing Strategic Policy Committee (S.P.C.) is a vital forum to lead, drive and influence this Council's challenging task on delivery and implementation, and in light of the urgency I would recommend that it should now meet on a monthly basis (at least for the next 12 months).

From the Management's perspective we need to urgently bring forward as many Part 8 Planning submissions as possible, because this is a key landmark in any new development. We also need to submit as many projects as possible to the Department of Housing and Planning for approval and funding, and as quickly as possible.

This urgent focus on delivery and implementation will no doubt be a challenge for us and we are assessing resource requirements. We are also considering what would be the most effective operational structures required, including maximising the use of project management principles and best practice on leadership and co-ordination.

I am fully confident that our Housing and Planning Departments can respond effectively to the challenge of delivery and implementation that lies ahead, and I commend the work, commitment and efforts of Management and staff in both Departments over recent years, often in very difficult situations.

Finally I want to pay special tribute to Mr Cathal Morgan who has headed up the Homeless Executive for the past ten years. Cathal is resigning in the coming weeks to take up a new position in the Health Services Executive (HSE) I thank him for his great contribution to the Homeless and I wish him the very best of luck in his new position. He will be a big loss to Dublin City Council and to the City.

**Brendan Kenny**  
**Chief Executive**

**Dated : 25<sup>th</sup> July 2016**



Meeting	City Council Meeting		
Agenda Subject	Roll Call Prepared or Ad Hoc Votes		
Voting Number	Vote No 1		
Name	Motion No 36		
Kind	Parliamentary		
Subject			
Voting start at:		25/07/2016 19:49:18	Voting end at: 25/07/2016 19:51:33

**Total Results**

Voting attendants			
	Present in the vote		48
	Present and not voted		0
Answers			
	Yes		25
	No		21
	Abstain		2
	Not voted		0

**Group Results**

Dublin City Co.		
	Yes	25
	No	21
	Abstain	2
	Not voted	0

**Individual Results**

Yes

Greg Kelly	Dublin City Co.
Sonya Stapleton	Dublin City Co.
Pat Dunne	Dublin City Co.
Janice Boylan	Dublin City Co.
Gary Gannon	Dublin City Co.
Michael Mac Donncha	Dublin City Co.
Andrew Keegan	Dublin City Co.
Ruairi McGinley	Dublin City Co.
Seamas McGrattan	Dublin City Co.
Rebecca Moynihan	Dublin City Co.
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Teresa Keegan	Dublin City Co.
Edel Moran	Dublin City Co.
Ray McHugh	Dublin City Co.
Emma Murphy	Dublin City Co.
Noeleen Reilly	Dublin City Co.
Eilis Ryan	Dublin City Co.

No

Declan Flanagan	Dublin City Co.
Mary Freehill	Dublin City Co.
Deirdre Heney	Dublin City Co.
Brendan Carr	Dublin City Co.
Dermot Lacey	Dublin City Co.
Ray McAdam	Dublin City Co.
Paddy McCartan	Dublin City Co.
Frank Kennedy	Dublin City Co.
Naoise O'Muiri	Dublin City Co.
Ciaran Cuffe	Dublin City Co.
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Claire O'Connor	Dublin City Co.
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Tom Brabazon	Dublin City Co.
Aine Clancy	Dublin City Co.
David Costello	Dublin City Co.
Ciaran O'Moore	Dublin City Co.
Norma Sammon	Dublin City Co.
Paddy Smyth	Dublin City Co.

Abstain

Sean Paul Mahon

Dublin City Co.

Alison Gilliland

Dublin City Co.