

For the Irishtown/Ringsend/Sandymount Catchment Area
(In association with the Dublin Waste to Energy Project)
Community Gain Liaison Committee

Meeting: Thursday 26th January 2017 from 13.00 - 15.00
Venue: Conference Room, Block 1, Floor 6, Civic Offices, Wood Quay.

Minute

Attendees:

Peter McLoone (Chair); John Daly (Covanta); Mary Doolin; Mary DeCourcy; John Nolan; Cllr Kieran Binchy; Cllr Frank Kennedy; Cllr Chris Andrews; Vincent Norton (DCC); Rose Kenny (DCC).

In Attendance:

Natalie Boyce, Administrator (DCC).

1. Minute of Meeting held on 3rd November 2016 and Matters Arising.

The minute of the Community Gain Liaison Committee (CGLC) meeting held on the 3rd November 2016 was approved.

Under matters arising, the Chair reminded Committee members that he attended a meeting with the 1st Port of Dublin Sea Scouts at their premises on the 22nd November 2016. Following this meeting a report was circulated and a decision to approve grant funding was agreed by way of e-mail by all members.

The Chair confirmed that the 1st Port of Dublin Sea Scouts had been informed of the decision of the CGLC by way of letter dated the 9th December 2016.

2. 201635 Ringsend Registered Fishermen and Private Boat Owners Association.

Before discussing this particular group's submission, the Chair recommended that where there's dissatisfaction amongst applicant organisations the CGLC should endeavour to speak directly with them. In this regard, he suggested that in response to the Ringsend Registered Fishermen and Private Boat Owners Associations letter, a meeting should be arranged with the group at their premises in Ringsend. It was confirmed that John Nolan would accompany the Chair to this meeting and he welcomed any other CGLC member to attend. The Chair confirmed to the Committee that the decision of the CGLC would stand but that an option to reapply may be available to the group. A note will circulate to Committee members on the outcome of the meeting.

Action:

Administrator to set up meeting with the Ringsend Registered Fishermen and Private Boat Owners Association and circulate date and time to all Committee members.

Chair to circulate note to Committee members on the outcome of the meeting.

3. Projects Grant Scheme 2016 – Request for Variation to Stages of Payment and Extension of Drawdown Date.

3.1 201622: Monkstown FC.

The Committee considered Monkstown FC's request to drawdown their approved grant funding in three distinct stages. The members agreed to facilitate this request subject to:

1. Up-to-date quotes of reasonable costs being submitted.
2. The Deed of Charge being executed.
3. Full compliance with the requirements of the grant approval letter.

Action:

Administrator to notify Monkstown FC on the decision of the CGLC by way of letter.

3.2 201623: Railway Union Sports Club.

It was noted that as a current member of Railway Union Sports Club, Mary DeCourcy did not participate in this discussion.

The Committee discussed Railway Union Sports Club request to drawdown their approved grant funding in phases, as outlined in their submitted schedule. The CGLC agreed to facilitate this request subject to:

1. The Deed of Charge being executed.
2. Full compliance with the requirements of the grant approval letter.

Furthermore, the Community Gain Liaison Committee acknowledged Railway Union Sports Club concern raised in their submission regarding the provisions of the Freedom of Information (FOI) Act. It was agreed to inform Railway Union Sports Club that FOI is a legal requirement and Dublin City Council cannot exempt themselves from its requirements.

Action:

Administrator to notify Railway Union Sports Club of the decision of the CGLC by way of letter.

3.3 201633: Stella Maris Rowing Club.

The Committee considered the request submitted by Stella Maris Rowing Club to extend their drawdown date of the 31st October 2017.

The members agreed to facilitate this request and extend the drawdown date for a further six months to the 30th April 2018. This extension of the drawdown date is subject to:

1. The Deed of Charge being executed.
2. Full compliance with the requirements of the grant approval letter.

Action:

Administrator to notify Stella Maris Rowing Club of the decision of the CGLC by way of letter.

3.4 201650: Ringsend College.

The Committee reviewed Ringsend College's request to drawdown their approved grant funding in advance of refurbishment works being completed. The Committee agreed and verified that all successful applicant organisations must comply with the Projects Grant Scheme general conditions and criteria in order to drawdown grant payments. In addition, the specific requirements detailed in the beneficiaries grant approval letter must also be complied with. Having regard to this, it was decided that Ringsend College's request could not be facilitated.

Action:

Administrator to notify Ringsend College of decision of the CGLC by way of letter.

4. Projects Grant Scheme 2016 – Request for Drawdown - 201627: St Patrick's Rowing Club.

The Committee examined St Patrick's Rowing Clubs request to drawdown monies from the Community Gain Fund.

The Committee confirmed that grant payment of €5,434.59 would be made to St Patrick's Rowing Club for the construction of a new racing skiff boat as per the submitted invoice. However, the members agreed that the invoices submitted for flights and for accommodation in the amount of €614.94 were not eligible for funding as these expenses were not included in their original application for grant assistance.

Action:

Administrator to notify St Patrick's Rowing Club of the decision of the CGLC by way of letter.

5. Legal Matters.

5.1 Legal Status of Community Gain Liaison Committee.

A note issued by Dublin City Council (DCC) Law Department regarding the legal status of the Committee and the option of forming a Designated Activity Company (DAC) was circulated to the attendees.

A discussion ensued and the following questions were raised:

1. What is the status of the Committee? Is the CGLC a Committee of Dublin City Council, Covanta or is it an unincorporated association?
2. What legal protections do Committee members have if a decision they made is legally challenged?

Cllr Kieran Binchy stressed that the Committee must ensure that the suitable protections are in place that befit their legal status. While Cllr Frank Kennedy suggested that perhaps the Committee could obtain indemnity from the Fund.

Following much debate it was agreed that the CGLC would not form a DAC. It was also agreed that the Committee would seek formal independent legal opinion regarding their status as an entity and advice on what protections are available in the event of legal proceedings being taken against them.

Action:

Cllr Kieran Binchy and Cllr Frank Kennedy to formulate a question to present to Counsel for legal opinion. This question to be circulated to Committee members for their input, prior to submission to Counsel.

5.2 Legal Agreements and Deed of Charge.

The Chair reiterated to the Committee members that the legal agreement and deed of charge is written into the Projects Grant Scheme general conditions and criteria and that in order to secure funding approved by the Committee, the successful applicant must produce specific documents and sign certain undertakings, one of which being the legal agreement or deed of charge. The Chair confirmed that the legal agreement and deed of charge is made between Dublin City Council and the beneficiary and that DCC were taking this charge on behalf of the CGLC.

The Chair stressed that the legal agreement and deed of charge acts as a safeguard for the Fund and the Committee. He continued that having legal agreements and deeds of charge in place will ensure that grant recipients utilise the fund in the manner for which it was approved.

6. Internal Assessor

Vincent Norton advised the attendees that DCC would make an internal assessor available to assist the Committee in monitoring projects to ensure completion status matches release of funding. This he stated would facilitate the Committee in ensuring that the projects have been carried out to an acceptable standard to justify payment of the grant.

It was agreed that the internal assessor would initially liaise with Monkstown FC and Railway Union Sports Club and report back to the Committee as required.

Action:

Administrator to contact internal assessor when the appropriate time arises and request them to liaise with Monkstown FC and Railway Union Sports Club.

7. Projects Grant Scheme

7.1 Projects Grant Scheme 2016 Annual Report

The draft Projects Grant Scheme 2016 Annual Report was circulated. The members agreed the report subject to a number of amendments.

Action:

Administrator to make the necessary amendments to the draft 2016 Annual Report and circulate the revised version to the Committee members for their approval. It was agreed that this approval would be by way of e-mail.

Once approved the Administrator to make the report available to the South East Area Committee, publish on the CGLC website and distribute as required.

7.2 Projects Grant Scheme 2017

7.2.1 Projects Grant Scheme 2017 Application Form

The Committee members reviewed the Projects Grant Scheme 2017 application form and approved the amendments as presented to them.

7.2.2 Projects Grant Scheme – Fund Available for Disbursement

The CGLC agreed that €5,000,000 would be made available for disbursement in the 2017 Projects Grant Scheme.

7.2.3 Projects Grant Scheme 2017 – Timeline for Submission of Applications

It was decided that the Projects Grant Scheme 2017 would be open for applications between the 1st March 2017 and noon on the 30th April 2017.

The Committee determined that the 2017 Projects Grant Scheme would be announced by posting notices on the CGLC website and in Ringsend library and notifying local groups/organisations by utilising the South East Area office's distribution lists. In addition, the Committee decided that the residents in the Ringsend, Irishtown and Sandymount catchment area should be informed of the Projects Grant Scheme 2017 by way of leaflet drop.

John Daly informed the Committee that Covanta were in the process of composing a newsletter to update the residents of Ringsend, Irishtown and Sandymount with regard to the Waste to Energy facility at Ringsend. He informed the attendees that this newsletter would be distributed throughout the Ringsend, Irishtown and Sandymount catchment area in mid February 2017. He also stated that additional copies would be published which would be available in local shops, Ringsend library, post office etc.

The Committee agreed to submit an article for inclusion in this newsletter detailing the outcome of the Projects Grant Scheme 2016 and announcing details of the 2017 Grant Scheme.

Action:

Administrator to liaise with Committee members to produce an article for inclusion in the Covanta newsletter.

Administrator to liaise with Committee members to produce a leaflet announcing the Projects Grant Scheme 2017 which would be distributed by way of leaflet drop to the residents of the Ringsend, Irishtown and Sandymout catchment area.

7.2.4 Appointment of Assessor for Applications

Vincent Norton proposed that the CGLC engage the services of an independent assessor to evaluate projects submitted by applicant organisations prepare a report and make a recommendation which would be presented to the Committee at the assessment of applications stage of the process.

The Committee felt that there wasn't a requirement for the services of an independent assessor. However, the Chair advised the Committee members to keep an open mind regarding this suggestion. He stated that where the Committee was undecided or doubtful of an application an independent report from an assessor on the viability and cost effectiveness of a project could prove extremely beneficial to the Committee in assisting them in making their decision.

8. Committee Membership

The Chair reminded the Committee members that under the CGLC Terms of Reference, Elected representatives are in situ for a term of 2 years with a rotation system in place. It was noted that Cllr Paddy McCartan and Cllr Dermot Lacey will replace Cllr Kieran Binchy and Cllr Chris Andrews in May 2017 and Frank Kennedy will be reappointed, also in May 2017.

The Chair advised that the Community representatives were appointed for a 2 year term and could be reappointed for 1 successive term subject to a recommendation being submitted to the Chief Executive of Dublin City Council by their respective sector and of course approval being granted by the Chief Executive.

It was verified that if a Community representative decided not to continue for another term, nominations would be sought from the sector that was no longer represented.

Action:

Community Representatives to submit a recommendation to the Chief Executive requesting to be reappointed for another 2 year term as provided for in the CGLC Terms of Reference.

9. Finance

9.1 Independent Audit

Vincent Norton informed the Committee that the Office of Government Procurement (OGP) has set up a framework for financial services, one of them being audit. He proposed that the Administrator go through the necessary processes and obtain three auditors under the OGP framework. The three proposed auditors would be presented to the Committee along with costs against each one. The Committee could then consider each auditor and select as they deemed appropriate.

Action:

Administrator to take the necessary steps to obtain three auditors in accordance with the OGP framework and present to the CGLC for their consideration and selection.

9.2 Schedule of Payments to Community Gain Fund

The Committee were informed that on the 31st January 2017 a further €321,810.69 would be lodged to the Community Gain fund from Dublin Waste to Energy Ltd. in accordance with the schedule of contributions. The total amount lodged to date is €9,335,624.31.

9.3 Drawdown's from Community Gain Fund

It was also noted that copies of the overview of requests for drawdown with reference to the amount approved in principle and the balance remaining for drawdown were made available to the Committee members.

9.4 Cost Centre Analysis Report

It was noted that copies of the Community Gain Fund cost centre analysis report were made available to the Committee members.

10. Dublin Waste to Energy Construction Phase Environmental Monitoring Report – Q3 July – September 2016

The Committee noted that the Dublin Waste to Energy Construction Phase Environmental Monitoring Report – Q3 July – September 2016 was circulated prior to the meeting. It was also noted that this report was available on the Dublin Waste to Energy website.

11. Date & Venue for Future Meeting

Date: Thursday 31st March 2017, 11.30am – 13.00pm

Venue: Conference Room, Block 1, Floor 6, Dublin City Council, Civic Offices, Wood Quay, Dublin 8

12. AOB

12.1 CGLC Website

The Chair reminded the Committee members that, currently the CGLC website is a microsite of the www.dublinwastetoenergy.ie website and that the Waste to Energy website will transfer to Covanta during the operational phase.

In these circumstances, it was agreed to set up a Community Gain Liaison Committee website on Dublin City Council's website, www.dublincity.ie. This website will be housed, managed and updated by DCC on behalf of the Community Gain Liaison Committee. It was confirmed that a link to the new CGLC website would remain on the Dublin Waste to Energy website for the foreseeable future.

Action:

Administrator to liaise with Dublin City Council web unit with regard to the transfer of the CGLC webpages to Dublin City Council's website.

12.2 201625: Clanna Gael Fontenoy GAA Club

It was noted that the Committee members received an invitation from Clanna Gael Fontenoy to visit their club on Saturday the 11th February 2017. The Chair confirmed that he would endeavour to attend.

12.3 NewsFour Press Query

The Chair mentioned the press query received from NewsFour on the 25th January 2017. He acknowledged that the query had been circulated to all Committee members and confirmed that a response had been issued on behalf of the Committee earlier that morning (26th January 2017). The Chair emphasised that he did not want NewsFour to state that the CGLC had failed to comment and therefore felt it imperative to issue a reply as soon as possible.

12.4 201637: St Patrick's CYFC

A conversation took place amongst the Committee members regarding St Patrick's CYFC. It was noted that this club currently operates from inadequate facilities and that they have plans to expand in the foreseeable future. It was confirmed that St Patrick's CYFC would be submitting an application to CGLC through the Projects Grant Scheme 2017.