

## DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

### Minutes of the County Council held in the County Hall, Marine Road, Dun Laoghaire, Co. Dublin on Monday, 1 July 2013 at 5.00 pm

#### PRESENT:

Bailey, John F	Lewis, Hugh
Bailey, Maria	Marren, Donal
Baker, Marie	McCarthy, Lettie
Bhreathnach, Niamh	Murphy, Tom
Boyhan, Victor	O'Callaghan, Denis
Brennan, Aoife	O'Dea, Jim
Devlin, Cormac	O'Keeffe, Gearoid
Dillon Byrne, Jane	Richmond, Neale
Fitzpatrick, Stephen	Saul, Barry
Halpin, Melisa	Smyth, Carrie
Hand, Pat	Stewart, Patricia
Horkan, Gerry	Tallon, Grace
Humphreys, Richard	Ward, Barry
Joyce, Tom	

Absent: Councillor Tony Fox

An Cathaoirleach, Councillor C. Smyth presided.

#### OFFICIALS PRESENT:

Owen Keegan (County Manager), Kathleen Holohan (Deputy Manager and Director of Corporate Services and Human Resources), Frank Austin (Director of Transportation and Water Services), Andrée Dargan (County Architect & Director of Culture), Tom McHugh (Director of Housing and Community), Bernie Gilligan (Senior Executive Officer, Corporate Services), Declan McCulloch (Senior Executive Officer, Planning & Enterprise), Tim Hannon (Senior Executive Officer Finance & I.T.), Rory O'Sullivan (Parks) (A/Senior Parks Superintendent) and Pamela Graydon (Senior Staff Officer, Corporate Services)

#### **C/516/13**

##### **Vote of Condolence**

A vote of condolence was passed with the family of Mr. Dara Breathnach, Administrative Officer, Transportation Department

An Cathaoirleach, the Members, the Manager and staff stood and observed a minutes silence as a mark of respect.

#### **C/517/13**

##### **Confirmation of Minutes**

#### **Minutes of Annual Meeting of the County Council held on 10<sup>th</sup> June 2013**

It was proposed by Councillor V. Boyhan, seconded by Councillor J. Dillon Byrne and

##### **RESOLVED:**

“That the minutes of the County Council meeting held on 10<sup>th</sup> June 2013 be **ADOPTED** and **APPROVED.**”

**C/518/13**  
**Questions**

It was proposed by Councillor L. McCarthy, seconded by Councillor P. Hand and **RESOLVED:**

“That pursuant to Standing Order No. 13 (c) question numbers A.1 to A.17 be **ADOPTED** and **APPROVED.**”

**C/519/13**  
**Dún Laoghaire-Rathdown County Hall Art Collection**

**Question: Councillor N. Bhreathnach**

“To congratulate the County Council on the publication of the Dún Laoghaire-Rathdown County Hall Art Collection. Given that the drawings of the DART, mounted and framed, presented to the Council by a local resident, are not included in this publication where can members of the public access a complete up to date list of our artistic acquisitions?”

**Reply:**

“Desmond McCarthy's A View from the DART artworks are mentioned on page 13 of the publication and then discussed in some detail on page 44 to 45. Reference is made to the local resident who donated the works and indicates where the works can be viewed. For further information regarding the County Art Collection members of the public can contact the Arts Office on (01) 271 9531 or arts@dlrcoco.ie.”

**C/520/13**  
**Parks Department Policy**

**Question: Councillor N. Bhreathnach**

“To ask the Manager what is Parks Department's policy when Scale Insect infests grass verges and needs spraying?”

**Reply:**

“Scale insect infection on street trees is an intermittent problem and can be debilitating to the plant.

The impact of infestations depends on the scale species, the plant species and cultivar, environmental factors, and natural enemies. Although populations of some scales can increase dramatically in one growing season, plants are not harmed by a few scales, and even high populations of certain species apparently do not damage plants.

Scale insects have become particularly evident in young, early-mature Lime trees in the city, the trees around St. Stephen's Green being a case in point. However, this pest does not pose a serious threat to the County's (DLRCC) street trees  
Effective chemical control requires intensive chemical application, which would be unacceptable on environmental and economic grounds.

Consequently, the Parks Department's current policy is not to intervene in such cases.”

**C/521/13**

**Voluntary Housing Bodies**

**Question: Councillor V. Boyhan**

“To ask the Manager to provide a list of Voluntary Housing Bodies, locations, operating within the functional area of Dún Laoghaire-Rathdown County Council.

**Reply:**

“The following is a list of Approved Housing Bodies of which the Council is aware operating within the functional area of Dún Laoghaire-Rathdown, broken down by Ward.

**Blackrock**

<b>Voluntary Body</b>
Barrett Cheshire House
Newgrove Housing Association
St. John of God
Stepping Stones Accommodation Ltd

**Dún Laoghaire**

<b>Voluntary Body</b>
St. John of God
Vergemont Housing Fellowship
Sue Ryder Foundation
Cheshire Ireland
Mental Health Ireland
Anvers Housing Association
Focus Housing Association
Túath
Circle
Crosscare

**Ballybrack**

<b>Voluntary Body</b>
Interaid
St. John of God
Sunbeam House Services
Respond Housing Association
Home Again (Los Angeles Society)
NABCO
Circle
Escombe

**Stillorgan**

<b>Voluntary Body</b>
Charles Shields Charity
Sophie Barrett Residence
Interaid
St. John of God
Respond Housing Association
Camphill Communities Of Ireland
Interaid
Túath

## **Dundrum**

<b>Voluntary Body</b>
Lorrequer House
St. Michael's House
Asperger Syndrome Association
HAIL
Sophia Housing Association
NABCO
Camphill Communities Of Ireland
Circle
Cheshire Foundation

## **Glencullen**

<b>Voluntary Body</b>
St. John of God
Newgrove Housing Association
Cluid Housing Association
Hail
Sonas Housing Association
Circle Voluntary Housing
Túath Housing Association
Catholic Housing Aid Society
Escombe

Furthermore, a number of housing support services are being provided by Voluntary Housing Bodies in the Dún Laoghaire-Rathdown County Council area under the reconfiguration of Dublin Regional Homeless Services.

The Council's Homeless Services include a number of support services provided in partnership with Voluntary Bodies which are on-going:

- SLÍ (Support to Live Independently) Scheme operated by SIMON
- Focus Ireland Tenancy Sustainment Service
- Threshold Access Housing Unit
- SOPHIA and HAIL specialist visiting support services
- SIMON and FOCUS outreach teams"

## **C/522/13**

### **DLR - Childcare Provision**

#### **Question: Councillor V. Boyhan**

"To ask the Manager to provide a report on the County Childcare Committee and its remit within Dún Laoghaire-Rathdown County Council, and to indicate the range of affordable and accessible childcare options available within the functional area of Dún Laoghaire-Rathdown. Are there plans to expand the provision of this service?"

#### **Reply:**

"Dún Laoghaire-Rathdown County Childcare Committee (DLR CCC) is one of 33 County Childcare Committees in Ireland funded by the Department of Children and Youth Affairs (DCYA).

The County Childcare Committee consists of members representing statutory agencies, local enterprise representatives and the community and voluntary sector thus ensuring that a range of perspectives will be contributing to the process. The committee meets monthly. Its work is guided by a three-year plan that is supplementary to the County Development Board Strategy. Dún Laoghaire-Rathdown County Council is represented on the Childcare Committee by David Lawless (Community Department) and Naoimh Fleming (Planning Department).

The Manager of Dún Laoghaire-Rathdown County Childcare Committee is a member of the DLR County Development Board and Social Development and Inclusion Committee respectively.

The key task of DLR CCC is to develop and implement a co-ordinated strategy for the provision of quality early childhood care and education services in the county and are responsible for administering at county level, national childcare funding programmes at a local level within the county, on behalf of the DCYA. The DLRCCC work with and support both private and community based childcare providers.

The DLR CCC provides advice and support to childcare providers on issues such as fees, policies and various childcare training options. The CCC also administer the following main funding schemes that subsidise fees for parents in early years services locally, on behalf of the Department of Children and Youth Affairs.

**Early Childhood Care and Education (ECCE) Scheme:**

The ECCE scheme provides a year's free preschool for children aged between 3 years 3 months and 4 years 6 months in September of each year in participating services.

**Childcare Education and Training Support (CETS) Scheme**

The CETS scheme allows parents on certain FAS and VEC courses to access free childcare places for the duration of their training.

**Community Childcare Subvention (CCS) Scheme**

The CCS Scheme is operated by selected not for profit childcare services. Parents in receipt of certain entitlements e.g. medical card, One Parent Family Payment and GP Visit Card are eligible to have their childcare fees reduced.

The DLR CCC is funded by the Department of Children and Youth Affairs (DCYA). There are no immediate plans to expand the services offered by the DLR CCC within the current fiscal environment.”

**C/523/13**

**Proposed Wind Farms**

**Question: Councillor V. Boyhan**

“To ask the Manager to set out what consultation or discussions have taken place with Dún Laoghaire-Rathdown County Council executive in relation to the proposed two Wind Farms proposed off the coastline and to confirm if a submission by the Council to the proposed project will be prepared?”

**Reply:**

“Dublin Array is a Project to construct an offshore wind farm on the Kish and Bray Banks.

The application has been made by Saorgus Energy Ltd and the project is being managed by the Dublin Array team in Saorgus Energy. Saorgus Energy is an established renewable energy developer with projects in operation and development around Ireland.

It has engaged in a public consultation process which commenced on the 9th April 2013 until the 28th June 2013.

Dublin Array has advised that there will be a further period of public consultation for statutory consultees (Dún Laoghaire-Rathdown is a statutory consultee).

The County Manager will be sent the full Environmental Impact Statement, including printed photomontages to facilitate further consultation with the Council and the public.

This information will be made available to the public in the Concourse.

Submissions may be made to the Department of the Environment, Community and Local Government, Marine Planning and Foreshore, Newtown Road, Wexford, Co. Wexford.

The website is [www.dublinarray.com](http://www.dublinarray.com)

**C/524/13**  
**Disability Access Certificates**

**Question: Councillor V. Boyhan**

“To ask the Manager to set out the charges by the Council from the administration of Disability Access Certificates and income to date for the period 2012, and 2013 to date. How is this income dealt with in the accounts?”

**Reply:**

“The fee for a Disability Access Certificate [DAC] or Revised Disability Access Certificate application is €800.00, is set by legislation and is prescribed in the Fifth Schedule of the Building Control Regulations.

The income from DAC applications was €74,400.00 for 2012 and €29,600.00 to mid June 2013.

All income received from Disability Certificate applications is coded to the Building Control element of the Council’s Budget.”

**C/525/13**  
**Family Emergency Refuge Centre**

**Question: Councillor V. Boyhan**

“To ask the Manager to set out what progress has been made to establish a Family Emergency Refuge Centre within the functional area of Dún Laoghaire-Rathdown?”

**Reply:**

“Following a review of Domestic Violence services in the county, funded by the then Homeless Agency, Dún Laoghaire-Rathdown County Council and Sonas Housing Association, it is a priority of the Council to provide appropriate accommodation for an interim “Safe Home Pilot Proposal” for crisis accommodation, but a commitment to fund the on-going operating costs has not been received from the HSE.

Under the reconfiguration of homeless services in the Dublin Region, a specialist visiting housing support service, co-funded between the HSE and the Local Authorities, is being rolled-out in the region. This Council is prioritised for roll-out of this service, being delivered by Sonas Housing Association, for this area.

Sonas Housing Association continues to provide a supported housing service in this area for women and children who are homeless or in housing need as a result of domestic violence.

Following discussion at the Meeting of the County Council on the 8<sup>th</sup> October 2012, the elected members agreed that a letter be forwarded to the HSE stressing the importance and need to prioritise Domestic Violence facilities including the provision of a refuge in the Dún Laoghaire-Rathdown area. The HSE acknowledged this request and advised that they would be in further contact when the analysis of the HSE Review of existing HSE funded domestic violence services across the country is completed.

The HSE have recently advised the Housing Department that while the review of existing services is complete in terms of providing an overview of current service provision, the focus

going forward from that review will be on ensuring that responsive, consistent, equitable and accountable services are available to victims of domestic sexual and gender based violence across the country from within existing resources. There are no plans to fund new or additional services at this time, due to the financial constraints.

The members will be advised if there are any further updates from the HSE.”

**C/526/13**  
**Sandwich Boards/Portable Signage**

**Question: Councillor C. Devlin**

“To ask the Manager to outline this Council's current policy in relation to the use by businesses of sandwich boards and other portable signage on the public thoroughfare outside of their premises?”

**Reply:**

“All advertisement structures on the public road must be authorised by Dún Laoghaire-Rathdown County Council by way of a licence. Unauthorised advertisement structures can give rise to a potential hazard and can hinder the reasonable use of the public road. In addition, such structures can intrude upon the character and visual amenity of an area and can create a nuisance. An application form is available for download at <http://www.dlrco.ie/aboutus/councildepartments/transportation/applyforit/>. This application form contains general information and licence conditions.”

**C/527/13**  
**Planning Process Opening/Extending a Driveway**

**Question: Councillor C. Devlin**

“To ask the Manager would he detail the exact planning process for members of the public wishing to open a driveway onto a public road or extend an existing driveway?”

**Reply:**

“The opening of a driveway or extension of an existing driveway onto a public roadway requires planning permission as per the Planning & Development Regulations 2001 (as amended).

In order to make a planning application, an applicant must have sufficient interest in the land to allow the carrying out of a development, or have the written consent of the owner.

All planning applications are subject to the following requirements:-

*An applicant shall within a period of 2 weeks before making an planning application*

- a) give notice of the intention to make the application in a newspaper in accordance with Article 18, and*
- b) give notice of the intention to make the application by erection or fixing of a site notice in accordance with Article 19.*

All applications must be accompanied by a signed/completed planning application form and the required fee as appropriate.

An applicant must also submit a copy of the public notices and 6 sets (10 sets required for a protected structure) of the following:-

- Site location map (scale 1:1000)*
- Site layout plan (scale 1:500)*
- Other plans and elevations (minimum scale 1:200)*

The planning application once lodged with the Planning Authority undergoes a validation check and if declared valid, the application is subject to the 8 week decision timeframe.

Submissions/ objections may be made by any person within 5 weeks of the lodging of a planning application.

The applicant will also be required to apply separately to the Transportation Department for a road opening licence or footpath dishing.”

**C/528/13**  
**National Water Services Conference**

**Question: Councillor M. Halpin**

“To ask the Manager if any staff attended the National Water Services Conference, held in the Royal Marine Hotel on 24 April 2013, if so how many and how much this cost?”

**Reply:**

“An examination of records by the Human Resources Department has shown that no officials attended the above mentioned conference on 24th April 2013 in the Royal Marine Hotel.

It should be noted that the Council does not generally support commercially organised conferences but does attend those that are promoted or hosted under the auspices of the Local Authority Services National Training group (LASNTG), the Local Authority Management Agency, the IPA and other state organised conferences such as Environment Protection Agency, National Roads Authority etc. In addition officials would be requested to attend on occasion, conferences that have been tabled at Council meetings.”

**C/529/13**  
**National Ports Policy**

**Question: Councillor M. Halpin**

“To ask the Manager to facilitate a discussion in the Autumn at a full Council meeting on the new National Ports Policy document published in March 2013?”

**Reply:**

“A ‘National Ports Policy’ was launched by the Minister for Transport Tourism and Sport, Mr Leo Varadkar T.D. in March 2013. The policy provides, among other things, for control of Dún Laoghaire Harbour Company to transfer to Dún Laoghaire Rathdown County Council. However, this is dependent on the enactment of enabling legislation.

The Department is to initiate discussions with the Council and the Harbour Company to determine the most suitable method of transfer to local authority control. No discussions have taken place to date.

While it is a matter for the Council to decide when it wishes to consider this matter it is considered appropriate to defer any detailed consideration until after discussions have taken place with the Department and the Harbour Company and information is available on the likely basis of the transfer and the contents of the legislation.”



**C/530/13**

**Cycling in Parks or Open Spaces**

**Question: Councillor G. Horkan**

“To ask the Manager what Bye-laws exist if any that prevent cycling in any parks or open spaces in Dún Laoghaire-Rathdown and to explain the reasoning behind such restrictions?”

**Reply:**

“Pursuant to the Parks Bye Laws 2003 "No person shall cycle .... in the parks except on such routes and in such places as may be designated by the Council for this purpose, from time to time.”

Dún Laoghaire-Rathdown County Council has an extensive network of designated cycleways in parks most notably Blackrock Park, Clonkeen Park, Kilbogget Park Marlay Park, Clonkeen Park, Stillorgan Heath, Loughlinstown Linear Park and Slang Greenway.

The Parks Department cooperates with the Transportation Department in supporting the Government's Policy on Smarter Travel. Where possible the Parks Department has been widening parks pathways to accommodate Pedestrians and Cyclists and both modes are considered in any new design of pathways.”

**C/531/13**

**Redesignating the N11 to the R138 from O'Connell Street to Mount Merrion Avenue**

**Question: Councillor G. Horkan**

“To ask the Manager what new road signage and other procedures are required in Dún Laoghaire-Rathdown as a result of the Minister for Transport redesignating the N11 to the R138 from O'Connell Street to Mount Merrion Avenue? Can the Manager give an indicative cost of the changes involved within Dún Laoghaire-Rathdown County Council?”

**Reply:**

“The redesignating of the N11 to the R138 within the administrative area of Dún Laoghaire Rathdown County Council will require the replacement of approximately 7 no. directional signs. The estimated cost to replace these signs is between €8,000 and €10,000. Depending on the scale of civil works, traffic management required and location of utility services, there will be additional cost of approximately €5,000 - €15,000. Please note that these costs are based on initial estimates and a detailed survey will be required before the signs are altered. As much as is practicable, all existing poles will be fully utilised.

Traffic Section is currently compiling all supporting documentation and proposed signage layouts to submit an application to the Department of Transport to cover the cost of replacing these signs.

The redesignating of the N11 to the R138 will also have to be reflected in the County's Road Traffic Speed Limit Bye-Laws. A report on the matter was noted by the Members at the June meeting of the Council. In accordance with Section 9 of the Road Traffic Act 2004, a Public Consultation process has commenced and this involved the publishing of the proposed Bye Laws in 2 daily newspapers. The cost of publishing the notices was €3,024.85.”

### **C/532/13**

#### **Charging Mechanisms for Pitches**

##### **Question: Councillor G. Horkan**

“To ask the Manager when any new charging mechanisms for pitches will come into force and the nature of such charges?”

##### **Reply:**

“The charges for pitches have not changed for the 2013/2014 Season and are as follows:

First Adult Team €600

Additional €150 per adult Team thereafter

Junior Players (9-18 yrs) €3.00 per player

Academy Payers (8 and under) €1.00 per player

A Pitches Strategy is currently being drafted with an expected completion date of end of 2013. Alternative charging mechanisms may be considered as part of this Strategy.”

### **C/533/13**

#### **Additional Parking Charge Areas**

##### **Question: Councillor G. Horkan**

“To ask the Manager for an update on the 6 additional parking charge areas that were introduced at the Budget meeting in December 2012 including a report on the cost of introducing each scheme, the date it started and the revenue received per machine since its introduction?”

##### **Reply:**

“At the Budget meeting on 19 December 2012 the Council passed a resolution to implement pay parking controls at the following locations (subject to the normal public consultation procedures on Carysfort Avenue and Station Road and provision for resident disc parking at The Hill, Stillorgan):

- Carysfort Avenue, Blackrock [as indicated on drawing ref. TT-110-01-12]
- Killiney DART Station car park and Station Road, Killiney [as indicated on drawing ref. TT-108-01-2012]
- Stillorgan Road [section between junctions with Nutley Park and Seafield Road] [as indicated on drawing ref. TT-103-12A-09]
- The Hill, Stillorgan Road, Stillorgan [as indicated on drawing ref. TT-109-01-12]
- Cherrywood on the Cherrywood road at Gleann na Rí A / Tullyvale, Cherrywood, off Cherrywood Roundabout on Wyattville Link Road [as indicated on drawing ref. TT-107-01-2012].

Information on the cost of introduction, the commencement date and revenue collected to 16 June 2013 is as listed:

<b>Area</b>	<b>Expenditure to 16.06.2013</b>	<b>Start Date</b>	<b>Revenue to 16.06.2013</b>
Carysfort Avenue	Not proceeding	N/A	N/A
Killiney DART Car Park	€22,455.37	02/04/13	€9,248.00
Station Road, Killiney	€724.41	Not commenced	N/A
Old Stillorgan Road*	€36,243.16	27/05/13	€651.00
The Hill Stillorgan*	€17,624.22	20/05/13	€1,398.90
Cherrywood off Wyattville Link Road	Taken in charge 10/06/13	N/A	N/A
Cherrywood Gleann na Rí *	€17,697.06	02/04/13	€1,619.20
All costs Ex VAT	€94,744.22		€12,917.10

These figures do not include any potential Parking Tag Payments as these figures cannot be extracted on location basis

\* These works have not been fully paid as the civil contractor has not submitted a final bill (estimated costs)”

**C/534/13**  
**Rates Collection and Arrears Figures 2008 - 2012**

**Question: Councillor P. Stewart**

“To ask the Manager to set out:

- the Commercial Rates in the 5 years 2008 – 2012,
- the total amount of funds taken in per year in rates during that time,
- the percentage of businesses per year in arrears and
- the amounts owing to the council per year for this period?”

**Reply:**

“The table below shows the Rates position from 2008 as per the Annual Financial Statement (A.F.S.).

**Rates per AFS**

Year	Arrears at 1 Jan	Accrued	Write Offs **	Total for Collection	Collected	Arrears at 31 Dec	% Collected
2008	4,602,747	83,443,908	1,161,247	86,885,408	79,314,344	7,571,064	91%
2009	7,575,585	88,786,813	1,712,032	94,650,366	80,006,996	14,643,370	85%
2010	14,643,370	89,479,990	3,325,110	100,798,251	81,556,189	19,242,062	81%
2011	19,242,062	88,948,647	6,864,448	101,326,261	77,289,649	24,036,612	76%
2012	24,037,110	86,392,172	8,945,801	101,483,481	76,485,950	24,997,531	75%

\*\* The Rates Write Off figure for 2010 includes the cost of rates write offs in respect of vacant properties. Prior to 2010 full payment of rates was required in respect of vacant properties with subsequent refunds being made in respect of properties qualifying for a rates refund. From 2010 this requirement was modified having regard to the financial difficulties being experienced by businesses. The 2011 & 2012 Write Off figures, in addition to the vacancy write off costs, also include losses incurred under the general revaluation of commercial properties programme undertaken by the Commissioner of Valuation.

The percentage of businesses in arrears figure is not readily available for 2008. The following shows the percentage of businesses in arrears from 2009. It can be seen that the percentage of businesses in arrears has increased each year corresponding to the increase in arrears. In many cases the businesses are paying their rates by instalment over a longer period of time. The Council is acutely aware of the very difficult economic climate that businesses operate in at this time and seeks at all times to work in partnership with businesses to ensure payment of the rates by instalment in an amount that is mutually acceptable to the business and the Council.

**Percentage in Arrears**

2009	21%
2010	31%
2011	36%
2012	40%”

**C/535/13**  
**Euthanised Horses**

**Question: Councillor C. Smyth**

“To ask the Manager to explain why such a large proportion (nearly 100%) of the horses impounded by Dún Laoghaire-Rathdown County Council to date in 2013 are being euthanized?”

**Reply:**

“Anyone wishing to rehome or reclaim a horse which has been picked up by the Council’s contractor must pay all costs incurred by the Council. These costs include the contractors fee, overnight stabling and the cost of any veterinary services required. All horses, before being released by the Council, must also have a horse licence, a horse passport and also are required to be microchipped. The costs involved can be substantial. In a lot of cases the seized horses are in poor condition and of little monetary value. As a consequence and because of the costs involved very few horses are reclaimed or rehomed. The Council will only hold onto seized horses for 5 days as the cost of holding horses any longer is not eligible for recoupment from the Department of Agriculture, Food and The Marine. After 5 days if horses are not rehomed or reclaimed they are euthanized.”

**C/536/13**

**Education and Training for Councillors in Accordance with Section 142 (5) of the Local Government Act 2001**

**List of Education and Training Courses**

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED:**

- “(a) 11<sup>th</sup> EUSE Conference: “Building an Inclusive Europe through Supported Employment”, Croke Park Stadium, Dublin; 11<sup>th</sup> – 13<sup>th</sup> June 2013
- (b) External delivery of public services seminar, Chartered Accountants House, 47 – 49 Pearse St., Dublin 2; 4<sup>th</sup> July 2013
- (c) Elected Member’s Training Seminar: Financing current Local Government expenditure programmes, Westport Plaza Hotel, Castlebar Street, Westport, Co. Mayo; 5<sup>th</sup> – 6<sup>th</sup> July 2013
- (d) Training Seminar for Councillors: Aiding Local Communities in Job Creation, Institute of Public Administration, Lansdowne Road, Dublin; 26<sup>th</sup> – 27<sup>th</sup> June 2013
- (e) Training Seminar for Councillors: Local Elections 2014, West Cork Hotel, Skibbereen, Co. Cork; 12<sup>th</sup> – 13<sup>th</sup> July 2013.”

In accordance with the provisions of Section 142 (5) of the Local Government Act, 2001 the authorisation of the attendance of Councillors at conferences/seminars/training courses is a reserved function. Accordingly it will be necessary for the Council to pass the following resolution:

“In accordance with Section 142 (5) of the Local Government Act, 2001 attendance by Members at the conferences/seminars/training courses outlined in the foregoing report is hereby authorised.”

It was proposed by Councillor L. McCarthy, seconded by Councillor T. Joyce and **RESOLVED:**

“That in accordance with Section 142 (5) of the Local Government Act, 2001 attendance by Members at the conferences/seminars/training courses outlined in the foregoing report is hereby authorised.”

Councillor H. Lewis and Councillor M. Halpin wished it recorded that they were not in agreement with this proposal.

**C/537/13**

## **Approval of Nominations in Accordance with Section 142 (5) of the Local Government Act 2001**

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“Elected Member’s Training Seminar: Supporting Enterprise, Local Development and Economic Growth, The Connacht Hotel, Dublin Road, Galway City, 14<sup>th</sup> – 15<sup>th</sup> June 2013

- Cllr Jane Dillon Byrne
- Cllr Neale Richmond
- Cllr Tony Fox
- Cllr Pat Hand

Regional Assemblies Joint Annual Conference: "Contribution of Cohesion and Urban Policy to Economic Recovery", Royal Hospital Kilmainham, Co. Dublin, 19th June 2013

- Cllr Gearóid O’Keeffe

Training Seminar for Councillors: Local Elections 2014, West Cork Hotel, Skibbereen, Co. Cork, 12<sup>th</sup> – 13<sup>th</sup> July 2013

- Cllr Gearóid O’Keeffe

In accordance with the provisions of Section 142 (5) of the Local Government Act, 2001 the authorisation of the attendance of Councillors at conferences/seminars/training courses is a reserved function.

Accordingly it will be necessary for the Council to pass the following resolution:

“In accordance with Section 142 (5) of the Local Government Act, 2001 attendance by Members at the conferences/seminars/training courses outlined in the forgoing report is hereby authorised.”

It was proposed by Councillor V. Boyhan, seconded by Councillor J. O’Dea and **RESOLVED**:

“That in accordance with Section 142 (5) of the Local Government Act, 2001 attendance by Members at the conferences/seminars/training courses outlined in the forgoing report is hereby authorised.”

Councillor H. Lewis and Councillor M. Halpin wished it recorded that they were not in agreement with this proposal.

## **C/538/13 Conference Report Documents Submitted**

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“Members attended the following conferences/seminars/training courses approved by the Council:

<b>Conf No.</b>	<b>Conference Details</b>	<b>Approved at meeting</b>	<b>Councillors Attended</b>	<b>Conference Report Received</b>	<b>Claim Form Received</b>
<b>81/11</b>	<b>Time Management, Media &amp; IT Skills</b> , Celtic Ross Hotel, Rosscarbery, West Cork, 8 <sup>th</sup> – 10 <sup>th</sup> July 2011.	12 <sup>th</sup> September 2011	Councillor G. Horkan	No	No
<b>89/11</b>	<b>Councillors’ Training Seminar: The Councillor &amp; The Local Government Environment Service</b> , Hyland’s Hotel, Ballyvaughan, Co. Clare, 22 <sup>nd</sup> – 23 <sup>rd</sup> July 2011.	12 <sup>th</sup> September 2011	Councillor G. Horkan	No	No

96/11	<b>Councillors' Training Seminar: The Local Government Planning Service</b> , West Cork Hotel, Skibbereen, Co. Cork, 12 <sup>th</sup> – 13 <sup>th</sup> August 2011.	12 <sup>th</sup> September 2011	Councillor G. Horkan	No	No
90/11	<b>LAMA Autumn Seminar 2011</b> , Clonea Strand Hotel, Dungarvan, Co. Waterford, 23 <sup>rd</sup> – 24 <sup>th</sup> September 2011.	14 <sup>th</sup> November 2011	Councillor G. Horkan	No	No
108/11	<b>A National Tourism Conference</b> , Fall's Hotel, Ennistymon, Co. Clare, 25 <sup>th</sup> - 26 <sup>th</sup> November 2011.	12 <sup>th</sup> December 2011	Councillor G. Horkan	No	No
129/11	<b>Waste Water Discharge Control Design, operation and Maintenance</b> , Carlton Hotel Tralee, Dan Spring Road, Tralee, Co. Kerry, 11 <sup>th</sup> – 13 <sup>th</sup> November 2011.	12 <sup>th</sup> December 2011	Councillor G. Horkan	No	No
09/12	<b>Understanding EU Funding &amp; Functions</b> , Celtic Ross Hotel, Rosscarbery, West Cork, 27 <sup>th</sup> – 29 <sup>th</sup> January 2012.	13 <sup>th</sup> February 2012	Councillor G. O'Keefe	No	No
13/12	<b>Building Control (Amendment) Regulations 2009</b> , The Kingsvalley Hotel, Merlin Park, Galway City, 3 <sup>rd</sup> – 5 <sup>th</sup> February 2012.	13 <sup>th</sup> February 2012	Councillor T. Fox	No	No
03/12	<b>Mid – West Regional Authority 17<sup>th</sup> Annual Conference</b> , Falls Hotel, Ennistymon, Co. Clare, 16 <sup>th</sup> – 17 <sup>th</sup> February 2012.	12 <sup>th</sup> March 2012	Councillor G. Horkan	No	No
20/12	<b>Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010</b> , Manor West Hotel, Tralee, Co. Kerry, 17 <sup>th</sup> – 19 <sup>th</sup> February 2012.	12 <sup>th</sup> March 2012 12 <sup>th</sup> March 2012	Councillor G. O'Keefe	No	No
06/12	<b>Rattoo Heritage Society's 21st Annual Kerry Environmental Conference</b> , Meadowland's Hotel, Oakpark, Tralee, Co. Kerry, 23 <sup>rd</sup> – 26 <sup>th</sup> February 2012.	11 <sup>th</sup> June 2012	Councillor G. O'Keefe	No	No
<b>Conf No.</b>	<b>Conference Details</b>	<b>Approved at meeting</b>	<b>Councillors Attended</b>	<b>Conference Report Received</b>	<b>Claim Form Received</b>
23/12	<b>Destination Creation: A conference on the Thinking and practice related to Place Making and Place Branding</b> , Royal Marine Hotel, Dún Laoghaire, Co. Dublin, 6 <sup>th</sup> – 7 <sup>th</sup> March 2012.	12 <sup>th</sup> March 2012 12 <sup>th</sup> March 2012 12 <sup>th</sup> March 2012 10 <sup>th</sup> April 2012 10 <sup>th</sup> April 2012	Councillor D. O'Callaghan Councillor L. McCarthy Councillor N. Bhreathnach Councillor J. Bailey Councillor M. Bailey	No No No No No	N/A N/A N/A N/A N/A
31/12	<b>Media, Social Media &amp; Effective Time Management</b> , Celtic Ross Hotel, Rosscarbery, West Cork, 23 <sup>rd</sup> – 25 <sup>th</sup> March 2012.	10 <sup>th</sup> April 2012	Councillor G. O'Keefe	No	No
33/12	<b>Building Community Preparedness and Resilience: An International, National &amp; Local Perspective</b> , Malton Hotel, Killarney, Co. Kerry, 9 <sup>th</sup> March 2012.	10 <sup>th</sup> April 2012	Councillor T. Fox	No	No
41/12	<b>Nuclear Free Local Authorities Ireland Seminar – Nuclear Developments across the Irish Sea and Sustainable Energy Communities in Ireland</b> , Council Chamber, Dundalk Town Hall, Co. Louth, 20 <sup>th</sup> April 2012.	14 <sup>th</sup> May 2012	Councillor G. Horkan	No	No
43/12	<b>The Border, Midland &amp; Western Regional Assembly Annual Conference 2012</b> , TF Royal Hotel, Castlebar, Co. Mayo, 30 <sup>th</sup> April 2012.	14 <sup>th</sup> May 2012	Councillor T. Fox	No	Yes
39/12	<b>ACCC Annual Conference 2012</b> , Newpark Hotel, Kilkenny, 10 <sup>th</sup> – 11 <sup>th</sup> May 2012.	11 <sup>th</sup> June 2012 11 <sup>th</sup> June 2012	Councillor G. Horkan Councillor B. Ward	No No	No No
51/12	<b>Community Tourism Conference: Driving Local Sustainable in a stagnant Global Economy</b> , Celtic Ross Hotel, Rosscarbery, West Cork, 11 <sup>th</sup> – 13 <sup>th</sup> May 2012.	14 <sup>th</sup> May 2012	Councillor G. O'Keefe	No	No
73/12	<b>32<sup>nd</sup> Annual MacGill Summer School</b> , Highland's Hotel, Glenties, Co. Donegal, 22 <sup>nd</sup> – 27 <sup>th</sup> July 2012.	10 <sup>th</sup> September 2012	Councillor G. Horkan	No	No
77/12	<b>Focus Ireland: International Lessons on Preventing Homelessness – 'Holding on to a place you can call home'</b> , Vavasour Room, Aviva Stadium, Dublin, 26 <sup>th</sup> September 2012.	10 <sup>th</sup> September 2012	Councillor S. Fitzpatrick	No	N/A
71/12	<b>LAMA Autumn Seminar: The Challenge for Local Authorities - Can we do more with less?</b> , Mount Errigal Hotel, Letterkenny, Co. Donegal, 28 <sup>th</sup> – 29 <sup>th</sup> September 2012.	12 <sup>th</sup> November 2012	Councillor G. Horkan	No	No
85/12	<b>Promoting and Protecting Human Rights in</b>	8 <sup>th</sup> October 2012	Councillor C.	No	N/A

	<b>Ireland – The Role of the Irish Constitution and European Law</b> , Presidents' Hall, Law Society of Ireland, Blackhall Place, Dublin 7, 13 <sup>th</sup> October 2012.		Devlin		
<b>02/13</b>	<b>The Finance (Local Property Tax) Bill 2012</b> , Carlton Hotel, Dublin Road, Galway, 1 <sup>st</sup> – 2 <sup>nd</sup> February 2013.	11 <sup>th</sup> February 2013	Councillor J. Dillon Byrne	Yes	Yes
<b>98/12</b>	<b>A.M.A.I. Spring Seminar 2013</b> , Brandon House Hotel, New Ross, Co. Wexford, 15 <sup>th</sup> – 16 <sup>th</sup> February 2013.	11 <sup>th</sup> March 2013	Councillor G. Horkan	No	No
<b>05/13</b>	<b>Association of County and City Councils Annual Conference: "Wonderful Waterford"</b> , Tower Hotel, Waterford, 7 <sup>th</sup> - 8 <sup>th</sup> March 2013.	11 <sup>th</sup> March 2013 11 <sup>th</sup> March 2013 11 <sup>th</sup> March 2013	Councillor B. Ward Councillor G. Horkan Councillor T. Fox	No No Yes	No No Yes
<b>11/13</b>	<b>Public Affairs Ireland Conference: A New Future for Local Government in Ireland</b> , The Westin Hotel, Dublin, 13 <sup>th</sup> March 2013.	11 <sup>th</sup> March 2013 11 <sup>th</sup> March 2013	Councillor N. Bhreathnach Councillor L. McCarthy	No No	N/A N/A
<b>19/13</b>	<b>Freedom of Information (FOI): Training Seminar for Councillors</b> , Woodfield House Hotel, Ennis Road, Limerick, 22 <sup>nd</sup> – 24 <sup>th</sup> March 2013.	8 <sup>th</sup> April 2013	Councillor T. Fox	Yes	Yes
<b>17/13</b>	<b>LAMA Spring Seminar 2013: Local Authorities in Ireland; New Challenges – New Opportunities</b> , Ashtown Park Hotel, Gorey, Co. Wexford, 5 <sup>th</sup> – 6 <sup>th</sup> April 2013.	13 <sup>th</sup> May 2013	Councillor G. Horkan	No	No
<b>Conf No.</b>	<b>Conference Details</b>	<b>Approved at meeting</b>	<b>Councillors Attended</b>	<b>Conference Report Received</b>	<b>Claim Form Received</b>
<b>15/13</b>	<b>11<sup>th</sup> National Tourism Conference; The Gathering – bringing our diaspora back home</b> , The Lord Bagenal Hotel, Leighlinbridge, Co. Carlow, 18 <sup>th</sup> – 20 <sup>th</sup> April 2013.	13 <sup>th</sup> May 2013	Councillor T. Fox	No	No
<b>24/13</b>	<b>Global Diaspora Forum: European Strand</b> , Fitzpatrick Castle Hotel, Killiney, Co. Dublin, 14 <sup>th</sup> - 15 <sup>th</sup> May 2013.	13 <sup>th</sup> May 2013 13 <sup>th</sup> May 2013	Councillor S. Fitzpatrick Councillor T. Fox	No No	N/A N/A
<b>34/13</b>	<b>The Development Plan and the Elected Member</b> , Clanree Hotel, Letterkenny, Co. Donegal, 7 <sup>th</sup> - 9 <sup>th</sup> June 2013.	10 <sup>th</sup> June 2013	Councillor V. Boyhan	Yes	Yes
<b>30/13</b>	<b>Elected Member's Training Seminar: Supporting Enterprise, Local Development and Economic Growth</b> , The Connacht Hotel, Galway City, 14 <sup>th</sup> - 15 <sup>th</sup> June 2013.	1 <sup>st</sup> July 2013 1 <sup>st</sup> July 2013 1 <sup>st</sup> July 2013 1 <sup>st</sup> July 2013	Councillor J. Dillon Byrne Councillor N. Richmond Councillor T. Fox Councillor P. Hand	Yes Yes No No	Yes Yes No No

The foregoing report is submitted for the information of the Members."

The report of the Manager was **NOTED**.

**C/539/13**

**Proposed Disposal of Properties**

**Disposal of Fee Simple Interest to Lessees who Purchased under Tenant Purchase Scheme**

The following notice, copy of which had been circulated to the Members, was **CONSIDERED**:

**"COMHAIRLE CHONTAE DHÚN LAOGHAIRE-RÁTH AN DHÚN  
(Dun Laoghaire-Rathdown County Council)**

**TO EACH MEMBER OF DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL**

**LOCAL GOVERNMENT ACT 2001 - SECTION 183  
LANDLORD AND TENANT (GROUND RENTS) (NO. 2) ACT 1978  
DISPOSAL OF FEE SIMPLE INTEREST TO LESSEES WHO PURCHASED UNDER TENANT  
PURCHASE SCHEME**

It is proposed to dispose of the fee simple interest to the lessees of the dwellings set out hereunder.

The purchase price calculated in accordance with the provisions of Section 17(3) of the Landlord and Tenant (Ground Rents) (No. 2) Act 1978 and Circular Letter H41/78 from the Department of the Environment, Heritage and Local Government will be twenty times the annual ground rent.

The sites in question are shown outlined in red on the drawing, which will be submitted to the meeting. The Law Agent has advised that the lessees are entitled to purchase the fee simple interest on the terms proposed. Disposal will be by means of a Transfer Order as prescribed by the Minister for the Environment Heritage and Local Government. A fee of €25.39 will be payable for the issue of the Transfer Order as per Circular Letter H33/78. Any condition specified in the instrument by which the lease was affected in respect of the repayment of the purchase price of the leasehold interest shall attach to the fee simple.

NAME	DWELLING	ANNUAL GROUND RENT	
		£	€
(name withheld)	(address supplied)	0.05p	0.06c
(name withheld)	(address supplied)	£2.60p	€3.30c
(name withheld)	(address supplied)	0.05p	0.06c
(name withheld)	(address supplied)	0.05p	0.06c
(name withheld)	(address supplied)	0.05p	0.06c

As the proposed disposal is subject to the provisions of Section 183 of the Local Government Act 2001 the following resolution is required.

"The Council agree that the disposal of the Fee Simple interest as set out in the above schedule be carried out in accordance with the terms specified in the foregoing report"

**DATE:** 12<sup>th</sup> June 2013

**SIGNED:** \_\_\_\_\_  
**Tom McHugh**  
**DIRECTOR OF HOUSING"**

It was proposed by Councillor D. O'Callaghan, seconded by Councillor C. Devlin and

**RESOLVED:**

"That the Council agree that the disposal of the Fee Simple interest as set out in the above schedule be carried out in accordance with the terms specified in the foregoing report."



**C/540/13**

**Proposed Disposal of Properties**

**Management and Maintenance of 32 Apartment Units at Rockbrook South Central, Sandyford, Dublin 18 acquired pursuant to Part V of the Planning and Development Act 2000 (as amended) and the Disposal of Leasehold Interest Therein to an Approved Housing Body**

The following notice, copy of which had been circulated to the Members, was **CONSIDERED**:

**"COMHAIRLE CONTAE DHÚN LAOGHAIRE-RATH AN DÚIN  
(Dún Laoghaire-Rathdown County Council)**

**TO EACH MEMBER OF THE DÚN LAOGHAIRE-RATHDOWN COUNCIL**

**Management and maintenance of 32 apartment units at Rockbrook South Central, Sandyford, Dublin 18 acquired pursuant to Part V of the Planning & Development Act 2000 (as amended) and the disposal of leasehold interest therein to an approved housing body.**

The Council has acquired 17 units and is in the process of acquiring a further 15 units in the above development for social housing in accordance with an Agreement entered into under Part V of the Planning & Development Act 2000 (as amended). The properties consist of 8 x 1-bed, 23 x 2-bed and 1 x 3 bed apartments located in Block D of the development and are being acquired from Sipter Ltd (In Receivership).

The Council initiated a procurement process and sought proposals from Voluntary Housing Bodies to manage the units and tenants on its behalf, through the Irish Council for Social Housing. Eight proposals were received within the allotted timeframe. Following an examination and evaluation of the proposals, it is considered that the submission from Túath Housing Association Ltd represents the best value to the Council in that:-

- It proposes to manage the units and the tenants at no cost to the Council;
- It will collect and retain the differential rent payable in accordance with the Council's Differential Rent Scheme;
- It will be responsible for the payment of the management service charges on the properties;
- The Council will retain 100% nomination rights from its social housing list to the units.

Túath is currently managing effectively and successfully a number of housing developments on behalf of the Council.

Having regard to the foregoing, it is therefore proposed to grant a sub-lease and to enter into a Service Level Agreement in respect of the 32 apartments to Túath Housing Association Ltd for a period not exceeding 5 years.

It is therefore recommended, in accordance with Section 183 of the Local Government Act 2001, that the following resolution be adopted:

"That a Sub-Lease be granted and Service Level Agreement be entered into with Túath Housing Association Ltd. for a period not exceeding 5 years for the management of tenants and maintenance of 32 social housing units at Rockbrook, Sandyford."

**DATE:** 18<sup>th</sup> June 2013

**SIGNED:** \_\_\_\_\_  
**Tom McHugh**  
**DIRECTOR OF HOUSING"**

It was proposed by Councillor L. McCarthy, seconded by Councillor J. Dillon Byrne and  
**RESOLVED:**

“That a Sub-Lease be granted and Service Level Agreement be entered into with Túath Housing Association Ltd. for a period not exceeding 5 years for the management of tenants and maintenance of 32 social housing units at Rockbrook, Sandyford.”

**C/541/13**

**Appointment of 1 Member to the Local Traveller Accommodation Consultative Committee**

The following report of the Manager, copy of which had been circulated to the Members, was  
**CONSIDERED:**

“At the County Council meeting held on 9th March, 1998 the Council agreed that 3 Councillors would form part of the Local Consultative Committee.

In accordance with the guidelines the period of appointment of the Committee shall be at least 3 years except in the case of members of the authority who cease to be a member of a local authority.

The current members of the Local Consultative Committee:

Councillor G. Tallon appointed on 11<sup>th</sup> June 2012.

Councillor J. O’Dea appointed on 5<sup>th</sup> July 2010.

Councillor T. Murphy appointed on 11<sup>th</sup> October 2010.

The outgoing member of the Local Consultative Committee is Councillor J. O’Dea.

One nomination is sought for the Local Consultative Committee.”

It was proposed by Councillor J. Dillon Byrne, seconded by Councillor R. Humphreys and  
**RESOLVED:**

That Councillor D. Marren be appointed to the Local Traveller Accommodation Consultative Committee.”

**C/542/13**

**Appointment of 1 External Member to the Audit Committee**

The following report of the Manager, copy of which had been circulated to the Members, was  
**CONSIDERED:**

“At the County Council meeting held on 7<sup>th</sup> December 2007 the Council approved the appointment of Mr. Hal Ledford as an external member of the Audit Committee.

Mr. Ledford tendered his resignation as a member of the Audit Committee at its meeting held on 14<sup>th</sup> March 2013.

The Manager is nominating Mr. Kevin Kelly an accountant and member of Dún Laoghaire-Rathdown Chamber of Commerce for approval by the Council.

In accordance with the guidelines the period of appointment to the Committee shall be for the duration of the Elected Council.

Accordingly it is recommended that the Members pass the following resolution:

“That Kevin Kelly be appointed as an external member of the Audit Committee for the duration of the Elected Council”

It was proposed by Councillor V. Boyhan, seconded by Councillor P. Stewart and **RESOLVED:**

“That Kevin Kelly be appointed as an external member of the Audit Committee for the duration of the Elected Council”

### **C/543/13**

#### **Construction of electricity sub-station at Stillorgan Reservoir, Brewery Road, Stillorgan in accordance with Part 8, Article 81 of the Planning and Development Regulations 2001 - 2010 Planning and Development Act 2010 (as amended) and Section 138 of the Local Government Act, 2001**

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED:**

### **“PC/03/13**

In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001 (as amended) the Council gave notice of the proposed development in the Irish Independent on Tuesday 23<sup>rd</sup> of April 2013. Plans and particulars of the proposed development were available for inspection from Tuesday 23<sup>rd</sup> of April 2013 up to and including Tuesday 4<sup>th</sup> of June 2013, at the Planning Department, County Hall, Marine Road, Dún Laoghaire, between 10.00am and 4.00pm and at the Council Offices, Dundrum Office Park, Dundrum, between the hours of 9.30am to 12.30pm and 1.30pm to 4.30pm, Monday to Friday, excluding Bank Holidays. Submissions and observations with regard to the proposed development could be made up to and including Tuesday 18<sup>th</sup> of June 2013.

#### **SITE LOCATION:**

The proposed sub-station will be located within the grounds of the Stillorgan Reservoir site, incorporated into the granite boundary wall along Brewery Road in close proximity to the northeastern corner of the overall site. There is a public footpath and cycle lane, separated by a grass verge, located between the proposed development and Brewery Road.

#### **NATURE AND DESCRIPTION OF THE SUBJECT PART 8 PROPOSED DEVELOPMENT:**

##### **Background:**

Stillorgan Reservoir is owned and operated by Dublin City Council. In order to ensure maximum water quality and public health Dublin City Council proposes to upgrade the existing chlorine dosing equipment, and to install UV treatment in accordance with the latest Environmental Protection Agency requirements at the Stillorgan Reservoir. The proposed works will involve the installation of new pipework, fittings and mechanical plant within the existing Manifold building, and two no. underground chambers to the front of the building to house flow control valves and meters on the existing distribution mains. These works are classified as exempted development under Section 4 of the Planning and Development Act 2000, as amended. However, ESB Networks Ltd. has confirmed that an electrical substation will need to be constructed to power the new equipment. This element constitutes development and is the subject of this Part 8.

The proposed development consists of:

- An electricity sub-station (floor area c.30m<sup>2</sup>) within the grounds of Dublin City Council's Stillorgan Reservoir site (which falls in the functional area of Dún Laoghaire-Rathdown County Council).
- Sub-station doors fronting onto Brewery Road.
- Minor alterations to roadside wall height and grassed verge.

**Detailed description of proposed works:**

The eastern boundary of the Stillorgan Reservoir site consists of a stone wall where it adjoins Brewery Road. This wall steps down from south to north. The proposed ESB sub-station is to be constructed at the point where the boundary wall steps down from c.2.75m to c.2.4m.

Main access to the proposed structure will be off Brewery Road (see "Plan of Proposed ESB Sub-Station" on drawing no. P8/04). A section of the grass verge to the east (measuring 7.5m x 0.6m) will be replaced with concrete to allow emergency access to the sub-station.

The visible front of the sub-station will be clad with 200mm wide masonry to match the existing wall, and the rear and side elevations will consist of nap plaster finish. The structure will have a concrete roof slab. Nap plaster reveals will frame the galvanised steel security doors facing Brewery Road, while vertical untreated iroko cladding will be fixed to the top and bottom panels of the security doors (see "Front (East) Elevation of Proposed ESB Sub-Station" on drawing no. P8/04).

A small section of the boundary wall will be increased in height to match the height of the proposed structure.

**Environmental Impacts:**

The proposed development was screened for Appropriate Assessment, i.e. for possible impact on Natura 2000 sites, in accordance with Article 6.3 of the EU Habitats Directive (92/43/EEC) and it was determined that an Appropriate Assessment is not required. The Screening Report forms part of this application.

The scale of the proposed scheme does not warrant the preparation of an Environmental Impact Statement.

**IMPLICATIONS OF THE PROPOSED DEVELOPMENT FOR THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA:****Zoning and Policy Objectives:**

In terms of the Dún Laoghaire-Rathdown County Development Plan, 2010-2016, the Stillorgan Reservoir, including the subject site, is zoned 'Objective F', *'to preserve and provide for open space and amenities with ancillary active recreational amenities'*.

It is considered that the relevant policy objectives as set out within the County Development Plan 2010-2016 in respect of the proposed development include:

- Policy EI1: Water Supply and Drainage: *"It is Council policy to provide adequate high quality drinking water, to promote water conservation and to continue the development and improvement of the water supply and drainage systems throughout Dún Laoghaire-Rathdown in order to meet the anticipated water and drainage requirements of the County – all in accordance with the recommendations set out in the 'Greater Dublin Water Supply Strategic Study' and 'The Greater Dublin Strategic Drainage Study'.*

The reservoir also falls within the boundary of the Sandyford Urban Framework Plan (Variation no.2 of the 2010-2016 County Development Plan). The following objective relates:

- Objective OS5: *"It is an objective of the Council to actively pursue the use of the existing reservoir site as active open space (Class 1) when the use of part of this area as a reservoir is abandoned and the remaining part is covered over. Due regard will be given in the design of the open space to ensure there will be no over looking of houses. This space will compensate for any future loss of the parklands at St. Benildus associated with the construction of the Easter Bypass".*

The reservoir site, as delineated by the submitted drawings, contains the following six Protected Structures as identified on map 6 of the County Development Plan:

- a Bridge,
- a Gateway,
- Granite Walls,
- a House,
- an Overflow Screen Chamber, and
- the former Railway Station.

None of the structures would be affected by the proposed development.

The proposed ESB sub-station is directly linked with the operations of the reservoir. Section 18.7 of the County Development Plan relates to uses not specifically mentioned throughout the Use Tables in Chapter 18. These uses will be considered in relation to the general policies of the Plan and to the zoning objectives for the area in question.

**Reports Received From Council Departments:**

Transportation and Water Services Department: No objection.

Environment, Culture and Community Department: No objection.

List of Bodies Notified:

- **An Taisce.**

**LIST OF PERSONS/BODIES WHO MADE SUBMISSIONS:**

The closing date for receipt of submissions/observations was Tuesday 18th of June 2013. Four submissions were received (see Table A).

**Table A: list of persons/bodies who made submissions:**

	(Names withheld)	(address supplied)
	(Names withheld)	(address supplied)
	(Names withheld)	(address supplied)
	(Names withheld)	(address supplied)

**Summary of the Submissions:**

In their submission the Residents Association agrees that additional power is required in order to ensure that quality water is available, however, objects to the location and design of the sub-station on the following grounds:

- The creation of a separate entrance from Brewery Road to the proposed sub-station would be dangerous from a traffic safety perspective. It is suggested that one of the two entrances into the reservoir site – to the east and west of the proposed development – be used for access to the sub-station. This would also render the sub-station more secure from vandalism.
- The application does not indicate the existence of trees in the grass margin, as such, it is not clear how many trees will have to be removed to accommodate the proposed entrance to the sub-station.
- In terms of visual impact the Residents Association objects to the removal of 7.5m of grass margin, and to the proposed painted galvanised steel doors – which is considered an attraction for graffiti artists.

(names withheld) support the Residents Association’s letter of objection, and the points raised therein.

(name withheld) also accepts the desirability and necessity for the ESB sub-station, however, objects to the location of the sub-station which requires breaching the wall of the reservoir and

having access to it by metal doors facing the public road. It is recommended that access to the sub-station be through the lands inside the curtilage of the reservoir.

(name withheld) also objects to the location of the proposed ESB sub-station and raises concerns about the visual impact, potential for graffiti and impact on trees.

### **MANAGER'S RESPONSE TO SUBMISSION ISSUES:**

Dublin City Council responded as follows to the submissions. The full response from Dublin City Council is included as Appendix I of this report.

- **Location of ESB sub-station:**

The proposed location follows lengthy assessment of all options available within the vicinity. The location of the sub-station is a function of spatial constraints, security and accessibility within the existing site. With regard to spatial constraints, the site contains three individual open storage cells, bounded by earthen embankment dams, visible as steep grassed slopes. The sloped surfaces are the structural walls holding back the body of water, and cannot be built on or undermined in any way. The reservoirs and embankment slopes take up 95% of the entire site footprint. The site boundary is tight to the base of the embankment dams on the north, south and the western sides, and the only access points to the site are along Brewery Road. The north gate along Brewery Road allows for access to the Chlorine Dosing building, screen house, valve house and Grey reservoir screen chamber. The area to the rear of this gate is required as a turning circle for chlorine deliveries, and located below ground level are the six arterial water distribution mains, and the 1000mm diameter bypass pipeline for Dublin City and Dún Laoghaire jurisdictions. These mains are critical infrastructure and cannot be compromised or have structures built above them. Therefore, there is no option for installing the substation within the site to the rear of the north gate on Brewery Road. At the south entrance, the site is also severely constricted. The existing administration building is a protected structure (as are the walls, bridge and pump house at this location), and the small yard is fully utilised to store materials for the operation of the reservoir and the local distribution network. Located below the ground surface are the arterial water mains entering the reservoir from Vartry and Ballymore Eustace Water Treatment Plants, and arterial distribution mains for Foxrock and Leopardstown. Again, these mains cannot be built over, or compromised in any way. In addition, an open water course and culvert run along the Brewery Road side of the embankment dam at the south entrance. There is no option for installing the substation within the site to the rear of the south gate on Brewery Road.

In terms of security, the reservoirs are used to store treated drinking water, and therefore access is restricted to a small number of trained Dublin City Council personnel. The site also contains chlorine dosing equipment and key distribution controls, which, if compromised, could result in loss of supply to large areas of Dublin. As a result, it is Dublin City Council policy to restrict access to sensitive/hazardous areas, and unrestricted or unsupervised access to Stillorgan Reservoir would not be allowed. Further to this Dublin City Council would be reluctant to provide the ESB, or any other third party, a key to the reservoir site.

- **External finishes and Vandalism:**

The proposed ESB substation is designed to be incorporated into the existing granite wall, with a finish to match the existing. Therefore, the only elements visible will be the two entrance doors. The doors are for person access only, and no vehicular access is required or provided. Although the ESB have standard requirement for galvanised steel doors, Dublin City Council has agreed with the ESB that these doors would be finished with Cedar panels in order to reduce any visual impact. It is noted that in the pre-Part 8 consultation Council's Architects Department and Conservation Division raised no objection to the scheme, however, did recommend that the doors of the sub-station be sheathed with timber to improve their appearance along the view toward the protected structure. The

Part 8 shows timber to the top and bottom panels of the security doors only. Having regard to the Conservation Divisions previous comments, the proposal to timber clad the doors is considered acceptable.

In relation to graffiti, the front elevation of the substation is designed to be incorporated into the existing granite wall. As such, the sub-station and the Cedar clad doors would be no more vulnerable than the existing granite wall or existing wooden clad gates at the north entrance to the site. There is a lamppost in close proximity to the location of the sub-station, and due to the heavily trafficked nature of the road, and the clear site lines, anyone engaged in graffiti would be very exposed at this location.

- **Impact on trees:**

The sub-station was positioned so that it is not directly opposite any residential driveway, and no trees will need to be removed as part of these works. However, Dublin City Council is willing to fund Dún Laoghaire-Rathdown County Council for additional tree planting to the front of the Reservoir boundary wall to improve the visual amenity of the area.

In summary the above comments and recommended changes do not constitute a material alteration to the scheme proposed, as the impact and land required would remain unaltered.

**SUMMARY:**

The proposed ESB sub-station will allow for the installation of state of the art UV treatment equipment, maximising the safety and water quality within the water supply area. Dublin City Council has been instructed to carry out these works by the Environmental Protection Agency, the Statutory Authority in terms of water quality, and when the project is completed, any public health risk from the supply will be reduced. Failure to construct the ESB sub-station will mean that the latest technology water treatment facilities cannot be installed at Stillorgan, thus compromising the safety and security of water supply for two hundred thousand water users.

The proposed location of the sub-station was chosen following a lengthy review of the entire Stillorgan reservoir site. The security and/or impact on critical infrastructure within the site cannot be compromised, and the only possible location for the sub-station is along the site boundary with Brewery Road. No trees along Brewery Road will have to be removed to facilitate the proposed development, and a condition requiring the doors to be clad with timber would improve the visual appearance of the structure as viewed along Brewery Road, especially having regard to the historical buildings within the Stillorgan reservoir site.

Having regard to Section 18.7 of the County Development Plan, the existing use of the overall site, to the general policies of the Plan (which includes Policy EI1), it is considered that the proposed development would not be detrimental to the zoning objective of the site, would be consistent with the proper planning and sustainable development of the area to which the development relates, and will accord with the policies set out in the County Development Plan.

**RECOMMENDATION:**

The proposed development is considered to be in accordance with the provisions of the 2010-2016 Dún Laoghaire-Rathdown County Development Plan, and with the proper planning and sustainable development of the area. It is recommended that a decision be made by the Elected Members of the Council to **proceed** with the proposed development in accordance with the drawings, which were on display and to any such minor and immaterial alterations to the plans and particulars of the development, subject to the following amendments:

1. The doors of the ESB sub-station shall be clad with timber.  
REASON: In the interest of visual amenity.

Subject to the above approval, members are hereby notified in accordance with Section 138 of the Local Government Act, 2001, of the intention to proceed with the proposed development.

Accordingly, it is recommended that the following resolution be passed by the Council:

“The foregoing report of the Manager is **APPROVED** and it is **AGREED** to proceed with the construction of an electricity sub-station at the Stillorgan Reservoir in accordance with the drawings which were on display and to any such minor and immaterial alterations to the plans and particulars of the development, subject to the following amendments:

1. The doors of the ESB sub-station shall be clad with timber.  
REASON: In the interest of visual amenity.”

A discussion took place, during which Mr. F. Austin, Director of Transportation and Water Services responded to Members queries.

A roll call vote on the Manager’s Recommendation was requested, the result was as follows:

<b>COUNCILLORS:</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Bailey, John F.	✓		
Bailey, Maria	✓		
Baker, Marie	✓		
Bhreathnach, Niamh		✓	
Boyhan, Victor		✓	
Brennan, Aoife		✓	
Devlin, Cormac		✓	
Dillon Byrne, Jane		✓	
Fitzpatrick, Stephen		✓	
Fox, Tony			
Halpin, Melisa		✓	
Hand, Pat	✓		
Horkan, Gerry		✓	
Humphreys, Richard		✓	
Joyce, Tom	✓		
Lewis, Hugh			✓
Marren, Donal	✓		
McCarthy, Lettie		✓	
Murphy, Tom		✓	
O’Callaghan, Denis		✓	
O’Dea, Jim		✓	
O’Keeffe, Gearóid		✓	
Richmond, Neale	✓		
Saul, Barry		✓	



Smyth, Carrie	✓		
Stewart, Patricia	✓		
Tallon, Grace		✓	
Ward, Barry		✓	
<b>Total:</b>	<b>9</b>	<b>17</b>	<b>1</b>

An Cathaoirleach, Councillor C. Smyth declared the Manager's Recommendation **REJECTED**.

**C/544/13**

**Capital Loan and Subsidy Scheme for Clúid Housing Association in respect of Housing Project at Kilcross Square, Sandyford Road, Dublin 18 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act 1992**

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“The Council at its meeting held on 10<sup>th</sup> January 2005 approved a loan in the sum of €10,566,000 to Clúid Housing Association in respect of the social housing scheme at Kilcross Square, Sandyford.

Due to increased costs incurred on the project and following a request from the Housing Department, approval to a revised loan amount in the sum of €10,578,380, i.e. €12,380 in excess of the original amount, was received from the Department of the Environment Heritage & Local Government. Due to an oversight the Council were not advised.

It is now recommended that the following resolution be adopted:

“Dún Laoghaire Rathdown County Council hereby resolves that approval be given to increasing the loan amount to Clúid Housing Association by €12,380, resulting in a fully subsidised total loan amount of €10,578,380 in respect of the housing project at Kilcross Square, Sandyford, in accordance with the terms and conditions of the Capital Loan and Subsidy Scheme as adopted by the Council at its meeting held on 10<sup>th</sup> July 2006.”

It was proposed by Councillor M. Bailey, seconded by Councillor D. Marren and **RESOLVED**:

“That Dún Laoghaire Rathdown County Council hereby resolves that approval be given to increasing the loan amount to Clúid Housing Association by €12,380, resulting in a fully subsidised total loan amount of €10,578,380 in respect of the housing project at Kilcross Square, Sandyford, in accordance with the terms and conditions of the Capital Loan and Subsidy Scheme as adopted by the Council at its meeting held on 10<sup>th</sup> July 2006.”

**C/545/13**

**Installation of a high rope adventure course at Cabinteely Park (which is within the grounds of a Protected Structure), Cabinteely - Report Submitted in accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, as amended**

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

**Proposed development to construct a high rope adventure course consisting of four distinct overlapping tracks through the trees with 41 games in all to include, two platforms providing access, tree surgery, path improvements, a timber clad pre-fabricated building, extension of the existing car park to provide an additional 65**

## **places and cycle racks (24) at Cabinteely Park, (which is within the grounds of a protected structure), Cabinteely House**

**“PC/07/12**

In accordance with Part 8, Article 81 of the Planning and Development Regulations 2001-2012, notice of the proposed development was given by the placement of a notice in the Irish Times newspaper dated 19/11/'12. Two no. site notices (in the prescribed format) were also erected at existing entrances to Cabinteely Park. These notices were maintained in place for the prescribed period.

### **1. Location:**

The site of 4.7 Hectares is located in a wooded area, to the south-western portion of the Park, directly south of the existing Cabinteely House and enclosed yard area.

### **2. Proposed Development:**

This report relates to the proposed construction of a high rope adventure course

The proposed works consist of:

- The installation of a high rope adventure course consisting of four no. distinct overlapping tracks through the trees with 41 no. games in total.
- Two no. centrally located service platforms to access the network of games.
- Essential tree surgery (as outlined in Arborists report for priority 1 and 2 trees), to allow installation of the facility.
- Path improvements in the Woodland, with suitable finish of bark or dust/grit.
- Installation of 1 no. service accommodation hut/pre-fabricated building/modified container unit, for the commercial operation of the adventure course, (to take bookings, induction and training of users, storage and distribution of equipment and shelter).
- Extension to the existing car park (within the adjacent Yard area), to provide an additional 65 No. car parking spaces (2 of which are disabled spaces).
- Addition of 24 no. cycle racks.

### **Nature and Extent of the proposed development:**

The proposed development consists of the provision of a high rope adventure course of 4 no. interlinked routes/tracks, located to a wooded area of Cabinteely Park of approximately 4.7 hectares in area (to the Southern portion of the existing Park). The proposal also involves the provision of additional car parking of 65 No. spaces within the existing Council Yard area (inclusive of 2 no. disabled user spaces). The proposal also outlines the provision of 12 no. bicycle racks/spaces to the proposed car parking area.

The proposed adventure course consists of an elevated track or route of approximately 677 linear metres through the aforementioned wooded area. The elevated platform will be suspended approximately 5 metres above the existing ground level, and will be accessed from 2 no. 'central access' platforms. The access platforms are described as being circular, of 3.5 metres wide, equipped with stair access. The submission also states that each access platform will be surrounded by a 1.3 metre high fence. The fence is to be located to the ground enclosing the platform, by use of intermittent stays/foundations. Following detailed discussions with the Parks & Landscape Services Department on 22/02/'13, it was noted that the location of the two no. proposed access platforms are located adjacent to the service accommodation cabin, i.e. at the intersection of lines 'P1/T1' and "P2/T12", (as indicated on the drawings). This point is for clarification purposes, as it was not clear as to the location of the 2 no. central access platforms, from the drawings/written statement.

The proposal also provides for a 'service accommodation' hut with adjoining covered deck area. (The drawings state the internal floor area for the hut, of approximately 20 sq. m.). The hut is proposed as an equipment store and booking/reception area for the facility. A raised

decked area adjoining the hut is proposed with a flat roof canopy extension with seating for users.

Following third party concerns, details pertaining to the proposed schedule of tree works were clarified. The report, while not proposing changes reiterated, for clarification purposes the proposed schedule of remedial works and lists each tree specimen as priority 1-4 categories, with the works scheduled over a period of 3-4 years. The report lists the tree specimens that have an immediate priority 'High risk' category defined as 'being the most urgent and would need to be carried out immediately', i.e. those within the proposed layout of the routes for the adventure park/site, which amounts to approximately 36% of the entire site.

The tree maintenance programme involves the removal of 32 no. tree specimens throughout the woodland canopy area (of the site). It is acknowledged that the tree canopy in this area would benefit from maintenance works to improve the quality of the individual specimens, and thus prolong the reasonable lifespan of each tree retained. It is acknowledged that the site contains some good specimens dotted with some poor individual tree specimens, with dieback and resultant gaps in the tree canopy. The woodland floor may also benefit from some clearance and re-seeding to particular areas, and the removal of inert material from other areas, would be of benefit, in amenity terms, for users.

### **3. Assessment of proposal having regard to the policies and objectives of the Dún Laoghaire Rathdown County Development Plan 2010-2016:**

In terms of the Dun Laoghaire-Rathdown County Development Plan, 2010-2016, the subject site is zoned 'Objective F', 'To preserve and provide for open space and amenities with ancillary active recreational amenities'.

Uses 'permitted in principle' under this zoning are; 'Community Facility, Cultural Use, Open Space, Sports facility, Travellers accommodation'.

Cabinteely Park House which is located directly North, of the proposed adventure centre, is a Protected Structure as identified on map 7 of the County Development Plan 2010-2016:

- RPS No. 1683 – Cabinteely House.

It is considered that the relevant policy objectives as set out within the County Development Plan 2010-2016 in respect of the proposed development include:

- Policy LHB15: Historic Demesnes and Gardens.
- Policy OSR3: Future Improvements.
- SLO 33 Map 7: To upgrade and improve Cabinteely House and Park in accordance with an approved Masterplan.
- Policy OSR 9: Sports and recreational facilities.
- Policy OSR 11: Play facilities.
- To protect and preserve trees and woodlands

The recreational nature of the proposed development accords with the Dún Laoghaire Rathdown County Development Plan 2010 – 2016 zoning objective for Cabinteely Park.

A report from the Architects Department states that there is no objection to the proposed High Rope Adventure Project. It is therefore considered that the proposed development will have no impact on the protected structure or its setting.

There is a symbol in this general area on Map 7 of the County Development Plan indicating the objective "to protect and preserve trees and woodlands". An Arborist report has been prepared as part of this proposal. Due to the nature of the use proposed it is considered that the development proposal is consistent with this objective.

Cabinteely Park boundary abuts a number of areas with zoning objective A "To protect and or improve residential amenity". Cabinteely Park has a number of entrances some of which are

through adjoining residential areas as is the car park for the existing Park and the additional parking associated with this proposed development. The Transportation Department have no objection to this proposal. The proposed development is circa 50 meters from the boundary with the residential area Holmwood Estate, considering the managed nature of the use it is considered the proposed development will not impact on the residential amenity of these properties.

The proposed development accords with the policies and objectives of the Dún Laoghaire Rathdown County Development Plan 2010- 2016.

**4. IMPLICATIONS OF THE PROPOSED DEVELOPMENT ON THE HABITATS DIRECTIVE 92/43/EEC.**

**4.1 Habitats Directive**

The report received from Scott Cawley raises no likely significant impacts on Natura 2000 sites.

**5. Departmental Reports:**

Input into the formulation of the draft proposal was received from the Council Departments as noted below. The Departments listed below had no objection in principle to the proposed development.

Architects Department: Report on file dated November 7<sup>th</sup> 2012, with no objections to the proposed development.

Transportation Department: See report on file dated 22/04/'13, and previous report of 10/09/'13, with no objections to the proposed development.

Biodiversity Officer: No objections to the proposed development (as per 4.1, above).

**6. List of persons/bodies who made submissions.**

188 Submissions received (names and addresses withheld)

**6.1 Summary of Issues Raised in the Submissions:**

188 no. 3<sup>rd</sup> party submissions/observations have been received within the prescribed period. (Photographs supplied with 1 no. submission dated 24/01/'13 are duly noted). The issues and concerns raised in the submissions are summarised as follows;

<b>No.</b>	<b>Issue</b>	<b>Response</b>
1.	Will the proposed development be open to all, or be accessed for a charge/fee, and if so what are the likely costs, estimated usage rates, and proposed opening date?	To coincide with the current public consultation and pending approval for the development, the Local Authority will negotiate final license and operational agreements.
2.	Concerns expressed that the park is already over-developed and its value as a natural amenity area has been diminished, with particular reference to the proposed development area which is considered to be a natural woodland and the proposed development will impact significantly on the flora and fauna of the area.	<p>The development of Cabintely Park is tailored to accommodate recreational needs of the community, while maintaining a pleasant physical environment.</p> <p>Items already in place include a children's playground, two new football pitches and a dog's off leash area. Those planned include croquet, boules, cricket, the proposed high wire adventure course and improved cycle permeability along the river corridor.</p> <p>In addition areas of open water are being</p>

		<p>developed along the river, along with wildflower meadows, trees planting and ornamental herbaceous planting.</p> <p>The scale of these developments is consistent with that achieved in other parks and open space in the county and are not considered to constitute over-development.</p> <p>The impact on habitats and fauna, during construction phase is noted but are reversible. Mitigation measures will be implemented as per section 6.1 of the Ecological Impact Assessment submitted as part of the application.</p>
3.	Concerns that the proposal will result in a very noisy development that will result in disruption of what is currently a quiet place for users and the local bird population (in the tree canopy), and other local wildlife and for neighbouring housing developments for example along Brennanstown Road.	From visiting similar adventure courses the Parks and Landscape Services Department consider that there is no evidence that operation of the high wire adventure course will give rise to excessive noise.
4.	Concerns raised in relation to the potential damage that the development will result in, to the existing trees in the Park.	<p>There appears to be a misunderstanding that all tree work outlined in the arboricultural report relates to installation of the high rope climbing adventure. The Project Arborist, assessed the trees in the woodland and to make recommendations regarding works required irrespective of the proposed development.</p> <p>It is anticipated that those works immediately related to the high wire climbing adventure will be undertaken immediately, if approval is granted for the installation, but other work will be undertaken over a five year period as funds become available.</p> <p>The design of this particular facility uses anchor devices for forest high ropes climbing courses which have been adopted by climbing park designers all over Europe. This anchoring device is based on a set of specially designed brackets which, unlike conventional methods using multi-layer steel cable coils, can be continuously adjusted to the ongoing growth pattern of any tree that is part of the course supporting structure.</p>
5.	Concerns raised in relation to the nature of having a 'commercial' development in a public park.	<p>The Parks &amp; Landscape Services Department frequently engages with commercial enterprise to provide optimum service and facilities. Examples include operation of coffee shops, 'Co-Co Markets' and concerts in the parks.</p> <p>The management and operation of this particular activity, a high wire adventure course, requires particular levels of expertise and is best operated</p>

		by a company specialising in the area.
6.	Concerns that the adventure/proposal is a potentially dangerous activity/sport.	The construction and operation of the facility will comply with all international standards as outlined on page 5. of the written statement submitted in support of the application.
7.	Concerns raised in relation to the additional car parking requirement of 64/65 no. spaces, to facilitate the development and that there is no traffic management plan proposed as part of the development, with potential to involve 1,000 visitors per day at peak times.	<p>The site where it is proposed to provide the additional car parking at Cabinteely Park is currently used as a works yard, which is under-utilised, beside the existing car park.</p> <p>Extending the car park into this area will have no detrimental effect on the park but will allow increased use of Cabinteely Park and the proposed high wire adventure course.</p> <p>Congestion at the entrance to Cabinteely Park occurs at peak school opening and closing times, whereas visitor movements in and out of Cabinteely Park tend to be consistent throughout the day, with peak use at the week-end. While the proposed high wire adventure course will generate increased car movement in and out of the park, it is anticipated that this will continue as a consistent flow without significant ebbs and flows (save at the week-end).</p> <p>Furthermore the booking system proposed for the high wire adventure course will ensure that peaks and troughs are avoided and prevent concentrated traffic movements in and out of the park.</p>
8.	Concerns raised in relation to potential noise and light pollution from the development from its amenity/security lighting.	<p>From visiting similar adventure courses the parks and landscape services Department consider that there is no evidence that operation of the high wire adventure course will give rise to excessive noise.</p> <p>The facility will not be lit, save for that lighting needed to operate the proposed cabin.</p>
9.	Concerns raised in relation to potentially excessive opening hours of the facility/development and suggestions that the facility should be confined to the operating hours of 8am-10pm. Also, noted; the proposed opening times for the facility should be revised as closing times of 5pm (in Winter) and 10;30 (in summer) is not acceptable to local residents.	<p>The potential opening hours of the climbing adventure were selected to coincide with opening hours of the park. However actual operational times would be determined by market forces, with the caveat that persons entering the facility would need adequate time to complete the course prior to park closing.</p> <p>It is unclear why operation of the high wire adventure course should commence later or cease earlier than other activities such as football, croquet, walking or social activities in the Grainstore.</p>
10.	Concerns that the removal of 39no. trees on site will have destructive effect upon the amenity of the area (and the native wildlife of bats, badgers, foxes and squirrels).	There appears to be a misconception that all tree work outlined in the arboricultural report relates to installation of the high rope climbing adventure. The project Arborist, was asked to assess trees in the woodland and make

		<p>recommendations regarding works required irrespective of the proposed development.</p> <p>It is anticipated that those works immediately related to the high wire climbing adventure will be undertaken immediately if approval is granted for the installation, but other work will be undertaken over a five year period as funds become available.</p> <p>The Biodiversity Officer, was part of the design team, and no significant concerns were raised regarding the above.</p>
11.	Concerns that the development will attract anti-social behaviour after hours.	<p>There is evidence that moderate levels of anti/social activity occurs in this region of Cabinteely Park and in other parks, particularly by adolescents and youths.</p> <p>Unauthorised cycling ramps have been constructed and removed in the area.</p> <p>It is believed that installation of the hire wire rope adventure will regularise use of this area of Cabinteely Park and may reduce levels of anti social activity, particularly as this type of activity is geared to this age group.</p> <p>Entry on to the main access platforms will be restricted at night preventing unauthorised entry to the constructed games within the tree canopy at night.</p>
12.	Support for the development was expressed as a positive and attractive place/venue/activity, for young people from the surrounding catchments of Ballybrack and Loughlinstown, Dun Laoghaire, Sallynoggin and Monkstown Farm Schools, with the potential to use the facility for group outings and fun activities.	<p>As well as providing interest and animation to users of Cabinteely Park, who will be able to safely view users of the high wire adventure course overhead, the facility will provide a challenging recreational experience for many.</p> <p>Negotiating the games through the tree canopy enhances physical dexterity, concentration levels and provides the user with a unique proximity to trees and nature.</p> <p>A range of muscles not normally used for day to day movement are used and therefore the exercise is particularly suited to young people and adolescents.</p> <p>The games can be negotiated individually or in groups, providing opportunities for team building or individual improvement, particularly as there are a range of difficulties provided.</p>
13.	General support expressed for outdoor facilities such as that proposed, as there is a lack of such facilities in the wider area and a need to encourage 'active' leisure in the area for local Schools and businesses.	<p>The open space strategy completed by DLR Parks early 2012 identified a need to provide recreational facilities to adolescents and younger adults.</p> <p>The high wire adventure course is particularly</p>

		<p>suited to this group.</p> <p>The activity can be undertaken by individuals and family or larger, structured groups.</p>
14.	Concerns that the development will result in the construction of an 'amusement park'.	<p>The proposed high wire adventure park is entirely different from an amusement park. A minimum palette of materials is used to build the structures in the canopy, high tensile wire, steel fixture, timber Douglas Fir and various brackets fabricated from a range of artificial polymers.</p> <p>There are no mechanical parts or means of mechanical propulsion and in most cases progress through the games is strenuous and slow (save for the zip-line)</p> <p>It is anticipated that the facility will have a typical life of seven to ten years after which it can be readily dismantled with minimum disruption to the surrounding woodland.</p> <p>It is anticipated that after such period the activity will no longer have novelty value and less commercial viability.</p>
15.	The addition of extra car parking and bicycle parking would greatly enhance the Park.	<p>Fifty seven marked and designated car parking spaces are shown on the plans along with room for an additional eight cars in the area that can also be used for buses.</p> <p>This additional parking will relieve congestion during peak use at the week-end</p>
16.	Support for the proposal from adjoining residents of Bray.	The proposed high wire adventure course will provide significant recreational value to residents of Dún Laoghaire-Rathdown and further afield and is easily accessed by public transport (N11 bus corridor) and by bicycle.
17.	Concerns that a more suitable (indoor) venue could be found for the proposed development.	<p>The nature of this recreational experience is that users negotiate games through the tree canopy enhancing physical dexterity, concentration levels and in proximity to trees and nature.</p> <p>It is, therefore, not suited to an indoor venue.</p>
18.	The felling of mature trees to facilitate the development is not adequately justified and clarity was requested regarding the statement that felling is 'the most appropriate management option'.	<p>There appears to be a misconception that all tree work outlined in the arboricultural report relates to installation of the high rope climbing adventure. The project Arborists' report was provided to assess trees in the woodland and make recommendations regarding works required irrespective of the proposed development.</p> <p>It is anticipated that those works immediately related to the high wire climbing adventure will be undertaken immediately if approval is granted for the installation, but other work will be undertaken over a five year period as funds become available.</p>
19.	Is the Council operating within its	The Parks Department frequently engages with



	statutory powers/remit in facilitating a private/commercial venture in a public park?	<p>commercial enterprise to provide optimum service and facilities. Examples include operation of coffee shops, Co-Co Markets and concerts in the parks.</p> <p>The management and operation of this particular activity, a high wire adventure course, requires particular levels of expertise and is best operated by a company specialising in the area.</p>
20.	The proposed development will provide a much needed facility for teenagers and adults as the existing facilities cater well for very young children.	<p>The facility will provide appropriate recreational opportunities for children, teenagers, young adults, families, schools and interest groups.</p> <p>It integrates with existing and proposed developments in the Park, which cater for children, older citizens and team sports.</p>
21.	A traffic/parking management plan would be desirable for the 'Lambourne' and 'Holmwood' housing areas, as a result of this development.	<p>The provision of additional recreational facilities increases car traffic numbers in and out of parks.</p> <p>Considering the nature of the county, all parks in Dún Laoghaire-Rathdown are proximate to residential areas and it is difficult to identify impact on particular estates.</p> <p>It is felt that an additional sixty five car parking spaces will cater for anticipated numbers visiting the proposed high wire adventure course, particularly as visitors to such a facility tend to arrive in groups or family units, in contrast to say football where many players arrive and depart individually.</p>
22.	Concerns that the development will result in illegally parked vehicles in adjacent residential estates, and that this will hinder fire-tender access and/or access for other emergency vehicles.	<p>Cabinteely Park has numerous entry points suitable for vehicular traffic at:</p> <ul style="list-style-type: none"> <li>- The end of Park Drive, leading into Cabinteely House,</li> <li>- Opposite Sycamore Avenue,</li> <li>- At the Old Dublin Road,</li> <li>- via Lambourne and Holmwood,</li> <li>- via Carrickmines Wood</li> </ul> <p>Additional entrances will be provided when cycle permeability is improved at Brennanstown Road and Glen Drive.</p> <p>In the circumstances it is not anticipated that access for fire-tender and/or other emergency vehicles will be hindered.</p>
23.	The proposed parking area is located opposite a Primary School which is situated in the adjacent estate, and this will add to concerns regarding safety hazards/vehicular access etc, at peak times.	<p>Congestion at the entrance to Cabinteely Park occurs at peak school opening and closing times, whereas visitors movement in and out of Cabinteely Park tend to be consistent throughout the day, with peak use at the week-end.</p> <p>While the proposed high wire adventure course will generate increased car movement in and out of the park, it is anticipated that this will continue</p>

		<p>at a consistent flow without significant ebbs and flows (save at the week-end).</p> <p>Furthermore the booking system proposed for the high wire adventure course will ensure that peaks and troughs are avoided and prevent concentrated traffic movements in and out of the park.</p>
24.	The proposed development and the potentially noisy activity/peak times, may affect the attractiveness of Cabinteely House and surrounding lands as a suitable film location.	<p>From visiting similar adventure courses the Parks and Landscape Services Department consider that there is no evidence that operation of the high wire adventure course will give rise to excessive noise.</p> <p>It is not considered that the provision of recreational facilities in the parks of Dún Laoghaire-Rathdown has detracted from their suitability for filming.</p>
25.	Kilgobbet, Ticnock or Marlay Park (or elsewhere in rural area for example 'Clara Lara' type setting), are suggested as more suitable locations for the development, as there are fewer trees and more car parking at these locations.	<p>Killiney Hill, Marlay Park and Cabinteely Park are those parks in Dún Laoghaire-Rathdown, with a tree canopy suitable for a high wire adventure course and an appropriate setting.</p> <p>Cabinteely was chosen for its central location in the County, readily accessed by public transport and bicycle.</p> <p>The open space strategy completed by DLR Parks early 2012 identified a need to provide recreational facilities for adolescents and younger adults.</p> <p>The high wire adventure course is particularly suited to this group.</p> <p>The activity can be undertaken by individuals and family or larger, structured groups.</p>
26.	Traffic calming to the adjacent residential estate of 'The Park' would be required, in order to safeguard the estate from informal parking, for example the construction of several roundabouts on Park Drive.	<p>The provision of additional recreational facilities increases car traffic numbers in and out of parks.</p> <p>Considering the nature of the County, all parks in Dún Laoghaire-Rathdown are proximate to residential areas and it is difficult to identify the impact on particular estates.</p> <p>It is felt that an additional 65 car parking spaces will cater for anticipated numbers visiting the proposed high wire adventure course, particularly as visitors to such a facility tend to arrive in groups or family units, in contrast to say football where many players arrive and depart individually.</p>
27.	Is pedestrian access proposed from 'Carrickmines Wood' for potential users of this development?	<p>There is currently permanent pedestrian access to Cabinteely Park from Carrickmines Wood.</p> <p>It is not proposed to alter these arrangements as part of this proposal.</p>
28.	If permission is granted, the storage	The walled garden at Cabinteely Park has been

	materials/construction yard should not be located in the walled garden area of the Park.	used as a works area by the Local Authority, since the park was first developed.  This established practice is not related to the proposed development.
29.	Where will the storage area be located for the excavated materials and fluids, mentioned in the report?	It is not anticipated that significant amounts of excavated materials or fluids will be created during construction or operation of the proposed development.
30.	Concerns raised in relation to retaining the woodland with minimum interference, 'other than routine maintenance, providing paths for community use, making it safe for users with judicious pruning', i.e. the best option for biodiversity, carbon storage and oxygen supply.	The minimal interference option was considered for this area of Cabinteely Park, as is pursued in other parks such as Killiney Hill, Rathmichael Woods, Loughlinstown nature Park.  However the recreational value provided by the proposed development outweighs other considerations, particularly as this intervention does not permanently impact on the site.  The facility can be dismantled after 7-10 years with little long term impact on the woodland.
31.	Concerns that the proposal is inconsistent with the policies of the County Development Plan (for example Policy OSR 6 and 9 and OSR 11, with the proposal appearing to relate to lands not previously identified within Cabinteely Park perimeter).	OSR 6 – Trees and Woodland 'It is Council Policy to prepare a Tree Strategy to ensure that the tree cover in the County is managed to optimise the environmental, climatic and educational benefits which derive from an 'Urban forest'.  The Council notes the concerns as raised, in relation to the aforementioned policy objective. It is considered that the remedial works proposed, in the Arborists' report clarifies the order of priority of tree surgery/improvements that will benefit the existing tree stock on site. It is considered that the existing tree stock in this location would benefit greatly from the appropriate woodland management as proposed, thus improving and rehabilitating existing semi-mature specimens for future amenity and recreational use value.  OSR 9 – Sport and Recreational Facilities. 'It is Council Policy to promote the provision and management of high quality sporting and recreational infrastructure throughout the County and to ensure that the particular needs of different groups are incorporated into the planning and design of new facilities.'  The proposed development will provide for an active recreational facility for Cabinteely and surrounding catchment areas, including several local schools, and youth and sporting organisations, who will benefit from the proposed facilities and ancillary facilities. The proposed layout of the adventure course takes into account the setting and context of the existing Park, and

		<p>the need to facilitate a broad spectrum of users.</p> <p>OSR11 – Play facilities  'It is Council policy to support the provision of structured and unstructured play areas with appropriate equipment and facilities throughout the County and to ensure the needs of all age groups – Children, teenagers, adults and older people – are facilitated in the public parks of Dún Laoghaire-Rathdown.)'</p> <p>The support of this particular type of facility is evident from several local Schools and sporting organisations, in the submissions received. Cabinteely Park, already offers various recreational users a wide variety of areas and locations for active and passive recreation and this facility will expand upon the 'needs of all age groups' to be catered for, within the County.</p>
32.	Concerns that the setting and context of Cabinteely House will be affected by the proposed development.	<p>The proposed facility is well removed from the house and designed to integrate into the woodland.</p> <p>Cabinteely House is currently within a fenced enclosure, with ornamental gardens, Japanese courtyard, tea rooms and the Grainstore.</p> <p>It is proposed to maintain this status quo during the development of Cabinteely Park and the proposed climbing adventure is outside the enclosure.</p>
33.	Support was expressed for the proposal, with similarities to other facilities in France and Switzerland that are described as being well integrated into their woodland setting.	<p>The design of this particular facility has followed the building and safety regulations issued by the European legislators, national industry regulators and trade associations as set out in the Part 8 documentation.</p> <p>The proposed facility will be built with natural, untreated Douglas Pine wood. The use of this specific wood will further enhance the natural look and feel of the park. The climbing facilities will blend into their natural surroundings on site.</p>
34.	Support for the proposal expressed as being a much needed sporting facility for 'active' recreation.	<p>The High Ropes Course venue provides a range of activities designed to encourage both individuals and teams to step outside of their normal comfort zones. In order to achieve success teams must plan, think creatively, work together and encourage one another.</p> <p>These facilities are not exclusively for fit individuals but aimed at the development of unremarkable persons as is common practice on ropes courses today.</p> <p>Since the 1980s, ropes course sophistication has evolved considerably. Modern rope courses incorporate delay and safety systems using wire</p>

		<p>rope, friction devices, and climbing harnesses to manage what before were unmanaged risks. Recent technological advances in pole hardware and climbing equipment along with industry-accepted installation and design practices have greatly reduced the risk to end users and to the natural environment.</p> <p>Most activities teach balance, coordination, and concentration along with a great sense of confidence, positive view of self, and leaping beyond the barriers of perceived limits. The degree of difficulty (mental, physical, and emotional) found within the element is dependent upon the level at which each person challenges themselves. These activities can teach individuals to face new challenges with a deeper understanding of how to cope and triumph over a diversity or difficulty.</p> <p>The ropes course is the perfect activity for team building exercises to initiate and explore team work.</p> <p>The ropes course provides the opportunity to improve trust, communication and support skills both with groups already known to one another and for groups of individuals unfamiliar to one another.</p>
35.	<p>A second opinion regarding the scheduled tree removal would be welcomed, particularly regarding saving more significant specimens.</p>	<p>Parks Department field staff are qualified in assessing and implementing tree work during the normal day to day operation of Cabinteely Park.</p> <p>An independent Arborist was asked to assess trees in the woodland and make recommendations regarding works required, irrespective of the proposed development, to provide an overview of trees on site.</p> <p>There appears to be a misconception that all tree work outlined in the arboricultural report relates to installation of the high rope climbing adventure.</p> <p>Those works immediately related to the high wire climbing adventure will be undertaken immediately if approval is granted for the installation under the direction of Parks Department field staff mentioned.</p> <p>Other work will be undertaken over a five year period (under the direction of Parks Department field staff) as funds become available.</p> <p>In the circumstances it is considered that a second opinion is not required.</p>
36.	<p>Concerns expressed that the facility</p>	<p>The operator will be required to ensure the</p>

	will be used for 'stag' or 'hen' parties and that the site is in close proximity to a local primary school.	facility, if approved, will be used appropriately.
37.	Is provision made in the proposal for emergency vehicle access in the event of an accident at the facility, or staffing for health and safety purposes, for users of the facility?	<p>Cabinteely Park has numerous entry points suitable for vehicular traffic at:</p> <ul style="list-style-type: none"> <li>- The end of Park Drive, leading into Cabinteely House,</li> <li>- Opposite Sycamore Avenue,</li> <li>- At the Old Dublin Road,</li> <li>- via Lambourne and Holmwood,</li> <li>- via Carrickmines Wood</li> </ul> <p>Additional entrances will be provided when cycle permeability is improved at Brennanstown Road and Glen Drive.</p> <p>In the circumstances it is not anticipated that access for fire-tender and/or other emergency vehicles will be hindered.</p> <p>The management and operation of this particular activity, a high wire adventure course, requires particular levels of expertise and is best operated by a company specialising in the area.</p> <p>A company with an established, satisfactory health &amp; safety record with appropriately trained staff was chosen to operate the facility.</p>
38.	Will there be an ongoing maintenance programme to ensure minimal damage to the tree stock affected, (i.e. to monitor the growth patterns to ensure no damage is caused by the installations).	Yes.
39.	The proposal involves use of the existing tea room facility which is not geared to meet the potential user demands of this development.	<p>There is no evidence to suggest that the tea rooms will be unable to deal with demand resulting from the proposed high wire adventure course.</p> <p>Indeed it is understood the existing operator is anxious to increase the footfall in the tea rooms and has approached the Parks Department in this respect.</p>
40.	Are the existing WC facilities within the park sufficient to cater for potential future demands?	Yes. A new toilet block was opened in the park recently.
41.	The proposed development will displace an existing area within the park that was enjoyed by people and their dogs.	<p>Users of the park will not be displaced but will continue to walk beneath the games in the trees overhead.</p> <p>As well as providing interest and animation to users of Cabinteely Park, who will be able to safely view users of the high wire adventure course overhead, the facility will provide a challenging recreational experience for many.</p>
42.	It would be preferable that the development was run by DLR County	The management and operation of this particular activity, a high wire adventure course, requires

	Council staff, as opposed to a private enterprise in a public park.	particular levels of expertise and is best operated by a company specialising in the area.  A company with an established, satisfactory health & safety record with appropriately trained staff was chosen to operate the facility.
43.	The proposal includes for an area of land between the School site and to the left hand side of the footpath in the park, but there is no information on what this is to be used for, and the land should not form any part of the proposal.	This area is to be used to allow drainage from the extended car park to reach a ditch or other agreed sustainable urban drainage solution to be agreed with Water Services.
44.	The current facilities in the park cater well for cultural, arts, sporting, playground and walking activities, which contribute to a unique ambience and character to the overall park, and its loss would be detrimental.	The site of the proposed high wire adventure course does not impact on or curtail cultural, artistic, sporting, playground or walking activities.
45.	The proximity of the proposed development to the residential properties to the south will have a negative impact upon the residential amenity of these residences.	The relationship between the proposed development and the boundaries is set out in section 3.1 of the report. While it is considered that the mature planting ameliorates the impact of the proposed development it is considered that track 4 and track 2 should be set back further so that the nearest platform is a minimum of 20 meters from the closest boundary. This will increase the distance of the high rope adventure course from the nearest boundary, it will increase the level of planting between the high rope adventure course and the closest boundary and it will work with the contours of the site as the Park falls away from this boundary.

## 7. Assessment

Having regard to the submissions made and the proper planning and sustainable development of the area it is considered that the following issues be addressed by way of modification to the proposed scheme.

The proposed location of the Adventure Centre is to the south-western corner of the existing Park, which adjoins the existing residential areas of Carrickmines Avenue, Holmwood, and some individual residential properties which border the Park (and are accessed off Brennanstown Road). The nearest point of the overall proposed high rope course, to an existing residential property, is approximately 15 metres to the boundary and approximately 25 metres from its rear elevation, (i.e. 'P2/T5, intersection as indicated on the drawings).

There is a residential property to the south, accessed from Brennanstown Road, the boundary of which is circa 15 meters from the closest point on track 2. It is recommended that the scheme be modified so as to increase this distance so that the nearest platform is a minimum of 20 meters from the closest property boundary. In doing so this increases the level of screening between the proposed development and this boundary. It should be noted that the park falls away from this boundary so there is a circa two metre level difference between the garden level of this house and modified location of the track with the garden being at the higher level (levels taken from Lidar). The boundary treatment of this residential property is a high garden wall. It is considered that having regard to the managed nature of the proposed

development subject to the recommended modification it will not significantly impact on the residential amenity of the existing residence.

The proposed hours of operation, given the adjacent/nearby residential housing schemes should be confined/reduced to no later than 9:30pm May-August (as opposed to 10:30pm as outlined in the written statement). The reason for this amendment is to safeguard the existing residential amenity of adjacent areas.

The elevational/cladding for the service hut should reflect its setting/context, and be of high quality, durable material (preferably timber clad/timber effect in appropriate colour scheme, as per Architects Department requirements).

Following detailed discussions with the Parks & Landscape Services Department on the 22/02/'13, it was noted that there is no proposed plan to artificially light the Adventure Park, (although this is mentioned on page. 34 of the written statement). The lighting/power supply should be confined to essential services at the services accommodation cabin. The reason for this is to confine light spill and in the interests of the proper planning and sustainable development of the area.

That track 4 and track 2 be set back from the boundary so that the nearest platform is a minimum of 20 meters from the closest boundary. This will; increase the distance of the high rope adventure course from the nearest boundary, it will increase the level of planting between the high rope adventure course and the closest boundary and it will work with the contours of the site as the park falls away from this boundary.

## **8. Recommendation:**

The proposed development is considered to be in accordance with the provisions of the 2010 - 2016 Dún Laoghaire - Rathdown County Development Plan and with the proper planning and sustainable development of the area.

It is recommended that a decision be made by the Elected Members of the Council to proceed with the proposed development in accordance with the drawings, which were available for inspection subject to the 7 modifications set out below and to any such minor and immaterial alterations to the plans and particulars of the development

1. The two no. service access platforms shall be centrally located adjacent to the proposed service accommodation cabin at the junctions of 'P1/T1' and 'P2/T12' as per drawings submitted.
2. The elevational finish/cladding for the Service accommodation hut shall reflect its setting/context, and be of high quality, durable material, of timber clad/timber effect material.
3. Opening times for the summer months of May-August shall be confined to the hours of 8am to 9:30 pm and not 8am-10:30pm as outlined in the written statement.
4. The lighting/power supply shall be confined to essential services at the services accommodation cabin. If additional lighting is deemed essential, a qualified Ecologist will be required to check the lighting pattern once assembled, and shall make recommendations regarding suitable perimeter lux levels.
5. The recommended mitigation works shall be carried out as indicated in appendix 3 of the written statement (dated November 2012), with particular reference to the requirements of the Wildlife Act as amended, including confining works involving the removal of vegetation and tree surgery to times outside of the bird breeding season (March 1<sup>st</sup> to August 31<sup>st</sup>), and ideally in September as indicated, to minimise disturbance to bats.
6. Track 4 and Track 2 shall be set back so that the nearest platform is a minimum of 20 meters from the closest property boundary.
7. Details of the proposed car parking layout should be agreed between Transportation Department and Parks Department at detailed design stage, and the final/finished surface for the car park, should reflect the setting and context of the adjacent protected structure in terms of visual amenity."



A discussion took place, during which Mr. D. McCulloch, Senior Executive Officer and Mr. R. O'Sullivan, A/Senior Parks Superintendent responded to Members queries.

It was proposed by Councillor J. Bailey and seconded by Councillor D. Marren:

“That the Council proceed with the proposed development in accordance with the drawings, subject to the 7 modifications set out below and to any such minor and immaterial alterations to the plans and particulars of the development:

1. The two no. service access platforms shall be centrally located adjacent to the proposed service accommodation cabin at the junctions of ‘P1/T1’ and ‘P2/T12’ as per drawings submitted.
2. The elevational finish/cladding for the Service accommodation hut shall reflect its setting/context, and be of high quality, durable material, of timber clad/timber effect material.
3. Opening times for the summer months of May-August shall be confined to the hours of 8am to 9:30 pm and not 8am-10:30pm as outlined in the written statement.
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5. The recommended mitigation works shall be carried out as indicated in appendix 3 of the written statement (dated November 2012), with particular reference to the requirements of the Wildlife Act as amended, including confining works involving the removal of vegetation and tree surgery to times outside of the bird breeding season (March 1<sup>st</sup> to August 31<sup>st</sup>), and ideally in September as indicated, to minimise disturbance to bats.
6. Track 4 and Track 2 shall be set back so that the nearest platform is a minimum of 20 meters from the closest property boundary.
7. Details of the proposed car parking layout should be agreed between Transportation Department and Parks Department at detailed design stage, and the final/finished surface for the car park, should reflect the setting and context of the adjacent protected structure in terms of visual amenity.”

A roll call vote on the resolution was requested, the result was as follows:

<b>COUNCILLORS:</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Bailey, John F.	✓		
Bailey, Maria	✓		
Baker, Marie	✓		
Bhreathnach, Niamh	✓		
Boyhan, Victor	✓		
Brennan, Aoife		✓	
Devlin, Cormac		✓	
Dillon Byrne, Jane	✓		
Fitzpatrick, Stephen	✓		
Fox, Tony			
Halpin, Melisa	✓		
Hand, Pat	✓		

Horkan, Gerry		✓	
Humphreys, Richard		✓	
Joyce, Tom	✓		
Lewis, Hugh	✓		
Marren, Donal			
McCarthy, Lettie	✓		
Murphy, Tom		✓	
O'Callaghan, Denis	✓		
O'Dea, Jim		✓	
O'Keeffe, Gearóid		✓	
Richmond, Neale	✓		
Saul, Barry		✓	
Smyth, Carrie	✓		
Stewart, Patricia	✓		
Tallon, Grace	✓		
Ward, Barry	✓		
<b>Total:</b>	<b>18</b>	<b>8</b>	

An Cathaoirleach, Councillor C. Smyth declared the resolution **CARRIED**.

### **C/546/13**

**Proposed Pay & Display Parking Control Scheme on the Road from Wyattville Link Road to Brides Glen Luas Station in accordance with Section 101 of the Road Traffic Act, 1961, Section 36 of the Road Traffic Act, 1994, Dún Laoghaire-Rathdown Parking Control Bye-laws, 2007 - 2011 and in accordance with the Provisions of the Local Government Act, 2001**

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“The Council has been in discussions with the RPA and Cherrywood Properties Ltd in an effort to ensure that the proposed Luas Park and Ride facility adjacent to the Brides Glen Luas stop goes ahead. An agreement was reached whereby in return for the Council undertaking certain works to the access road, taking the road in charge and implementing pay parking controls the RPA/Cherrywood Properties Ltd will proceed with the construction of the Park and Ride facility.

At its meeting on 10 June 2013 the County Council resolved to declare the road “From Wyattville Link Road at reference point A-A for a distance of 800 metres to reference point B-B adjacent to Brides Glen Luas Station on Drawing No.RPO/05-07/13” to be a public road in accordance with the provisions of Section 11 of the Roads Act, 1993. Provision has been included in the Council’s Capital Programme 2013 to 2016 to cover the cost of the required works (incl. a final wearing course, improvements to the public footpaths and to the public lighting and the installation of additional fencing). These works will be undertaken in July/August.

It is proposed to impose Pay and Display parking controls on the road in the short term to assist in reducing vehicle speeds and to generate some revenue to help offset the cost of the

required works. In the future, if traffic volumes require the additional road capacity, the on-street parking can be terminated. The imposition of pay parking controls is also required by RPA/Cherrywood Properties Ltd so that the commercial viability of the Park and Ride facility is not undermined.

The proposed tariffs are €1/hr and €5/day. Pay parking controls will operate Monday to Saturday from 08.00 – 19.00hrs. The layout of the proposed parking is indicated on drawing no. RPO/05-06/13.

The introduction of pay parking control is a reserved function of the Council. In order to implement the proposed pay parking scheme the following resolution is required to be adopted by the Council:

“In accordance with Section 101 of the Road Traffic Act, 1961, Section 36 of the Road Traffic Act, 1994, Dún Laoghaire-Rathdown Parking Control Bye-laws, 2007– 2011 and in accordance with the provisions of the Local Government Act, 2001, the Council resolves to implement pay parking control on the road from Wyattville Link Road to Brides Glen Luas Station as indicated on drawing no. RPO/05-06/13.”

I recommend that the Council adopt this motion.

Jim Hayes  
Senior Engineer  
Transportation”

It was proposed by Councillor V. Boyhan, seconded by Councillor T. Joyce and **RESOLVED**:

“That in accordance with Section 101 of the Road Traffic Act, 1961, Section 36 of the Road Traffic Act, 1994, Dún Laoghaire-Rathdown Parking Control Bye-laws, 2007– 2011 and in accordance with the provisions of the Local Government Act, 2001, the Council resolves to implement pay parking control on the road from Wyattville Link Road to Brides Glen Luas Station as indicated on drawing no. RPO/05-06/13.”

*It was **NOTED** that Councillor G. Horkan, who is a Director of DLR Properties, abstained from this decision.*

## **C/547/13**

### **Cathaoirleach's Business: Councillor C. Smyth**

#### **1. Resignation of Councillor S. Fitzpatrick**

An Cathaoirleach, Councillor C. Smyth led tributes from the Members, the Manager and staff to Councillor Stephen Fitzpatrick on his resignation from Dún Laoghaire-Rathdown County Council. Councillor Fitzpatrick has been a Member of the Council since June 2009. An Cathaoirleach wished him well for the future and thanked him for his contribution to the Council.

#### **2. Establishment of Working Group to consider the Proposed New Council Chamber**

It was **AGREED** to set up a Working Group to consider the Proposed New Council Chamber. It was **AGREED** that the Working Group would consist of a Member from each Party and one Independent and that Group Leaders would forward the name of their Group Representative to the Director of Corporate Services over the next couple of days. It was also **AGREED** to hold the first meeting of the Working Group within the next two weeks.

#### **3. Vote of Congratulations**

A vote of congratulations was passed with Councillor Neale Richmond on his recent engagement.

## **C/548/13**

### **Ministerial/Departmental Correspondence**

The following item of correspondence, copy of which had been circulated to the Members, was **CONSIDERED** and **NOTED**:

- “1. Letter from the Tánaiste and Minister for Foreign Affairs and Trade, Mr. Eamon Gilmore T.D., in response to letter sent by Dún Laoghaire-Rathdown County Council regarding Israeli and Palestinian prisons.”

## **C/549/13**

### **Other Correspondence**

The following items of correspondence, copies of which had been circulated to the Members, were **CONSIDERED** and **NOTED**:

- “1. Letter from Monaghan Town Council in relation to two motions passed regarding (a) state pension & (b) assessing applicants wishing to enter the State.
2. Letter from Waterford City Council in relation to a motion passed regarding missing people.”

## **C/550/13**

### **Strategic Policy Committee - Report of Chairperson**

#### **1. Housing Strategic Policy Committee**

The following report of the Chairperson of the Housing SPC was **CONSIDERED** and **NOTED**:

#### **“Minutes of the Housing Strategic Policy Committee Meeting held on 20<sup>th</sup> June 2013**

#### **Report of Chairperson: Councillor Donal Marren**

#### **Present:**

Cllr. John Bailey	Mr. Michael Crowe
Cllr. Jane Dillon Byrne	Mr. Noel O'Connor
Cllr. Melisa Halpin	Mr. Seamas O'Neill
Cllr. Gearóid O'Keeffe	Mr. Seamus Fitzpatrick
Cllr. Donal Marren	
Cllr. Denis O'Callaghan	

**Chair:** Cllr. Donal Marren

**Officials Present:** Mr. T. McHugh, Director, Ms. A. Dargan, County Architect, Ms. A. Hegarty, Senior Executive Officer, Ms. M. Ruane, Senior Executive Officer, Ms. M. Egan, Administrative Officer, L. Clifford Administrative Officer, S. Naughton, Senior Staff Officer, Mr. D. O'Grady, Senior Staff Officer, Ms. C. Walsh, Assistant Staff Officer

#### **1. Confirmation of Minutes**

Minutes of the meeting of the Housing Strategic Policy Committee held on 21<sup>st</sup> March 2013 were **CONFIRMED** and **ADOPTED**

#### **2. Matters arising from Minutes**

No matters were raised by members

#### **3. Director's Business:**

**(a) “Homegrownhome” Initiative** – Presentation by Niall Martin on a proposal

to assist people with a housing need to build their own homes.

During his presentation the following areas were covered:-

- The opportunity to deliver housing for those who have a housing need;
- The involvement of the future homeowners in assisting in the building process;
- The possible involvement of Habitat for Humanity or another Voluntary/ Co-operative Housing Body;
- The use of innovative construction materials;
- The funding model of this project;
- The suggestion that the Council would have no further responsibility for the completed dwelling once the build was completed.

Following a discussion during which Mr. Martin responded to Members' queries, the Chairperson thanked Mr. Martin for this thorough and informative presentation.

**(b) New Homeless Policy statement** - Presentation from Cathal Morgan, Director of Dublin Region Homeless Executive

Cathal Morgan, Director of the Dublin Region Homeless Executive gave a presentation entitled "Dublin Region Homeless Report".

The presentation covered the following areas:-

Overview of Structures in the Dublin Region;

Services in place;

Service Activity and Housing related outcomes;

New Government Homeless Policy Statement;

Timelines and key elements of the New Statutory Action Plan:

- To end long-term homelessness by end of 2016
- Reaffirms Homeless Strategy
- Housing led approach focused on housing supply, prevention and support mechanisms.

Mr. Morgan advised that the next step is that the Draft Action Plan would be circulated by October 2013 with an expectation that it would be brought to a subsequent Council meeting for Members' consideration.

Following a discussion during which Mr. Morgan responded to Members' queries, the Chairperson thanked Mr. Morgan for his comprehensive presentation.

**4. Items submitted by Members for written reply:**

**a) Seamas O'Neill**

What is the total amount of property tax payable by the Council on all its properties?

What are the costs of paying it?

How much will be passed on to the tenants and how much will be borne by rate payers and others?

**Reply:**

The Council will be liable to pay the Local Property tax on its Social Housing units and has over 4,000 Social Housing properties that will be subject to the Local Property Tax.

Under the FINANCE (LOCAL PROPERTY TAX) (AMENDMENT) Act 2013, all the Council's social housing properties are to be included in the lowest valuation

band for the first valuation period (2013 to 2016). The legislation provides for the payment of the property tax in respect of Local Authority Housing at the lowest valuation band, which will give rise to a tax of €90 per annum in a full year and €45 in 2013, amounting to circa €180,000 for 2013. As payment will be made by consolidated electronic return to the Revenue Commissioners, the costs of making the payment are minimal.

No decision has been made at this stage how liability in respect of the Council's housing stock will be met. A report on this matter will be brought to a future meeting of the County Council.

This reply was **Noted**.

**b) Cllr. O'Callaghan**

That this SPC agrees to recommend to Council sponsorship of a small Co-operative Housing Scheme whereby qualifying housing applicants in conjunction with the Council would build their own homes and that the Council would identify suitable land within its ownership for such a Scheme.

**Reply:**

The Council will examine some of our smaller sites to establish if they are suitable for the building of a small co-operative housing scheme. Any proposal from a co-operative would require DOECLG and Council approval.

Any proposed development would be subject to planning permission and availability of financing/funding.

This reply was **Noted**. It was also recommended that this matter be referred to a future Meeting of the Council.

**5. Any Other Business**

The Chairperson Cllr. Marren advised that Mr. Seamus Fitzpatrick will be resigning from the Housing SPC with immediate effect. He thanked Mr. Fitzpatrick for his dedicated service to the Committee and for his many years of public service.

The Members of the SPC and the Director of Housing also wished Seamus well in his future endeavours and thanked him for his contribution to the work of the Committee.

Seamus Fitzpatrick thanked everybody for their good wishes.

**6. Date of Next Meeting**

Date of next Meeting - 19<sup>th</sup> September 2013. The meeting concluded at 7.00 pm."

**2. Planning Strategic Policy Committee**

The following report of the Chairperson of the Planning SPC was **CONSIDERED** and **NOTED**:

**"Meeting of the Planning Strategic Policy Committee held on 17<sup>th</sup> June 2013**

**Report of Chairperson: Councillor Niamh Bhreathnach**

The Chairperson, Councillor N. Bhreathnach presided. In attendance were Councillor N. Bhreathnach, Councillor J. Bailey, Councillor M. Bailey, Councillor V. Boyhan, Councillor L. McCarthy, Councillor M. Halpin, Councillor T. Murphy, Councillor J. O'Dea, Councillor P. Stewart, Mr. P. O'Callaghan and Ms. O. Fitzgerald.

Apologies for non-attendance were received from Councillor T. Joyce, Councillor G. Tallon , Mr. D. Carroll, Mr. M. Gallagher Ms. V. Heywood and Mr. M. O'Donnell.

Officials in attendance were

Mr. G. Hayden, Director of Services, Ms. T. Flanagan, Senior Executive Planner, Ms. Z. Horan, Assistant Planner, Ms. A. Devine, Senior Engineer Mr. T. Furlong, Senior Executive Engineer, Mr. M. Hevehan, Acting Chief Technician, Ms. B. Treacy, Senior Parks Superintendent, Mr. B. Hannon, Senior Architect, Ms. J. Craig, T/Conservation Officer and Ms. A. O'Connor, Senior Staff Officer.

1. Minutes of the meeting held on 17<sup>th</sup> June, 2013 were adopted.
2. Matters Arising – None
3. Business submitted by the Director of Services – None.
4. Business referred from the Council – None.
5. Business referred from the Corporate Policy Group – None.
6. Presentation and discussion on Draft Blackrock Local Area Plan - **NOTED.**
7. Correspondence from Environment, Community and Local Government –
8. Ministerial Directions issued under Section 31 since Enactment of the Planning and Development (Amendment) Act 2010 dated 17<sup>th</sup> May, 2013 and Planning and Development (Planning Enforcement) Policy Directive 2013 – dated 9<sup>th</sup> May, 2013. - **NOTED.**
9. Any Other Business – Councillor N. Bhreathnach welcomed Mr. Dara Carroll as a new member to the SPC Committee.”

### **C/551/13**

#### **Exploration Licence off the Dublin Coastline**

It was proposed by Councillor M. Halpin and seconded by Councillor H. Lewis:

“That the Manager contact the Department of Natural Resources to request to be kept informed of any notice from Providence Resources to commence exploration under their exploration licence off the Dublin coastline?”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED:**

“If the motion is passed the terms of the motion will be sent by letter to the Department of Natural Resources.”

Following a discussion the motion was **AGREED.**

### **C/552/13**

#### **Road Signs Facing the Wrong Direction**

It was proposed by Councillor L. McCarthy and seconded by Councillor R. Humphreys:

“That the Manager would correct the many road signs that are facing the wrong direction across the County, possibly caused by high wind, and ensure all future signs will be fastened securely to prevent this happening.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“The terms of this Motion will be brought to the attention of the Area Engineers in Road Maintenance. The task of correcting these signs is undertaken by the Roads Inspectors who supervise the direct labour crews who carry out this work. If there are particular signs that are of concern, the Road Maintenance Section should be notified by e-mailing [roadmaintenance@dlrcoco.ie](mailto:roadmaintenance@dlrcoco.ie) or contacting the relevant Area Engineer directly.”

Following a discussion the motion was **AGREED**.

### **C/553/13** **Large Scale Jobs and Career Fair**

In the absence of Councillor N. Richmond, the following motion was **MOVED** by Councillor T. Joyce, **WITHOUT DISCUSSION**:

“That the Council works with local companies, third level institutions, state agencies and chambers of commerce to organise and host a large scale jobs and careers fair in County Hall similar to those supported by other local authorities.”

The following report of the Manager, copy of which had been circulated to the Members, was **NOTED**:

“Dún Laoghaire-Rathdown County Council cooperates with agencies and third level institutions to promote career opportunities. Large scale fairs are held in the Dublin City Region at venues such as the RDS. Third level institutions in the county and in the city region organise open days as well as school visits. The newly established Education and Training Board (former DL VEC, Co. Dublin VEC and FAS Loughlinstown Training Centre) will have as a core remit to assist learners to develop skills in line with, and appropriate to, future jobs. The Local Employment Service managed by Southside Partnership operates a guidance and placement service as well as 'jobs clubs' in several communities in the county. The IADT offers a highly successful Springboard Programme to assist unemployed graduates with post grad training in sectors with skills shortages. The Innovation Enterprise Network, an initiative of the four Dublin authorities, facilitates activities that help high-skilled/professionals re-ignite their careers.

The role of the Enterprise Unit of Dún Laoghaire-Rathdown County Council in this regard is to promote the various programmes of our partner agencies and institutions and to provide support as requested and where appropriate. This includes working closely with the County Enterprise Board to facilitate an environment in the County where people want to set up new businesses.”

### **C/554/13** **Pupil/Teacher Ratio**

It was proposed by Councillor H. Lewis and seconded by Councillor M. Halpin:

“That this Council calls on the Government to reverse the recent changes to the Pupil/Teacher Ratio and to lift the cap on pupil numbers in VECs in order to secure the future of all the courses and the jobs of all the teachers in Dún Laoghaire VEC.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“If the motion is passed the terms of the motion will be sent by letter to the



Minister for Education and Skills.”

The following amendment was handed up from the floor:

It was proposed by Councillor H. Lewis and seconded by Councillor M. Halpin

“That this Council calls on the Government to reverse the recent changes to the Pupil/Teacher ratio in V.E.C.s in order to secure the future of all the courses and the jobs of all teachers in Dún Laoghaire VEC.”

A discussion took place following which Councillor H. Lewis made a further amendment to his motion.

It was proposed by Councillor H. Lewis and seconded by Councillor M. Halpin

“That this Council calls on the Government to reverse the recent changes to the Pupil/Teacher ratio in the F.E. Sector in order to secure the future of all the courses and the jobs of all teachers in Dún Laoghaire VEC.”

An Cathaoirleach, Councillor C. Smyth ruled the motion and amended motions **OUT OF ORDER** as the V.E.C.s are no longer in existence and advised the Councillor to submit a new motion to be included on the September Council agenda.

### **C/555/13** **Traffic Signs**

It was proposed by Councillor B. Ward and seconded by Councillor C. Devlin:

“That the Council adopt a policy, after the current stock of traffic signs has been exhausted, whereby only signs in the minimum statutory or regulatory dimensions are purchased or erected.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“Clear and effective signing is essential for the efficient operation of the road network, for the enforcement of traffic regulations, and for road safety purposes. The Council as the "Roads Authority" fulfils this function.

Traffic signs generally comprise of:-

Information signs giving directions and distances to destinations:-

Regulatory signs which give instructions, prohibitions or restrictions which road users must obey:- and

Warning signs which warn of hazards on the road ahead.

Dún Laoghaire-Rathdown Co. Council is conscious of the need to avoid signage clutter and recognises the need to provide the minimum quantity of signage consistent with meeting statutory and other obligations, which complies with minimum regulatory dimensions.

The Council's Transportation Department has been engaged in removing unnecessary and unauthorised signage on an ongoing basis. This process will continue.

A policy on the implementation of Statutory signing and lining measures was presented to the June 2010 Transportation SPC and NOTED.”

A discussion took place, during which Mr. F. Austin, Director of Transportation and Water Services responded to Members queries.

The motion was **AGREED**.

### **C/556/13**

#### **Disrepair or Derelict Council Owned Property**

It was proposed by Councillor C. Devlin and seconded by Councillor L. McCarthy:

“That the Manager advises members of the procedures invoked by the Housing Department to deal with and rectify a Council property that is still tenanted but has fallen into a state of disrepair or derelict condition.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“When a Council-rented dwelling is reported to Housing Maintenance section as being in a state of dilapidation and disrepair the area Building Maintenance Inspector visits the property, carries out an inspection and makes his report. A letter is sent to the tenant on the basis of the report. This letter will summarise the inspector’s findings and inform the tenant that the upkeep of the property is the responsibility of the tenant as per the signed *Tenancy Agreement*. The letter would instruct the tenant to restore the property to an acceptable condition within a specified period of time, whereupon a further inspection would take place to ascertain whether the instruction has been complied with. In the event of the tenant failing to comply, further correspondence would issue and the tenant would be warned that failure to comply may result in breach of tenancy proceedings and the possible referral of the matter to the Council’s Legal Services Department. On some occasions the matter would be referred to the Housing Welfare Officer who may attempt to assist the tenant and enlist the help of other agencies.”

The report of the Manager was **NOTED**.

### **C/557/13**

#### **Venue For New Council Chamber**

It was proposed by Councillor T. Murphy and seconded by Councillor C. Devlin:

“That the Manager considers the new Dún Laoghaire library as a venue for a new chamber to facilitate the extra Councillors due to be elected in 2014 as this could save the Council upwards of €1 million.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“The new Central Library and Cultural Centre is currently under construction and is due for completion in late 2014. All the spaces within the centre have been designed and allocated for a specific use. The proposal as approved at Part 8 (Planning approval) was agreed with the Library Council and the Department of the Environment, Community and Local Government who are part funding it.

Apart from this, the location, despite being in the vicinity of County Hall, is not considered to be the most suitable for the new chamber as its removed location would make it difficult for staff to service the meetings and the members themselves would not be able to access party rooms. The new chamber is not considered a temporary fix. It will be used for many years to come and it is important to ensure that it fully meets the needs of the Council.

In relation to cost, accommodating the Chamber in the Central Library and Cultural Centre would not be cost effective as it would involve a redesign which would lead to delays and claims from the contractor, the new Government forms of contract mean that *any* alterations to the signed contract can prove very expensive. As the new chamber will *only* be developed on confirmation that the number of Councillors is being increased it is considered that making an alteration to the design at that stage, when the new Centre is even more developed, would prove extremely expensive.

Having considered a number of options the proposal which is currently out to Part 8 is considered to be the most suitable in terms of

- Location - Councillors will still access the Chamber from the historic Town Hall and it provides easy access to the Cathaoirleach's Office and Party rooms
- It facilitates the staff who service the meetings
- It is considered Value for money, in that the main structure is already in place, the main change being the insertion of a floor and access points
- Will cause minimum disruption during construction and
- Will have a shorter completion time.

It is recommended that prior to the consideration of the report on the Part 8 referred to above that the Council establish a working group of Members, consisting of a Member from each Party and one Independent, to consider the various options available.”

The report of the Manager was **NOTED**.

### **C/558/13** **Social Housing**

It was proposed by Councillor V. Boyhan and seconded by Councillor L. McCarthy:

“That the Manager set out what options are open to the Council to secure direct or indirect provision for social housing to address the current Dún Laoghaire-Rathdown County Council's social housing waiting list, now in excess of 4,000 applicants.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“There are currently 3,577 applicants on the Council's Social Housing Support List. The numbers on the list change as applicants come on to the list, also as applicants close their applications or may receive social housing support. Following the recent carrying out of the triennial Housing Needs Assessment, 734 households were taken off the list as they had not responded to the Council to confirm they had a current housing need. The Council is continuing to try and progress the provision of social housing through whatever means are available, such as the Rental Accommodation Scheme, long term leasing, housing provided by voluntary bodies, Part V and the on-going filling of casual vacancies.

### **RAS**

The Council has been operating the Rental Accommodation Scheme (RAS) since February 2006. RAS is a form of social housing support which may be available to qualified housing applicants who are in receipt of rent supplement for 18 months or more and therefore RAS eligible.

There are currently 557 RAS tenancies of which 409 are Private Rented RAS tenancies and 148 are Voluntary Housing Tenancies as of 1st June, 2013. This figure will change on an ongoing basis as some landlords terminate their contracts and new landlords come onto the Scheme.

There are two types of RAS Private Rented agreements i.e. an Availability Agreement, whereby the Council can nominate a suitable tenant into the property or a Current Tenant Only Agreement, whereby the agreement is just for either the existing tenant or for a particular nominee of the Council. There are currently 250 Availability Agreements and 159 Current Tenant Only agreements.

The work of the Housing and Community Department in negotiating with landlords in relation to acquiring properties under RAS is continuing in 2013 with a further 5 applicants due to transfer to the RAS scheme in July 2013.

### **Social Leasing**

This initiative was first introduced in 2009 by the Department of the Environment, Heritage & Local Government.

There are various lease models under the scheme :-

- Direct Leasing by Local Authority
- Direct Leasing by Approved Housing Bodies (AHB)
- Leasing of unsold Affordable units
- CALF – Capital Advance Leasing Facility

The Council currently has projects ongoing under 3 of these models:

### **Direct Leasing by Local Authorities**

Dún-Laoghaire Rathdown County Council is currently leasing 18 one off properties. Of these 18, 5 have been leased to date in 2013. Discussions are ongoing in relation to a further 4 properties. The term of the leases are between 10 and 20 years.

### **Direct Leasing by AHB**

5 properties are being leased directly by an AHB. Of these 5, 4 been leased to date in 2013. 2 applications are currently being examined in 2013, which could provide 19 additional units.

### **CALF Leasing**

3 CALF agreements have been entered into supplying 67 dwellings. Of these 1 agreement has been entered into to date in 2013, supplying 31 units. 1 application is currently being examined which could provide 25 additional units. All of these units are owned by the AHBs. The term of the leases are for up to 30 years.

### **Rent to Buy**

Since the introduction of the Rent to Buy scheme, of the 76 properties which were made available, 73 properties have been occupied or are in the process of being acquired under the Rent to Buy Scheme:-

22 in The Belfry – all occupied under the Scheme

5 in Belarmine Plaza - all occupied under the Scheme

36 in Honeypark – (1 going through the legal process)

5 in Levmoos – 2 occupied under the Scheme and 3 going through the legal process;

7 in Mimosa – 1 occupied under the Scheme and 6 going through the legal process;

1 in Wyckham Point – occupied under the Scheme

### **Part V**

Towards the end of 2012, the Council acquired 17 apartments for social housing purposes in the Sandyford Business Park area arising from a Part V Agreement; a further 15 units will be acquired before the end of Quarter 2, 2013, 100% the acquisition costs to be borne by the DoECLG.

A further limited number of units may become available under Part V during 2013. However, Part V is currently being reviewed by the Department of the Environment, Community and Local Government; indications were that the results of the review would be published by June

2013. In the meantime, in accordance with guidance from the Department, outstanding Part V obligations are to be discharged in a manner that places the least additional funding pressure on Local Authorities; e.g. the payment of a financial contribution, or the transfer of a reduced number of units of accommodation to the Council “free of charge”.

5 units are currently being acquired by affordable housing applicants under Part V, 3 at Honeypark, 1 at Levmoos, & 1 at Wyckham Point; a further 3 units will be available in the Sandyford Business Park area during 2013 – either under Rent to Buy or the Affordable Housing Scheme.

### **Capital Assistance Scheme**

During 2012, funding was received under CAS for the delivery of 6 units of accommodation for disabled occupants at 7 Wyattville Park Loughlinstown – (St. John of God – approved housing body) and 2 apartments at Wyckham Point (Túath Housing). All remaining funding has been claimed; no indications have been received from the Department as to whether there will be a further call for CAS proposals during 2013.”

A discussion took place during which Mr. T. McHugh, Director of Housing and Community responded to Members queries.

The report of the Manager was **NOTED**.

### **C/559/13**

#### **Past Rates on Constituency Offices**

It was proposed by Councillor J. Bailey and seconded by Councillor M. Bailey:

“That this Council calls on the Elected Members of Dáil & Seanad Éireann to make a voluntary contribution to our Council in respect of past rates on their constituency offices.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED**:

“The relevant legislative provision which grants exemption from rates to Constituency Offices occupied by Members of the Oireachtas & European Parliament is contained in Schedule 4, Section 19 of the Valuation Act 2001 which sets out the categories of relevant properties that are non rated including:

- 19.— (1) Any building or part of a building occupied by a Member of either House of the Oireachtas or a Representative in the European Parliament which is used exclusively for the purposes of accommodating his or her constituency office and the whole or part of the expenses incurred in maintaining that accommodation are defrayed by that member or representative.
- (2) In this paragraph “constituency office” means an office which is used solely for the provision of representative services by the member of the House of the Oireachtas or representative in the European Parliament concerned in his or her capacity as such a member or representative but does not include the head office of a political party or any other office occupied by a political party.

If the motion is passed, the terms of the motion will be sent by letter to the relevant Public Representatives concerned.”

A discussion took place, during which Mr. T. Hannon, Senior Executive Officer, Finance and I.T. Department responded to Members queries.

A roll call vote on the motion was requested, the result was as follows:

<b>COUNCILLORS:</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Bailey, John F.	√		
Bailey, Maria	√		
Baker, Marie		√	
Bhreathnach, Niamh		√	
Boyhan, Victor	√		
Brennan, Aoife			
Devlin, Cormac		√	
Dillon Byrne, Jane		√	
Fitzpatrick, Stephen		√	
Fox, Tony			
Halpin, Melisa		√	
Hand, Pat	√		
Horkan, Gerry		√	
Humphreys, Richard		√	
Joyce, Tom	√		
Lewis, Hugh		√	
Marren, Donal		√	
McCarthy, Lettie		√	
Murphy, Tom	√		
O'Callaghan, Denis		√	
O'Dea, Jim	√		
O'Keefe, Gearóid			
Richmond, Neale			
Saul, Barry			
Smyth, Carrie		√	
Stewart, Patricia	√		
Tallon, Grace			
Ward, Barry	√		
<b>Total:</b>	<b>9</b>	<b>13</b>	

An Cathaoirleach, Councillor C. Smyth declared the motion **DEFEATED**.

**C/560/13**  
**Bus Services**

It was proposed by Councillor D. O'Callaghan and seconded by Councillor L. McCarthy:

“That the Manager in conjunction with Dublin Bus, Gardai and local policing committees put in place procedures in the event of bus services having to be restricted or withdrawn from any routes in the County.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED:**

“Well established relationships exist between An Garda Síochána, Dublin Bus and Local Communities in the event of the placement of restrictions or consideration of withdrawal of bus services within the County's network. Bus service curtailments only occur in exceptional circumstances.

In any event, the Council will facilitate raising the item with An Garda Síochána and Dublin Bus to ascertain if a procedure needs to be developed more formally.”

Following a discussion the motion was **AGREED.**

**C/561/13**  
**Domestic Violence**

It was proposed by Councillor N. Bhreathnach and seconded by Councillor J. Dillon Byrne:

“That the Manager outline which legislative changes would be necessary to name domestic violence in The Housing Acts, in order for Local Authorities to evict perpetrators on these grounds. Can the Manager identify any difficulties such changes would pose.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED:**

“It is not normal practice for the Council to offer advice on legislative changes required to facilitate particular policy objectives. However, staff in the Housing Department would be prepared to meet the Councillor to discuss the difficulties that would arise if domestic violence were to be included as an anti social behaviour in relation to social housing tenancies.”

Following a brief discussion the report of the Manager was **NOTED.**

**C/562/13**  
**Local Property Tax**

It was proposed by Councillor G. Horkan and seconded by Councillor V. Boyhan:

“That this Council rejects the current Local Property Tax model that is based on market values, acknowledges that any system based on market values unfairly punishes urban householders and particularly householders in Dún Laoghaire-Rathdown County Council more than anywhere else in the state and calls on the Government to examine other ways in which the revenues projected from the Local Property Tax can be raised.”

The following report of the Manager, copy of which had been circulated to the Members, was **CONSIDERED:**

“The legislative provisions pertaining to the Local Property Tax are contained in the Finance (Local Property Tax) Act 2012, Finance (Local Property Tax) (Amendment) Act 2013 & the Finance (Local Property Tax) Regulations 2013. The Revenue Commissioners are charged under the legislation with the assessment, application & collection of the tax.

If the motion is passed, the terms of the motion will be sent by letter to the Minister for Finance.”

A discussion took place.

The following amended motion was handed up from the floor:

It was proposed by Councillor D. O’Callaghan and seconded by Councillor C. Smyth:

“Delete ‘rejects’, insert ‘expresses concern about the long term sustainability of’

And Delete ‘unfairly punishes’, insert ‘has a more significant impact upon’:

**Amended Motion:**

That this Council expresses concern about the long term sustainability of the current Local Property Tax model that is based on market values, acknowledges that any system based on market values has a more significant impact upon’ urban householders and particularly householders in Dún Laoghaire-Rathdown County Council more than anywhere else in the state and calls on the Government to examine other ways in which the revenues projected from the Local Property Tax can be raised.”

A roll call vote on the amended motion was requested, the result was as follows:

<b>COUNCILLORS:</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Bailey, John F.		✓	
Bailey, Maria		✓	
Baker, Marie		✓	
Bhreathnach, Niamh	✓		
Boyhan, Victor	✓		
Brennan, Aoife			
Devlin, Cormac	✓		
Dillon Byrne, Jane	✓		
Fitzpatrick, Stephen	✓		
Fox, Tony			
Halpin, Melisa			
Hand, Pat			
Horkan, Gerry	✓		
Humphreys, Richard	✓		
Joyce, Tom		✓	
Lewis, Hugh			
Marren, Donal		✓	



McCarthy, Lettie	✓		
Murphy, Tom	✓		
O'Callaghan, Denis	✓		
O'Dea, Jim	✓		
O'Keeffe, Gearóid			
Richmond, Neale			
Saul, Barry			
Smyth, Carrie	✓		
Stewart, Patricia		✓	
Tallon, Grace			
Ward, Barry	✓		
<b>Total:</b>	<b>13</b>	<b>6</b>	

An Cathaoirleach, Councillor C. Smyth declared the amended motion **CARRIED**.

**C/563/13**  
**Derelict Site Levies**

The following motion was **MOVED** by Councillor V. Boyhan **WITHOUT DISCUSSION**:

“That the Manager provide a financial report in relation to Derelict Site Levies sought / paid in respect to each of the financial years for the period for 2009 – 2012.”

The following report of the Manager, copy of which had been circulated to the Members, was **NOTED**:

“Derelict Site Levies sought/paid in respect to each of the financial years for the period for 2009 – 2012

<b>For the Financial Year</b>	<b>ADDRESS</b>	<b>Levies &amp; Interest Due</b>	<b>Monies Requested</b>	<b>Paid</b>
<b>2009</b>	Kilmore Cottage, Killiney,	€18,900.00	€18,900.00	0
	The Forge, Bridge House, Loughlinstown, Co. Dublin.	€7,500.00	€7,500.00	0
	Starboard Cottage Dalkey Co. Dublin	€28,687.50	€28,687.50	0
<b>2010</b>	Kilmore Cottage, Killiney,	€5,985.00	€5,985.00	0
	7 St Patrick's Crescent, Monkstown, Dun Laoghaire, Co. Dublin.	€8,741.25	€8,741.25	0
	Car Park on Whitehall Road, Churchtown, Dublin 14.	€14,490.00	€14,490.00	0
	Starboard Cottage Dalkey Co. Dublin	€16,040.59	€16,040.59	0
<b>2011</b>	DS: 1358 Kilmore Cottage, Killiney,	€5,355.00	€5,355.00	0
	19 Ashfield Park, Stillorgan, Co. Dublin.	€17,059.72	€17,059.72	0
	7 St. Patrick's Crescent, Monkstown, Dun Laoghaire, Co.	€5,931.57	€5,931.57	0

	Dublin.			
	<b>Starboard Cottage, Nerano Road, Dalkey, Co. Dublin.</b>	€3,860.75	€3,860.75	<b>€48,588.84</b>
	<b>Ferndene, Deansgrange Road, Dalkey, Co. Dublin.</b>	<b>€30,826.05</b>	<b>€30,826.05</b>	<b>€30,826.05</b>
	Car Park on Whitehall, Churchtown, Dublin 14.	€17,640.00	€17,640.00	0
<b>2012</b>	DS: 1358 Kimore Cottage, Killiney,	€4,725.00	€4,725.00	0
	Genazzano, Harolds Grange Road, Rathfarnham, D. 16	€10,875.00	€10,875.00	0
	Dromeen, Kilmore Avenue, Killiney, Co. Dublin.	€14,700.00	€14,700.00	0
	Villa Maria, Harolds Grange Road, Rathfarnham, Dublin 16.	€12,187.50	€12,187.50	0
	Ashgreen, Lehaunstown Lane, Cabinteely, Co. Dublin	€4,875.00	€4,875.00	0
	St. Judes, Newtownpark Avenue, Blackrock, Co. Dublin.	€2,205.00	€2,205.00	0
	Cluain Na Greine House, Old Bray Road, Shankill, Co. Dublin.	€5,625.00	€5,625.00	0
	19 Ashgrove, off Kill Avenue, Dun Laoghaire, Co. Dublin.	€2,640.00	€2,640.00	0
	<b>40 Ard Mhuire, Elton Park, Sandycove, Co. Dublin.</b>	<b>€5,775.00</b>	<b>€5,775.00</b>	<b>€5,775.00</b>
	<b>Cumberland Inn, Cumberland Street, Dun Laoghaire,</b>	<b>€6,103.12</b>	<b>€6,103.12</b>	<b>€6,103.12</b>
	37 Blackthorn Court, Sandyford, Dublin 18.	€1,687.50	€1,687.50	0
	Denton, Bray Road, Cabinteely, Dublin 18.	€5,250.00	€5,250.00	0
	19 Ashfield Park, Stillorgan, Co. Dublin.	€15,300.00	€15,300.00	0
	Car Park on Whitehall Road, Churchtown, Dublin 14.	€1,890.00	€1,890.00	0
	St. Patrick's Crescent, Monkstown, Dun Laoghaire, Co. Dublin.	€624.38	€624.38	0

Section 24 of the Derelict Sites Act 1990 states that the making of a Derelict Sites Levy on a property shall constitute a charge on that property and such charge has to be paid off upon the sale of the property.”

### **C/564/13**

#### **Improve Cyclist Facilities and Safety in the County**

The following motion was **MOVED** by Councillor N. Bhreathnach **WITHOUT DISCUSSION**:

“That the Manager give an update on strategies to improve cyclist facilities and safety in the County.”

The following report of the Manager, copy of which had been circulated to the Members, was **NOTED**:

“The Council is committed to providing high quality, safe, continuous and attractive cycle facilities in the Council. Following the Review of Cycling in DLR Report 2009, a number of initiatives that were recommended in the report have been implemented including:-

- The election of a County Cycling Champion
- Preparation of a Cycling Policy document that sits as a daughter document to the Development Plan

- On-going professional training programme for technical staff on the current best practice for cycle facilities
- Developed a County Wide Cycle Network
- Cycle Training for children

The continuing effort to prioritise traffic management schemes focused on building on our County's excellent road safety record is a key part of the on going works. It includes the application of the accident investigation and prevention approach in identified accident cluster areas and also assessing areas of high conflicts as identified in the DLR Cycle Network study.

Apart from the typical plans (LAPs, Development Plans etc) the Council is the first Local Authority in Ireland to develop a Cycling Policy and a County Wide Cycle Network. The purpose of the Network Study was to identify areas of high potential for cycling and to prioritise these areas for infrastructure improvements. It assessed the proposed routes under five physical criteria and in particular identified conflicts and pinch points. These identified conflicts form the basis of redesign and improvement works and allow a strategic approach in improving cycle safety. Over the last few years the Council has been using the recommendations in this assessment to provide new and upgraded facilities for cyclists. The data in the assessment provides an excellent support for funding applications and the Council has been successful in obtaining funding for a variety of projects from the National Transport Authority.

The Council's Road Safety Strategy focuses on improving cycle safety through the application of the 4 E's, namely, Education, Engineering, Enforcement and Evaluation. A number of initiatives have been carried out in 2012 and will continue to be carried out in 2013 including:-

#### **Education**

- Certificates in cycling proficiency for pupils following their participation in a cycle training course (1666 no. pupils in 2012)
- Educational Campaigns
  - Gardai/NTA Cycle Survey and distribution of complementary bicycle lights & vests by Gardaí and DLRC staff at various locations as part of Gardaí Casualty reduction Strategy in 2012
  - Sandyford Business Park - Free Bike Check and distribution of complementary bicycle lights in 2012
  - VMS Messaging Boards were erected at High Risk Collision locations on the N11 and on the Rock Road displaying relevant Road Safety Messages during the Oct./Nov. campaign in 2012

#### **Engineering:**

Selection of projects that delivered cycle facilities during 2012:

- R 837 Old Dublin Road Shankill cyclist crossing facility upgraded at Roundabout
- Upgraded footpath in Cromlech Fields, Ballybrack to incorporate new cycle track, and to link in with off road cycle network
- Re-Design of Braemor Road Cycle Tracks
- Design of Luas to Dart via UCD
- Cycle facility improvements installed in Sandyford
- Killiney Towers Roundabout (Monkstown to Dalkey Link)
- Harcourt Line Greenway
- Slang River Greenway
- Completion of the Cycle Network Study
- Cycle Parking installation
- Cycle facility upgrades along the N11 (The Rise / Fosters Avenue, opposite Seafield Rd, Whites Cross and the bus stop opposite Galloping Green
- Silver Tassie toucan crossing

Sample of proposed projects in 2013 to improve cyclist facilities:

- Construction of Luas to Dart via UCD
- Cycle facility upgrades along the N11 (between Trees Rd and The Rise, at Stillorgan, Johnstown Road and on approach to UCD)
- Design of facilities and consultation for the Dun Laoghaire Radial Cycle route
- Dundrum to Dun Laoghaire Orbital Cycle Route, Stillorgan Village environs, re-design of facilities along Stillorgan Park Road
- Design of facilities for the Churchtown to Booterstown link
- Design of facilities along Seapoint Avenue
- Design of facilities along Wyattville Road
- Completion of Silver Tassie Crossing
- Countywide expansion of Cycle parking areas
- Overend Way at Balally Luas upgrades
- Murphystown Luas Station to Aikens Village route
- Shanganagh Rd / Commons Road improvements
- Construction of Braemor Road
- Construction of Pottery Road
- DLR bike hire feasibility study

### **Enforcement:**

Gardaí continue their programme of visibility/enforcement of cyclists on the N11 and Rock Road Routes in particular, with an emphasis on use of hi-vis. clothing and lights and on adherence to the Rules of the Road and breaking red lights. The campaign was carried out during the Oct. / Nov. 2012 casualty reduction implementation plan where VMS messaging was also used with safety messages directed at cyclists.

### **Evaluation:**

From the 2011 Census Data the cycling mode share of 5.1% for the County is more than double the national average of 2.2% and higher than all Cities and Towns in Ireland with the exception of Dublin City Council and Galway City Council areas. Overall, cycle numbers for trips to work, school and college have increased by 38% in the County, with notable increases in cycle numbers in the Blackrock and Dun Laoghaire Electoral Areas. The corresponding percentage increase in numbers for the other Dublin Local Authorities combined is 24%. It also represents the highest percentage increase in cycling in the Country

The Council has installed permanent cycle counters to monitor the impact of the infrastructure improvements on the N11, Rock Road, Blackrock Park, The Metals and Clonskeagh Road. Cycle numbers on the N11 are increasing each year with high increases in cycle numbers between corresponding months in 2011 and 2012. In total, over 2.2million cyclists passed the counters since their installation. The counters provide useful trend analysis and on the N11 since January 2011, the average daily number of cyclists was 366 with highs of over 840 in September 2011 and March 2012. Since the cycle counter was installed, a number of improvements have been made to the cycle track on the N11 to improve the quality of service for cyclists along the route and this may have contributed to the increase in cyclists.

Cycle numbers have increased by approximately 15% in both directions along the Metals pedestrian and cycle route with high increases in cycle numbers between some corresponding months in 2011 and 2012. During the same period, it should be noted that there was an increase in pedestrian numbers by over 50% in each direction.

**Although cycling numbers have been increasing year on year, there has been a welcome decrease in the number of injuries to cyclists since 2010. In the most recent published statistics there has been a decrease in injuries from 37 no. in year 2010 to 28 no. in year 2011 in the County.**

The above information indicates that the strategies being employed by the Council to improve cycle safety and increase cycling as a mode in our County are working.”

**C/565/13**

**Re-entering of Items**

It was **AGREED** to **RE-ENTER** Item Nos. 27 to 33 and Item Nos. 36 to 47 to the September meeting of the County Council.

**C/566/13**

**Conclusion of Meeting**

The meeting concluded at 8.00 p.m.