

### **Development Plan Update for residents 3 April 2003**

Motion 39 (an attempt to increase the availability of Affordable Housing in our county) taken at last night's meeting of the Council is one of the most difficult decisions I have made on the Council and my support of the motion may expose me to legal consequences. The pressure not to support the motion was intense given the fact that the Manager issued a number of warnings that to support the motion would be ultra vires and could attract unspecified legal consequence for councillors.

However the facts are stark;

**There are 2,400 people on the housing list in the County.**

**People in my age group cannot even get started on the property ladder.**

**For the past five years only 700/800 houses have been built per annum in the County.**

**There is substantial land rezoned from the previous plan which has had no housing built on it due to property speculation.**

**According to the Manager's own statistics the affordable housing crises means that in a generation the wealthy and the pensioners will make up the majority of homeowners in the county.**

I voted in favour of Motion 39 because we are elected by the people to represent them as best we can and to make hard decisions in their best interests. Doing the right thing is rarely easy. The thrust of Motion 39 aims to address this affordable housing crisis in a substantive way.

With regards to the Manger's legal advice it is at the end of the day just another legal opinion. Our development Plan review is the first to take place in Ireland in the wake of new legislation (particularly Part V of the Planning and Development Act, 2000). This legislation needs to be tested to the limit to try and address the housing crises in our County.

Regards Cllr. Eoin Costello

---

### **Development Plan Update for residents 9 April 2003**

The final Council meeting concerning the Draft Development Plan was a most disappointing meeting. The Manager continued to refuse to give out his considered written responses to Councillors Motions until a couple of minutes before each motion was to be considered, allowing Councillors no time to properly asses them. This was clearly a calculated strategy on his part.

We then had the spectacle of a legitimate decision of the council being overturned by a Rescinding Motion, proposed by the Cathaoirleach in the chair, midway through the

meeting. It is open to question as to whether this Rescinding Motion was legitimately taken. The Standing Orders on which the Council meetings are run state under Section 59;

*(i) No such (rescinding) motion shall be allowed to appear on the Agenda to revoke or amend any resolution of the Council within six months of the date of adoption of such resolution except with the written assent of not less than 14 members of the Council. (ii) A resolution may not be revoked at the meeting at which it has been adopted.*

Needless to say neither of these requirements were met. Furthermore the Councillors were not supplied with minutes of the meeting at which the earlier resolutions had been passed nor were they supplied with a written copy of the Amendment that the Rescinding Motion sought to revoke.

In any case the Rescinding Motion was passed thereby undoing the objectives of Motion 39, which was attempting to address the crises in affordable housing in our county.

Once the Rescinding Motion had been passed the log jam with regard to the managers written responses suddenly disappeared and 10 and 20 written responses were distributed to Councillors at a time.

At the end of the meeting the Manager informed the Councillors that the Draft Development Plan was still found to be illegal and ultra vires due to a shortfall in the number of hectares being rezoned for housing development. Earlier in the meeting a number of government party councillors spoke in favour of the Rescinding Motion saying they could not allow an illegal plan to be passed.

We then had the puzzling paradox on the part of the same government party councillors. At the end of the evening, despite the Manager's statement clearly saying in advance of the final vote that the plan was illegal, these members voted to pass the illegal plan?

We now have an illegal plan with any aspiration towards social justice torn out of it. You have to ask what, if anything, was achieved by the Rescinding Motion?

Regards Eoin Costello

---

Contact from constituent re Development Plan meetings

*: Congratulations*

*Congratulations are due to you for your excellent performance last evening in relation to motion 38 in the Council Chambers. Well done for sticking to your guns and for not conceding to the Co. Manager.*

*Congratulations on your contribution, your comments were well considered and informed and I think that they truly reflect the needs of those whom you represent.*

*P.S. I witnessed an appalling scene in the corridor outside the chambers when a number of councillors were shouting and bullying a fellow councillor for exercising the councillor's independence and for not voting with the party against motion 38.*

*A constituent*

---

LETTER TO THE EDITOR, IRISH TIMES

Dear Madam,

I am writing in connection with a rather one sided article "County Manager reports Council to Minister" Irish Times, 9/04/03. It states that the Dun Laoghaire Rathdown County Manager insisted that the County's draft development plan was invalid as it would not provide for the county's housing needs.

As a member of the Council I refute this statement. Firstly the facts; The Manager's Draft Development Plan report establishes the following;

**There is a housing crises in our County with 2,400 people on the housing list. 50% of county's population need affordable housing.**

**In one or two generations only the rich and home owning pensioners will be left in our county as youth are leaving the county because of the affordability problem.**

**The over provision of houses at the upper end of the market is of note. This indicates that we are attracting households in the higher economic groups from adjoining counties.**

In response to the Affordable Housing crises the Manager's proposed solution is to rezone a substantial amount of new land in the 2004-2010 Development Plan. A similar approach was adopted in the previous plan and has demonstrably failed. Significant amounts of land which were zoned residential in the previous plan remain undeveloped throughout the county. The Manager's report finds that in the year 1997-2001 an average of 834 houses were built per annum. The manager predicts that if his rezonings go through the average number of units built per annum will somehow jump to 2260 per annum!

The Manager's "reporting" of the Members comes at the end of an extremely unsatisfactory Draft Development Plan review procedure. The Manager's written responses to Councillors motions were withheld until a couple of minutes before each motion was to be debated. The manager's legal advice was regularly referred to at critical points but never distributed to the members in writing. No independent legal advice was provided to the Members.

What is required to address the Affordable Housing crises is a bold and radical step. The behaviour of the government through the removal of the withering rule on

planning permissions, the removal of the first time buyers grant and the dilution of 20% social and affordable housing rule confirms what we already know, the government are not serious about addressing the affordable housing crises. Therefore the Councillors have to do the right thing by the people who elected them and act to address the Affordable Housing crises as best they can.

Regards Cllr. Eoin Costello

---

#### Press Release re Development Plan 24/3/2004

Last night at the final special meeting of Dun Laoghaire Rathdown County Council to adopt the draft Development Plan for 2004 to 2010 Councillor Costello voted against the adoption of the plan for the following reasons:

1. The manner in which the meetings were conducted throughout the process was not conducive to proper decision making. Extracting the manager's written responses to councillors motions has been difficult throughout the process and meetings were prolonged beyond the point where rational decisions could be made (for example last night's meeting started at 4 pm and went on until 4am).
2. Throughout the process there had been a frequent overturning of democratic decisions made by councillors in earlier phases.
3. The plan as adopted will not address the crises in affordable housing in our county. In the adopted plan the manager has complied with paper targets set by himself and the Minister. To achieve this he has followed the logic that by rezoning a substantial amount of land supply will bring house prices down. The same approach was used in the 1998 Development Plan and failed abjectly in that significant amounts of land zoned in 1998 remained undeveloped and house prices have doubled.
4. Public access; Through out what is the most important process in local democracy the public were effectively excluded from observing the process. For a county of approximately 248,000 people there was seating for only 12 in the public gallery.
5. The manager refused to recommend land suggested by members of the public amounting to 150 hectares. As a result high profile sites such as Dun Laoghaire golf club were recommended as the only answer to the alleged shortfall in zoned land.

Regards,

Cllr. Eoin Costello

---

Motions for Special meeting of the county council concerning the Development Plan

That this Planning Authority, pursuant to Section 12 of the Planning and Development Act, 2000, resolves to amend the Draft Development Plan (April 2003) as follows:

*That table 3.2 of the draft Development Plan 2003 “Adjusted Household Numbers and Population forecasts DLR CoCo 1996-2010” be corrected to incorporate the results of the 2002 Census before proceeding to the second period of public display to ensure that the draft housing strategy is in compliance with the Planning and Development Act 2000.*

*Proposed: Eoin Costello*

That this Planning Authority, pursuant to Section 12 of the Planning and Development Act, 2000, resolves to amend the Draft Development Plan (April 2003) as follows:

*That table 3.2 of the draft Development Plan 2003 “Adjusted Household Numbers and Population forecasts DLR CoCo 1996-2010” be corrected to incorporate the actual outcome in terms of units constructed in 2002 and 2003 before proceeding to the second period of public display to ensure that the draft housing strategy is in compliance with the Planning and Development Act 2000.*

*Proposed: Eoin Costello*

That this Planning Authority, pursuant to Section 12 of the Planning and Development Act, 2000, resolves to amend the Draft Development Plan (April 2003) as follows:

*That table 3.4 “The Distribution of House Prices in the Dun Laoghaire Rathdown area in 2002” be corrected to take account of the current prices before proceeding to the second period of public display to ensure that the draft housing strategy is in compliance with the Planning and Development Act 2000.*

*Proposed: Eoin Costello*

That this Planning Authority, pursuant to Section 12 of the Planning and Development Act, 2000, resolves to amend the Draft Development Plan (April 2003) as follows:

*That table 3.5 “Shortfall of Affordable Housing (Using Louth Model Strategy)” be corrected to take account of the local circumstances pertaining in Dun Laoghaire Rathdown before proceeding to the second period of public display to ensure that the draft housing strategy is in compliance with the Planning and Development Act 2000.*

*Proposed: Eoin Costello*

That this Planning Authority, pursuant to Section 12 of the Planning and Development Act, 2000, resolves to amend the Draft Development Plan (April 2003) as follows:

*That table 3.12 “New construction” be corrected to reflect the actual results for 2000-2003 before proceeding to the second period of public display to ensure that the draft housing strategy is in compliance with the Planning and Development Act 2000.*

*Proposed: Eoin Costello*

That this Planning Authority, pursuant to Section 12 of the Planning and Development Act, 2000, resolves to amend the Draft Development Plan (April 2003) as follows:

*That tables 3.6, 3.7, 3.8, 3.9, 3.10 be corrected to take account of the above changes before proceeding to the second period of public display to ensure that the draft housing strategy is in compliance with the Planning and Development Act 2000.*

*Proposed: Eoin Costello*