



Oifig an Phríomhfheidhmeannaigh & Seirbhísí Corparáideacha  
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*Oifigeach Poiblí Ainmnithe faoin Acht um Brústocaireacht a Rialáil 2015  
Designated Public Official under the Regulation of Lobbying Act 2015*

21<sup>st</sup> December, 2015

Mr. Peter Murray,  
57 Shandon Park,  
Phibsborough,  
Dublin 7.

Dear Mr. Murray,

I refer to your letter of the 16<sup>th</sup> December 2015 to Mr. Owen Keegan, Chief Executive, and the elected members of the City Council, referring to the Council Meeting which was held on the 7<sup>th</sup> December 2015 in relation to the adoption of the Draft Phibsborough Local Area Plan 2015. As you aware, the plan did not secure the vote of at least half the members of the City Council and consequently did not pass. I do not accept that the narrow defeat of the plan was caused by a number of irregularities. I am satisfied that the vote represented the democratic wish of the Council at that time.

The vote was taken in accordance with Standing Orders and I clarified the position at the Special Council Meeting called to discuss the Local Area Plan for Phibsborough. The voting system was working on the night and although another vote was called, this was called to ensure that every councilor had voted. Council members are well aware of the voting process and the voting system reflected the votes cast on the night.

I cannot comment on your assertion that pressure was brought to bear and a vote was procured for the purposes of defeating the plan. Councillors vote and take positions on issues for a variety of reasons but in the end the vote as cast is what reflects the democratic will of the Council. I would also point out that Members were well aware and it was mentioned to them on a number of occasions, that 32 votes were required to adopt the plan. I do not accept that Council Members did not understand the impact their vote would have on the adoption or non adoption of the plan.

Due to the time constraints in adopting the plan, it is not now possible to reactivate that plan. The Council agreed at their meeting on the 17<sup>th</sup> December to initiate the statutory process again and regrettably this is the only way in which a Local Area Plan for Phibsborough can be initiated.

I would ask you to look at the Webcast of the meeting held on 17<sup>th</sup> December last in relation to the LAP. Legal advice is being obtained on the Motion signed by 12 Members seeking to amend the resolution in relation to the Phibsborough Local Area Plan. A further report will be submitted to the meeting of the City Council on 11<sup>th</sup> January 2016, once the position has been clarified. However, I must stress that the draft LAP cannot be re-instated as the statutory period for it's adoption ended on the 7<sup>th</sup> December and the timeline cannot legally be extended.

Yours sincerely,

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V. J. Norton  
Executive Manager