

**MINUTES OF ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD IN  
THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 11<sup>th</sup>  
JANUARY 2016, COMMENCING 2.00 p.m.**

**PRESENT:**

**COUNCILLOR J. RYAN, CATHAOIRLEACH, COUNCILLORS T. ANNESLEY, J. BEHAN, V. BLAKE, J. BRADY, P. CASEY, S. CULLEN, T. CULLEN, P. DORAN, P. FITZGERALD, T. FORTUNE, C. FOX, P. KENNEDY, N. LAWLESS, S. MATTHEWS, M. MCDONALD, G. McLOUGHLIN, D. MITCHELL, D. NOLAN, O. O'BRIEN, G. O'NEILL, J. RUTTLE, J. SNELL, B. THORNHILL, P. VANCE, G. WALSH AND I. WINTERS.**

**APOLOGIES:**

**CLLRS. S. BOURKE, M. MURPHY, E. TIMMINS AND J. WHITMORE.**

**IN ATTENDANCE:**

**MR. B. DOYLE, CHIEF EXECUTIVE  
MR. D. O'BRIEN, DIRECTOR OF SERVICES  
MR. S. QUIRKE, DIRECTOR OF SERVICES  
MR. M. NICHOLSON, DIRECTOR OF SERVICES  
MR. J. LANE, DIRECTOR OF SERVICES  
MR. T. MURPHY, DIRECTOR OF SERVICES  
MR. M. GEANEY, A/DIRECTOR OF SERVICES  
MS. L. LYNCH, HEAD OF FINANCE  
MR. L. FITZPATRICK, HEAD OF IS  
MR. F. KEOGH, SENIOR ENGINEER  
MR. D. MARNANE, A/SENIOR ENGINEER  
MR. A. DEMPSEY, CHIEF FIRE OFFICER  
MR. M. DEVEREUX, SENIOR ENGINEER  
MR. M. RICHARDSON, CIVIL DEFENCE OFFICER  
MS. T. O'BRIEN, A/SENIOR EXECUTIVE OFFICER  
MS. H. DENNEHY, A/SENIOR EXECUTIVE OFFICER  
MS. H. PURCELL, ADMINISTRATIVE OFFICER/MEETINGS ADMINISTRATOR  
MS. J. CARROLL, ADMINISTRATIVE OFFICER**

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**Votes of Sympathy**

Elected members passed a vote of sympathy to the families of the late Mr. Kenneth Carton, Mrs. Julia Byrne, Mr. Thomas Mason, Mr. Wesley Burrows, Mr. Frank Byrne, Mrs. Elizabeth Sutton, Mrs. Margaret (Madge) Carroll, Mr. Tom Mulligan and Mr. Joseph Whyte. A minutes silence was observed for the deceased.

**Suspension of Standing Orders**

Cllr. P. Casey advised that he would defer his request to suspend standing orders to discuss the Murrough he noted that it would be discussed at item 8. He requested a suspension of standing orders to discuss the condition of the N11 that morning, how it happened, the ensuing tailbacks, and number of accidents to avoid reoccurrence. This was agreed

Cllr. T. Fortune advised that he would like to discuss the recent flooding at Holywell, Kilcoole. This was agreed.

Cllr. D. Mitchell requested a Suspension of Standing Orders to discuss making a submission to Irish Water to access funding under community gain. This was agreed.

It was agreed to take the Suspension of Standing Orders at 4.15p.m

#### Congratulations.

The elected members extended a vote of congratulations to all the students in County Wicklow who took part in the BT Young Scientist Exhibition and to extend congratulations to Mr. John O Brien, Teacher, Dominican College Wicklow who won the excellence educator of the year competition.

#### Notices of motion

At the request of Cllr. G. O Neill, it was agreed to commence discussion on notices of motion at 4.00 p.m.

#### **ITEM NO. 1**

##### **To confirm and sign minutes of Ordinary Meeting of Wicklow County Council held on Monday 2<sup>nd</sup> November 2015**

It was proposed by Cllr. J. Snell, seconded by Cllr. G. Walsh and agreed to confirm and sign minutes of Ordinary Meeting of Wicklow County Council held on Monday 2<sup>nd</sup> November 2015.

#### **ITEM NO. 2**

##### **To consider filling of casual vacancy arising from the passing of Cllr. P. Kavanagh, R.I.P. in accordance with Section 19 of the Local Government Act 2001**

On the proposal of Cllr. T. Fortune, it was agreed to defer this item until the March meeting to allow family time to grieve the sad passing of Cllr. Pat Kavanagh.

#### **ITEM NO. 3**

##### **To consider disposal of the Freehold Interest in the property known as 7 Urban Villas, The Murragh, Wicklow, Co. Wicklow to Shay Hanlon (otherwise Seamus Hanlon, otherwise James Hanlon), Michael Donnelly and William Donnelly as legal personal representatives of Richard Donnelly, deceased, late of 7 Urban Villas, The Murragh, Wicklow, Co. Wicklow**

It was proposed by Cllr. I. Winters, seconded by Cllr. P. Casey and agreed to dispose of the Council's interest and equity in the Freehold Interest in the property known as 7 Urban Villas, The Murragh, Wicklow, Co. Wicklow to Shay Hanlon (otherwise Seamus Hanlon, otherwise James Hanlon), Michael Donnelly and William Donnelly as legal personal representatives of Richard Donnelly, deceased, late of 7 Urban Villas, The Murragh, Wicklow, Co. Wicklow

#### **ITEM NO. 4**

##### **To consider disposal of 0.14827 hectares (0.36639 acres) or thereabouts of land in the townland of Kilmurray North (Rathdown Barony) Townland, Kilmacanogue, Co. Wicklow to Mr. Edward Devenish, Kilmurray North, Kilmacanogue, Co. Wicklow by way of transfer of lands**

It was proposed by Cllr. C. Fox, seconded by Cllr. P. Vance and agreed to dispose of the Council's interest and equity in 0.14827 hectares (0.36639 acres) or thereabouts of land in the townland of Kilmurray North (Rathdown Barony) Townland, Kilmacanogue, Co. Wicklow to Mr. Edward Devenish, Kilmurray North, Kilmacanogue, Co. Wicklow by way of transfer of lands

#### **ITEM NO. 5**

##### **To consider disposal of land contained in Folio No. WW9074, see map 15/25/53/100, being land adjacent to the property known as "The Singing Kettle", Glasnarget North, Rathdrum, Co. Wicklow to Patricia Kelly, "The Singing Kettle", Glasnarget North, Rathdrum, Co. Wicklow**

It was proposed by Cllr. P. Kennedy, seconded by Cllr. M. McDonald and agreed to dispose of the Council's interest and equity in Folio No. WW9074, see map 15/25/53/100, being land adjacent to the property known as "The Singing Kettle", Glasnarget North, Rathdrum, Co. Wicklow to Patricia Kelly, "The Singing Kettle", Glasnarget North, Rathdrum, Co. Wicklow

#### **ITEM NO. 6**

**To consider disposal of 0.0073 hectares or thereabouts of land in the townland adjacent to Ashtown, Roundwood, Co. Wicklow to Patrick John Doyle and William Doyle, Newlands, Roundwood, Co. Wicklow as tenants in common as to nine undivided one tenth shares to Patrick John Doyle and an undivided one tenth share to William Doyle**

It was proposed by Cllr. S. Bourke, seconded by Cllr. T. Annesley and agreed to dispose of the Council's interest and equity in 0.0073 hectares or thereabouts of land in the townland adjacent to Ashtown, Roundwood, Co. Wicklow to Patrick John Doyle and William Doyle, Newlands, Roundwood, Co. Wicklow as tenants in common as to nine undivided one tenth shares to Patrick John Doyle and an undivided one tenth share to William Doyle

#### **ITEM NO. 7**

**To consider disposal of 0.0037 hectares or thereabouts of land including wayleave in the townland of Ballinalea, Ashford, Co. Wicklow as per map no. 12/024/101 to Ben and Anne Byrne, 41 Ballinalea, Ashford, Co. Wicklow**

It was proposed by Cllr. P. Vance, seconded by Cllr. J. Behan and agreed to dispose of the Council's interest and equity in 0.0037 hectares or thereabouts of land including wayleave in the townland of Ballinalea, Ashford, Co. Wicklow as per map no. 12/024/101 to Ben & Anne Byrne, 41 Ballinalea, Ashford, Co. Wicklow

#### **ITEM NO. 8**

##### **Report on Flooding Events in December 2015/January 2016**

Mr. M. Geaney, A/DOS, referred to report dated 8<sup>th</sup> January 2016 which had been circulated to the members in advance of the meeting. Mr. Aidan Dempsey, Chief Fire Officer reported on the response of the Fire Service, Mr. Mark Devereux, Senior Engineer presented on CFRAM and how it affects County Wicklow and Mr. Michael Richardson, Civil Defence Officer reported on the work carried out by the Civil Defence during the period.

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##### **Report to Members of the Council - Item no. 8 – Report on flooding events in December 2015/January 2016**

#### **Introduction**

On 4<sup>th</sup> December 2015, following a red storm rainfall warning in the West of Ireland, contingency plans to open County Buildings on Saturday / Sunday 5<sup>th</sup> & 6<sup>th</sup> December were made. These plans did not need to be auctioned as the weather in Co Wicklow was benign!!

#### **CFRAM**

CFRAM is Catchment Flood Risk Assessment and Management. The national CFRAM programme commenced in Ireland in 2011. The CFRAM Programme is central to the medium to long-term strategy for the reduction and management of flood risk in Ireland.

Members will be aware that draft flood maps were available for inspection, comment and submission by any person, claiming to be interested therein, from **20th November, 2015 to 23rd December, 2015**, both dates inclusive, during normal opening hours at the principal office. The public consultation on the draft flood maps is now closed.

### **During the period of Storm Frank**

Tuesday 29.12.2015 to date, staff were covering Municipal district area and additional staff were also brought into County Buildings to cover calls from members of the public during holiday times and weekend. The Crisis Management Team met in County Buildings as required from 30<sup>th</sup> December, including over the weekend period of 2<sup>nd</sup> & 3<sup>rd</sup> January 2016.

The main areas in the County affected by this storm / flooding were:

#### Wicklow Municipal District

- Weir damage at Ashford
- Landslide at Church Bank
- The Murrough – Coastal Protection works
- Brittas Bay access to beach – flooding on road south of Brittas bay
- Ashtown reservoir – hire of pumps to reduce water levels
- Cullys drains etc – Wentworth place – Bridge street

#### Bray Municipal District

- Enniskerry and Kilmacanogue – road damage due to drainage blockages
- Erosion of seafront – Bray
- Collapse of Dargle River wall adjacent to Peoples park
- Dargle bank – slippage of Silverbridge
- Garden flooding of of Deepdales and Monastery Cottages and Ballywaltrim Lane
- Kilmacanogue flooding

#### Arklow Municipal District

- Vale Road road closed (picture)
- Woodenbridge to Aughrim – road closed
- Rathdrum to Woodenbridge road closed – Bridge parapet collapse
- Rathdrum to Glenealy – road closed
- Aughrim reservoir – part road washed away
- Avoca River flooding in Arklow
- South Green (picture)
- Condrons Lane
- River bank
- Main street car park
- Rockview
- Dublin road
- South Beach Roadstone to lifeboat station

#### Baltinglass Municipal District

- Sallygap, Burgage – road flood
- Shillelagh, quarry street had to be closed
- Rising water level in the Slaney – recent works protected Baltinglass

Greystones Municipal District

- Sea Road Newcastle flooding
- Redford park Greystones, roads flooded
- Holywell Kilcoole – houses flooded

Fire Services

Reported 14 flood calls in total

18.12.15 – 04.01.16 including 4 calls assisting Co. Kildare.

Civil Defence

Volunteers of 18.no were out most days with a further 30 volunteers available on standby. Assistance was provided in areas of Sandbagging, distributing sandbags & pumping of flood waters.

Areas assisted include:

Sea Road Newcastle,

Wentworth place/ Bridge Street, Wicklow

South Green Arklow

Lifeboat Station & Gaines Dog Food Factory Arklow

Kilcoole

Albert Ave, Bray

Greystones

Aughrim

Ashtown Reservoir

An example of activity at a given point on 31/12/15 is as follows:

<b>@ 31/12/15</b>	<b>Sandbags Filled</b>	<b>Staff Availability to assist with Flooding</b>
Arklow MD	2400	10 staff & 4 Contractors
Baltinglass MD	930	GSS & 2/3 staff per area
Bray MD	Not counted	GSS & Staff & 1 Contractor
Greystones MD	500	4/5 staff & 2 contractors
Wicklow MD	450	10 staff & Contractor

Staff were available in all areas and continued to provide cover as required. This assistance and goodwill of all staff is appreciated.

Works ongoing at present

- Coastal Protection Works – The Murrough Wicklow

Wicklow County Council has been advised that the emergency works being carried out by Iarnród Éireann to protect the railway line at the Murrough Wicklow are due to be completed Thursday 7<sup>th</sup> January. The Council has also been advised that pedestrian access to the Murrough at this location will be restored by the end of week.

The Council has been allocated funding toward the cost of Coastal Protection Works at the same location and this work is scheduled to commence at the end of this month weather conditions permitting. The cost of these works will be funded by the Office of Public Works under the Minor Flood Mitigation Works and Coastal Protection Scheme.

Some alterations to the Council's proposed schedule of works may be required following an assessment of the emergency works carried out to date by Iarnród Éireann and also having regard to further damage caused by the recent storms.

The Council's Technical Staff have already liaised with the Council's Consultants in relation to design options/amendments etc.

The Council will continue to consult with the Office of Public Works in relation to the scope of these works and will be seeking additional funding if necessary.

- Clean up of flooded areas and repairs to roads, drains, gullies etc
- Watermains being isolated by Irish Water on the Silverbridge in order to protect the watermain against further damage in the event of a great slippage
- Works on the slippage Silver Bridge at N11 are currently being developed by Transport Infrastructure Ireland (TII) (formerly NRA)
- Repairs of Aughrim to Wooden bridge Road
- Works at South Quay continue in Arklow
- Update Shillelagh Quarry street
- Greystones MD – Night of 6/1/16 experienced flash flooding in areas of Redford Park, St Crispins, Delgany Wood, Newcastle Village, Charlesland roads and areas of Junction 12 & 13 on N11
- Updates will be prepared on damage to roads and bridges
- Update will be prepared on Old landfill at Bray – slippage

Regular daily updates were made and continue to be submitted to NECC over the period. Estimated costs of works for damage between period 29/12/15 & 4/1/16 have been submitted to the Department at circa. €450,000 and costs are yet to be identified for some areas. Overtime and payroll costings are not yet available.

**Michael Geaney**  
**A/Director of Services**  
**Water & Environmental Services – 8<sup>th</sup> January, 2016.**

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The Cathaoirleach on his behalf and on behalf of the elected members expressed sincere appreciation to the staff of Wicklow County Council, the fire service and civil defence crews and all of the flood volunteers for their work over the flooding period which he described as fantastic.

He thanked all the staff and volunteers for their input over the period and advised that a number of issues have been highlighted for the Council to deal with, going forward. He referred to the text alert system which was in place and which assisted in communicating important messages to the public during the period.

A discussion on recent events then took place wherein the following issues were raised:

- Appreciation expressed to the fire service and the civil defence for their prompt action at Holywell, Kilcoole
- Reference made to the river which rises in Kilpedder and travels through Kilcoole through a number of housing estates, such as Hazelwood, Riverside, Beechdale and Holywell and the flooding which occurred to the eight houses and that this was not as a result of storm Frank, but rather how the work was carried out within the estate. Call for an investigation to be carried out as to how the houses were built. Cllr. T. Fortune proposed *'that the Council from here on in do not build any houses or do not permit any houses to be built on top of a river or beside a river or on a flood plane'*. This was seconded by Cllr. B. Thornhill
- There should be a central point for storing sandbags
- Reference made to two spots of flooding on the Ashford to Rathnew Road.
- The decision to open the telephone lines in County Buildings to communicate with the public over the period was an excellent decision and the Council commended for doing so.
- View expressed that there is a serious problem with Holywell and the construction of the bridge may be an issue and that both bridges need to be examined.
- Are there central government grants in place to assist householders with flooding and those that have no insurance
- Update requested on the status of appointing consultants for flood protection scheme at Dargle view.
- Update on the status of the old municipal dump in Bray requested.
- Request for the Council to oppose the introduction of a flood levy on home insurance.
- Elected members collectively paid tribute to the work of the staff of Wicklow County Council during the heavy rainfall period.
- View expressed that the Council should be looking to recruit additional outdoor staff having regard to weather events.
- Concern expressed that there is no mention of Shillelagh in the CFRAM proposal
- Suggestion put forward that the Council review and improve the surface water network to deal with instances of flooding which are occurring at this time.
- Request for an update on the status in relation to the collapse of the road between Rathdrum and Avoca
- Reference made to the 2,500 sandbags that were made available in the Arklow area and sincere appreciation expressed to all those involved in the efforts.
- Call for swifter close off of streets when flooding occurs to prevent cars driving water into premises and houses.
- Proposal put forward by Cllr. T. Cullen to condemn outright any proposal coming from Government to add an additional *burden on people paying large insurance policy levies seconded by Cllr. J. Behan.*
- View reiterated that the problem in Holywell, Kilcoole was not caused by flood plains but rather by the way the development was carried out.

At the conclusion of the discussion the Chief Executive advised that a meeting had been scheduled in the civic offices Greystones between the developer of Holywell, residents of the area and the Greystones Area elected members and Council staff.

Mr. D. Marnane, A/Senior Engineer, provided the members with an update on the situation at the Murrough, Wicklow viz:

- The emergency works carried out by Irish Rail have been completed and involved an extension to the rock armour that was in place.
- An additional application for funding will be made to the OPW to carry out further works.
- Access for walkers has been maintained and will be tidied up now that the emergency works have ceased.

Mr. Murnane also advised that the road between Rathdrum and Arklow had reopened to one way traffic with traffic lights and a weight restriction. The edge is unstable and will be closely monitored. He explained that if there were any further subsidence, the road may have to close again.

The following queries were raised regarding the Murrough:

- The response by Irish Rail to the erosion is welcome. Why was work not undertaken a year ago to prevent this level of erosion occurring?
- The Murrough is one of the most important amenities for the people of Wicklow.
- Funding of €135,000 was received by the Council for works, why was this situation left to develop.
- The role of Irish Rail must be re-emphasised. The Council has been dealing with Irish Rail and have requested them to participate in a number of applications for funding but declined.
- Disappointing that the Council has been accused of not being proactive in the matter when applications have been submitted annual to the OPW to carry out transition works on the Murrough and which had been refused up until 2015.
- The level of erosion which occurred was not expected up until the year 2050. The Council must find a vehicle under its own mechanisms to try and secure funding
- Cllr. P. Casey proposed that the Planning SPC examine the development scheme to see if the Council can put in capital works that will protect the County's natural amenities.
- Cllr. J. Behan proposed that *the Council receive a deputation from the two organisations, Save the Murrough and Friends of the Murrough at the next Council meeting which was seconded by Cllr. Brady.* This was agreed.
- The €135,000 is a drop in the ocean and will have no overall long term affect in protecting the Murrough. This is a project that will cost millions and the Council will have to continue to request the finance to preserve the Murrough for generations to come.
- The work of the late Cllr P. Kavanagh, in campaigning on this issue to be remembered.

In response to the queries raised, the Chief Executive advised that the questions raised had been noted and that a report would be prepared for the elected members allowing the elected members move on with the business listed on the agenda. He requested the municipal districts as part of their review to examine these hot spots and list them for examination.

In response to the query raised by the elected members in respect of the Council's application for funding, Mr. D. Marnane advised the funding applied for last year, 2015, to



build the transition area at the end of the existing revenant was granted. Details in relation to previous funding applications can be made available to the elected members.

Des O'Brien, DOS advised that the Council, elected members and staff, have a very good record of not zoning on flood plains, and many housing schemes flooded were not on flood plains. Houses prone to flooding in County Wicklow have been as a result of exceptional events and most of our towns began beside rivers. There are a lot of structures alongside rivers and if rivers stay within their banks then it is adequate. He advised that the Council will need to look at Holywell referencing the cross sectional areas of the bridge and also the maintenance of streams in urban areas.

Following a short discussion on the matter and at the suggestion of the Cathaoirleach it was agreed that the motion put forward by Cllr. T. Fortune, and seconded by Cllr. B. Thornhill would be considered as part of the County Development Plan Process.

#### **ITEM NO. 12**

**To note: Political Donations – Local Elections (Disclosure of Donations and Expenditure) Act, 1999, by the Electoral (Amendment) (Political Funding) Act 2012 – effective 1<sup>st</sup> January 2013**

It was agreed to note the Political Donations – Local Elections (Disclosure of Donations and Expenditure) Act, 1999, by the Electoral (Amendment) (Political Funding) Act 2012 – effective 1<sup>st</sup> January 2013.

#### **ITEM NO. 13**

**To note: Local Government Act, 2001 – Ethical Framework for Local Government Services Annual Declaration**

It was agreed to note the Local Government Act, 2001 – Ethical Framework for Local Government Services Annual Declaration

#### **ITEM NO. 15**

##### **Notices of Motion**

- 1. Notice of Motion in the name of Cllrs. J. Brady, M. McDonald, N. Lawless, J. Snell, O. O'Brien and G. O'Neill (12.01.2015) (deferred from meeting of the 2<sup>nd</sup> March, 3<sup>rd</sup> April, 27<sup>th</sup> April, 11<sup>th</sup> May, 8<sup>th</sup> June, 6<sup>th</sup> July, 7<sup>th</sup> September, 5<sup>th</sup> October, 2<sup>nd</sup> November and 7<sup>th</sup> December 2015)**

*“That Wicklow County Council ensure that the car park at Brittas Bay Beach is opened all year round and not just over the summer months.”*

##### **Response:**

A full cost benefit analysis was carried out on the operation/opening of the Brittas Bay car parks in recent years. This review identified that resources were unavailable to open the car parks outside the summer season. Costs include payroll, litter maintenance, skips, toilets, security, insurance, utilities, etc. There is little or no return on income outside the summer season and all costs, if the car park opened, would still have to be met by the Local Authority.

The car park and toilets will remain closed outside summer season, however pedestrian access to the beach is available at all times. Wicklow County Council will continue to work with any group that has organised a large event and requires the car park to be opened. This can be organised by prior arrangement through the Environment Section.

The car park was recently opened for a period over Christmas 2014. This resulted in a large amount of dumping and cleanup costs following Christmas. The rubbish left within the car park resulted in numerous complaints.

At present, an operator is contracted to maintain car parks during designated bathing season only – May to September. An operator, a staff resource of Wicklow Municipal District, is also assigned during this period for maintenance of beach area. This operation is in line with maintaining our Blue Flag status at Brittas Bay beach.

Wicklow County Council has a budget in 2016 for costs of summer season only.

Water & Environmental Services section are reviewing tendering options for 2016. There is little or no return on income, for any service provider, outside the summer season and all costs, if car park opened, would likely have to be met by the Local Authority. Opening hours during winter months would require resources, staff and funding.

During a brief discussion, the following issues were raised:

- The motion was tabled one year ago.
- This matter has also been discussed at meetings of County Wicklow Tourism.
- The beach is a public amenity and even if there is no income generated, the car park should remain open.
- The tender document needs to be changed to make it more financially viable outside of the summer months.
- This matter has also been discussed at Municipal District meetings.
- The concerns of the public representatives have not been taken on board.
- The tender could include opening the car park at weekends throughout the year.
- Glendalough car park is a good example. 15 years ago it used to close during the winter but is now open all year round, with the operator responsible for litter and maintaining the toilets.

Ms. H. Dennehy, A/SEO advised that the tender documentation pack split out the operations between summer period every day and for the winter period at weekends and bank holidays and all previous issues raised by the elected members have been included in the tender process.

**2. Notice of motion in the name of Cllr. Steven Matthews (23<sup>rd</sup> February, 2015) (deferred from meeting of the 2<sup>nd</sup> March, 3<sup>rd</sup> April, 27<sup>th</sup> April, 11<sup>th</sup> May, 8<sup>th</sup> June, 6<sup>th</sup> July, 7<sup>th</sup> September, 5<sup>th</sup> October, 2<sup>nd</sup> November and 7<sup>th</sup> December 2015)**

*“That Wicklow County Council initiate a formal public consultation process on the introduction of 30kph speed limits in all residential areas within the county towns, and advertise such consultation at the earliest possible opportunity.”*

Response:

New Guidelines for Setting and Managing Speed Limits in Ireland were issued by the Department of Transport, Tourism and Sport in March 2015. These guidelines recommend the introduction of a special speed limit of 30kph in housing estates. The Roads and Transportation directorate now intend to recommend a special speed limit of 30kph in all housing estates that are in charge, as part of an overall review of speed limits in the county which is currently underway. Public consultation will take place as part of the process to amend the bye-laws. With regard to the Road Traffic Amendment Bill 2015, it should be noted that the Guidelines referred to above recommend a special speed limit of 30kph.

Cllr. Matthews advised that there was a 200 page guideline document issued by the Department on setting road speeds and that this was not a simple issue. He felt that the

motion needed to be expanded into residential areas in the interest of road safety. He asked if the municipal district could look at proposing roads that would be put up for public consultation for a 30k speed limit and that this could be brought then before the Roads and Transportation SPC.

**3. Notice of motion in the name of Cllr. J. Ruttle (31.03.2015)(deferred from meeting of the 11<sup>th</sup> May, 8<sup>th</sup> June, 6<sup>th</sup> July, 7<sup>th</sup> September, 5<sup>th</sup> October, 2<sup>nd</sup> November and 7<sup>th</sup> December 2015)**

*'That Wicklow County Council calls on the Minister to amend the Control of Dogs legislation with particular reference to the term 'effective control'. This needs to be strengthened to mean the dog being on a lead in public open space. This would curb attacks on sheep and in some cases humans'*

Response:

*This matter has been brought up previously and discussed at briefing sessions for Dog Control held by the department. The last session I attended, it was discussed in detail and the Department indicated that they had no plans at present to amend the Control of Dogs legislation at that time (maybe 18 months ago). Enforcement of a change like this would also be an issue, for example, if enforced on public lands, who would enforce on private lands or in the uplands?*

*About a year ago, we met with the Uplands Council and IFA and discussed the matter of loose dogs in rural areas and particularly sheep kills. Private landowners must take appropriate measures to control loose dogs. Our dog wardens also raised their profile and presence at public carparks, leading to the uplands, and reminded dog owners of their responsibilities. While this may have been effective at the car park locations, as soon as the individuals commenced their walks, dogs were normally let off leads. Dog wardens can not insist an individual puts a dog on a lead.*

*I cannot find any confirmation on my files but I think we sent this same request to change this legislation about 5 or 6 years ago.*

Cllr. J. Ruttle outlined the concerns and difficulties experienced by landowners in relation to control of dogs on their land. He felt that the responsibility should lie with the dog owners to control their dogs effectively in an area where they are effecting other people. He asked for the support of the Council that the term 'effective control' would mean that dogs in the circumstances mentioned were on a lead.

Suspension of Standing Orders number 1 requested by Cllr. D. Mitchell

Cllr. D. Mitchell requested the Council to make a submission to Irish Water as part of a public consultation which he said he would be doing so himself as Chair of the Roads and Environment SPC. He advised that there was no community gain to County Wicklow for the water which is being supplied to Dublin and that the Council should lobby strongly and participate in the consultation process for the Shannon water scheme where he said Irish Water publicly acknowledges that a benefit would be needed. He said that if this was applied to County Wicklow the sum of €1.8m would be raised. He also requested information on how much the Local Government Grant was increased in 2009/2010 and what has happened now that the Local Government grant scheme seems to have been abolished. The proposal put forward was broadly welcomed by the elected members and that it should be expanded into a greater claim for compensation. It was also agreed to invite a representative from Irish Water to attend a Council meeting in this regard.

Suspension of standing orders number 2 requested by Cllr. P. Casey

Cllr. P. Casey requested a suspension of standing order to discuss an incident which had occurred on the N11 that morning, referencing 2 serious road accidents one being a five car pile up and the other a car which had overturned. He said he believed that weather conditions had played a part and that while the road had been gritted last evening at 8pm, he understood that it was not regretted until 7.30 a.m. this morning and inbetween there was ether a rainshower or thaw which froze on it. He said that this is being dealt with by a private contractor and asked for information on the matter.

Mr. S. Quirke, DOS, explained that Wicklow County Council is not involved in the maintenance of the N11 since 2013 and the contractor responsible for the maintenance is GSJ and that the Council had been in touch with the company. He said that temperatures had played a factor, driving habits and perhaps speed. He said that the Council has raised the issue and complaints with the Company GSJ, the NRA and TII.

**9. Notice of motion in the name of Cllr. G. O Neill (01.09.2015) (deferred from meeting of the 5<sup>th</sup> of October, 2<sup>nd</sup> November and 7<sup>th</sup> December, 2015).**

*‘That Wicklow County Council review the locations of the zoning on their land within Action Area 3 to facilitate playing fields for Blesington AFC in Action Area 3’.*

It was agreed that this matter would be listed on the February 1<sup>st</sup> meeting agenda for full discussion and that the report be circulated to the elected members in advance.

**THIS CONCLUDED THE BUSINESS OF THE MEETING**

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**CLLR. JOHN RYAN  
CATHAOIRLEACH  
WICKLOW COUNTY COUNCIL**

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**MS. LORRAINE GALLAGHER  
SENIOR EXECUTIVE OFFICER/  
MEETINGS ADMINISTRATOR**