

**MINUTES OF SPECIAL MEETING OF WICKLOW COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 13th
MARCH 2017, COMMENCING 2.00 P.M.**

PRESENT:

COUNCILLOR P. FITZGERALD, CATHAOIRLEACH, COUNCILLORS J. BEHAN, V. BLAKE, S. BOURKE, T. CULLEN, S. CULLEN, P. DORAN, G. DUNNE, T. FORTUNE, C. FOX, M. KAVANAGH, P. KENNEDY, N. LAWLESS, S. MATTHEWS, M. MCDONALD, D. MITCHELL, D. NOLAN, M. O'CONNOR, G. O'NEILL, J. RUTTLE, J. SNELL, B. THORNHILL, P. VANCE AND G. WALSH

APOLOGIES:

COUNCILLORS CLLR. T. ANNESLEY, G. MCLOUGHLIN, M. MURPHY, O' O'BRIEN, J. RYAN, E. TIMMINS, J. WHITMORE AND I. WINTERS.

DEPUTY A. DOYLE.

IN ATTENDANCE:

**MR. B. DOYLE, CHIEF EXECUTIVE
MR. T. MURPHY, DIRECTOR OF SERVICES
MR. D. O'BRIEN, DIRECTOR OF SERVICES
MR. J. LANE, DIRECTOR OF SERVICES
MR. M. NICHOLSON, DIRECTOR OF SERVICES
MR. S. QUIRKE, DIRECTOR OF SERVICES
MR. M. GEANEY, A/DIRECTOR OF SERVICES
MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MS. D. CROMIE, A/ HEAD OF FINANCE
MS. C. FLOOD, SENIOR EXECUTIVE OFFICER
MS. H. DENNEHY, SENIOR EXECUTIVE OFFICER
MR. D. MARNANE, A/SENIOR ENGINEER
MS. S. WALSH, SENIOR PLANNER
MS. R. WOOD, STAFF OFFICER
MS. K. BOYLE, IS SUPPORT OFFICER
DEPUTY J. BRADY
DEPUTY P. CASEY.**

Votes of Sympathy

Elected Members passed a vote of sympathy to the family of the late Ms. Annemarie O'Brien, who died tragically in a fire at Clondalkin, Co. Dublin along with her daughter Paris and unborn child. Sincere sympathy was also extended to Ms Bidy O'Brien and her family on the tragic loss of her children Holly and Jordan also in the fire. The members asked that a letter be sent to Ms. Bidy O'Brien currently in hospital. A minutes silence was observed for the deceased.

SUSPENSION OF STANDING ORDERS

Cllr. J Behan requested a suspension of standing orders to discuss the issues set out in email he submitted earlier that morning i.e.:-.

1. To discuss the correspondence received from the residents of Dargle Road, Bray re. the decision made by the Council last week
2. To discuss the correspondence received from the residents of the Ballycoog area re. the Windfarm in their area.

The proposal was seconded by Cllr. M. O Connor and it was agreed to discuss both issues at 4.30 pm.

ITEM NO. 1

“To discuss the ongoing problem with our housing stock and the lack of maintenances to deal with damp and mould issues” (as set out in the attached requisition received on Monday 6th March, 2017).

The Cathaoirleach advised of requisition dated the 6th of March, 2017 signed by 9 elected members which he had received which had been circulated to the elected members. He welcomed the Dail Deputies present in the chamber and read the requisition which set out:

‘We request to have a special meeting on Monday 13th March at 2.00 p.m., in County Buildings, Wicklow. We would like to discuss the ongoing problem with our housing stock and the lack of maintenances to deal with damp and mould issues.’

Cllr. N. Lawless thanked the Cathaoirleach and elected members for attending the special meeting. She opened by saying that there were insufficient funds to deal with housing maintenance issues and that as a collective she was asking that the Council find a solution to problems in the Council’s housing stock such as damp and mould issues.

The following points and issues were raised by the Members:

- This issue has been raised at SPC level. The SPC was advised that the fault with regard to dampness lies primarily and in most cases with the tenants, there are major difficulties causing illness and that this is not acceptable.
- Reference made to the Dublin Community Action Network which commissioned a report on the housing stock in Dublin and the findings are that other issues are causing dampness and not the tenants. View expressed that Wicklow County Council has an obligation to deal with the issue
- The work of all the staff in the housing directorate is acknowledged.
- There is a gross lack of funding from the Department over many years.
- Reference made that new housing schemes constructed in the future will not have an open fire places and will have passive heating or gas or electric. View expressed that it is the electric heating which contributes to dampness.
- All elected members would like the maintenance of the council’s housing stock to be well funded. However, reference made to the proposed cut to the budget by €2.5m while some elected members made the unpopular decision in September, 2016 to maintain the LPT and the level of funding.
- Reference also made to the 20% equalisation fund and the request from Wicklow County Council members to the Minister to meet a delegation in this regard. This amounted to €3.2m for County Wicklow.
- View expressed that Local Government is not funded properly and that the Local Government Fund is being cut constantly. Proposal to invite the Dail Deputies present in the Chamber speak on the matter.

- Query put forward to the members who had requisitioned the special meeting had they received any information from the WCC Housing Department on mould and dampness issues, the number of houses affected and the extent and underlying causes.
- View expressed that the Council should be striving for efficiencies in new housing schemes, and reducing running costs. Reaching this standard does away with dampness and mould.
- Reference made that the proposed reduction in the LPT last September would have reduced the revenue budget by €2.5m., if this had have been passed the housing maintenance budget would have suffered a large cut.
- Wicklow County Council should be focussing on the housing construction programme having regard to the large numbers of families on the waiting list.
- There is a gap in funding available to maintain houses – approximately €120 per house for rural properties compared to €1000's being made available for properties in urban areas
- Call for the protocol committee to look at reinstating the monthly council housing meetings.
- Reference made to all of the work currently underway in the housing department to upgrade the fabric of some 600 housing units.
- View expressed that if private housing units had issues with dampness and mould the Council would not accept them onto the HAP scheme.
- View expressed that the full extent of the problem is not known as individuals contact Councillors separately

Both Deputy John Brady and Deputy Pat Casey commended the work of the Housing Directorate of Wicklow County Council and the Housing SPC. Housing maintenance and sufficient funding for this area is an important issue for Wicklow County Council and indeed all local authorities. It is difficult for local authorities to come up with sufficient funding in this regard. There is a commitment that the process of how the LPT is calculated with be looked at this will be kept on the agenda at central government level.

Mr. Declan Marnane A/Senior Engineer and Mr. Joe Lane, Director of Services responded to the issues raised by the elected members and gave the following information with regard to issues of mound and dampness in local authority housing units:-

- The number of houses with issues of damp and mould is quite small and in or around 20 houses.
- If elected members receive complaints from tenants with regard to damp and mould please pass them on to the housing department
- Properties with arrears do not normally have maintenance carried out
- Excessive dampness is caused by poor ventilation and poor insulation, by not opening windows and not having extraction fans in the bathrooms. Cooker hoods should be used. Clothes drying inside on a clothes horse adds to the problem.
- 1,500 housing units have had fabric upgrade in County Wicklow. Older stock will be looked at for a phase 2 upgrade.
- Attic insulation is also being carried out
- If properties are damp then cleaning and treatment should be carried out

At the conclusion of the discussion, Mr. J. Lane asked that the report referred to earlier in the meeting prepared by the Dublin Community Action Network on the housing stock in Dublin be made available to management.

The Cathaoirleach expressed the view that while there may be individual cases of damp and mould there is no epidemic. He requested the elected members to email the Senior Engineer, Declan Marnane with any issues that are raised with them by tenants. It was also considered important that the Council follow up with the Dail Deputies the issue in relation to the equalisation fund and the LPT

ITEM NO. 2

To discuss : Ireland 2040 – Our Plan – National Planning Framework – the making of a submission (previously circulated and deferred from meeting of 6th March, 2017).

Ms. S. Walsh, Senior Planner gave a presentation to the Elected Members on Ireland 2040-Our Plan – National Planning Framework covering the following areas:-

- Ireland 2040 Consultation
- Ireland 2040 – Context
- Where we are at in the process
- Governance
- Place making – Challenges
- Ireland 2040 – Future Growth
- Issues and Choices paper
- People's Health and Well being
- Place Making – Cities
- Place Making – Regions
- Place Making – Rural
- Place Making – All Island Context
- Place Making – Marine and Land Planning
- Environment and Climate Action
- Investment in Infrastructure
- Implementation
- Ireland 2040 – Consultation.

Ms. Walsh concluded by advising that the Executive would welcome the view of the elected members so that they could be captured on paper. She advised that written submission were to be submitted by noon on Friday the 31st of March, 2017. Following discussion on the programme, wherein the elected members expressed their views, the Cathaoirleach advised that the members email their views to Ms. Walsh.

ITEM NO. 3

To consider the adoption of The Age Action Friendly Strategy 2017-2022 (previously circulated and deferred from meeting of Monday 6th March, 2017)

Elected members were circulated with the draft Age Action Friendly Strategy, 2017 – 2022 documents as well as the powerpoint presentation. Ms. Richella Wood, CCSD delivered the presentation to the Elected Members covering the following areas:-

➤ Context for County Wicklow

- Total population 136,640 (CSO - April 2011), of which 6,868 males 65+ 8,133 females 65+
- 15,001 People aged 65+ Living in Wicklow – (national average – 11.7%)
- 13,962 10.2(%) People aged 55 – 64 Living in Wicklow (national average – 10.1%)
- 30.4% of 65+ live alone in private households (Wicklow 2006 census)

- **World Health Organisation (WHO) a global effort to make a real difference**
 - Initiated by World Health Organisation 2007
 - Framework for developing age friendly communities
 - 300 hundred cities and communities in WHO global network
 - Ireland's national programme started in 2009 in County Louth
 - Dublin Declaration – Wicklow signed Nov 2014

- **Wicklow Age Friendly Strategy - The journey**
 - Baseline satisfaction survey – HaPAI
 - Consultation - Roundtable consultations – OP and Special interest groups and NGO and other service providers
 - Analyse data collected and key issues identified
 - Actions and plans developed
 - Feedback to Network of Older People
 - Feedback to Alliance
 - Agree Actions and develop strategy document
 - Launch

- **What does Age Friendly entail? Nine Themes**
 1. Outdoor Spaces & Buildings
 2. Transportation
 3. Home and Community
 4. Social Participation
 5. Respect and Social Inclusion
 6. Civic Participation and Employment
 7. Communication and Information
 8. Community Support and Health Services
 9. Safety and Security

➤ **Age Friendly Programme four stage approach - Becoming Age Friendly**

1 START

- Secure approval of Local Authority & Chief Executive
- Secure agreement of critical agencies
- Secure consent of political representatives
- Create an Age Friendly City Alliance

2 CONSULT

- Consult with Older People
- Engage other key organisations
- Engage key organisations delivering services to Older People

3 PLAN

- Complete 1st Draft Strategy
- Check strategy reflects priorities
- Secure Alliance approval
- Finalise and launch strategy
- Affiliate to WHO Global Network

4 ACT

- Begin implementing the Strategy
- Plan Forums
- Establish Age Friendly Business and Service Providers forum
- Monitor & review implementation

➤ **County Wicklow Age Friendly Strategy 2017 – 2022**

- The draft strategy is a comprehensive document
- The actions are ambitious but measurable
- There will be continuous assessment and feedback to both the County Wicklow Network for Older People and the Age Friendly Alliance.
- Wicklow County Council will continue to embed the Age Friendly Ethos into our daily business
- Draft Age Friendly Strategy recommended to the elected members for approval.

The elected thanked Ms. Wood for the presentation and broadly welcomed the Age Friendly Action Strategy, 2017 to 2022. It was proposed by Cllr. J. Ruttle, seconded by Cllr. J. Behan and agreed to adopt the strategy. Elected members requested to be kept updated in relation to the strategy every three to four months.

ITEM NO. 4

To note the NOAC Report on Performance Indicators in Local Authorities, 2015 (previously circulated and deferred from meeting of Monday 6th March, 2017).

This item was noted and agreed to discuss again at the April Council meeting.

ITEM NO. 5

To consider the Wicklow County Council Annual Service Delivery Plan, 2017 (previously circulated and deferred from meeting of 6th March, 2017).

It was agreed to defer this item to meeting scheduled for 3rd April 2017.

ITEM NO. 6

To note that the Wicklow County Council Parking Byelaws, 2017 (draft) will be placed on public display for a period of 6 weeks – closing date, 18th April, 2017 (deferred from meeting of 6th March, 2017).

This item was noted and agreed

ITEM NO. 7

To review the Appointed Stands Bye-Laws for Bray Municipal District

It was agreed to defer this item to meeting scheduled for 3rd April 2017.

NOTICE OF MOTIONS:

- 1) **Notice of motion in the name of Cllr. J. Behan (7th November 2016).**

“That this Council declares itself to be in favour of a contested election for the Presidency of the Republic of Ireland and in that regard resolves to play its part in ensuring that candidates wishing to contest the election be given a fair hearing at a future Council meeting”.

The notice of motion was proposed by Cllr. J. Behan, seconded by Cllr. C. Fox and agreed.

2) Notice of motion in the names of Cllr. C. Fox, S. Matthews, J. Behan and B. Thornhill (14th November 2016).

“That this Council calls on the Minister for Justice to roll out the proposed €209m known as THE STRATEGIC TRANSFORMATION FUND, to all garda divisions and in particular to the Wicklow Division. This fund is critical in the upgrading of the IT systems and as such will improve efficiencies and help An Garda Síochána in the carrying out of their duties”.

The notice of motion was proposed by Cllr. C. Fox, seconded by Cllr. S. Matthews and agreed.

3) Notice of motion submitted by Cllr. M. McDonald, in the name of Sinn Féin Group (14th November 2016).

“That Wicklow County Council calls on the government to abolish household charges and fund investment in water and sanitation infrastructure through progressive taxation”.

The notice of motion was deferred to the next meeting as it was incorrectly submitted reading ‘household’ charge instead of ‘water’ charges

4) Notice of motion in the name of Cllr. E. Timmins (2nd December 2016).

“That Wicklow County Council erects a monument in Grangecon to recognise the international achievements of people from the village in the world of Horse Racing and Horse Breeding”.

It was agreed to defer consideration of this motion as Cllr. E. Timmins was not present.

5) Notice of motion submitted by members of the Protocol Committee as submitted by Mr. Paul Deering (9th January 2017).

(1) *“To call on the Irish Government to ratify, as soon as possible, The Convention against Trafficking in Human Organs which was adopted by the Council of Europe on 9th July 2014 in order to criminalise illegal organ transplantations [1]. The Irish Government has already signed this convention, but is yet to ratify it”.*

(2) *“To call on the Oireachtas Foreign Affairs committee to follow through on the pledge made by the Oireachtas Sub Committee on Human Rights to “investigate to the maximum extent possible” [2], persistent credible reports of forced organ harvesting and other severe human rights abuses imposed on Falun Gong practitioners and other prisoners of conscience of China”.*

- (3) *“To call on the Chinese government to end its practice of forced live organ harvesting of prisoners of conscience and release all illegally detained Falun Gong practitioners in China”.*

This notice of motion was proposed by Cllr. J. Ruttle, seconded by Cllr. V. Blake and agreed. Cllr. D. Mitchell asked for it to be noted that he was not in agreement with the motion.

6) Notice of motion submitted by Cllr. M. O’Connor, Cllr. N. Lawless and Cllr. M. McDonald (6th February 2017).

“That Wicklow County Council calls on the government of Ireland to ratify the United Nations Convention on the Rights of Persons with Disabilities as soon as possible and as a matter of urgency as per commitment made in the program for Government”.

The notice of motion was proposed by Cllr. M. O’Connor, seconded by Cllr. N. Lawless and agreed.

7) Notice of motion submitted by Cllr. P. Fitzgerald (6th February 2017).

“That Wicklow County Council requests the Government to progress the Coroners Bill as a matter of urgency, and that the Coroners Bill will provide for an automatic inquest into every maternal death in the state”.

This notice of motion was proposed by Cllr. P. Fitzgerald, seconded by Cllr. S. Matthews and agreed.

ITEM NO. 8

Correspondence

L. Gallagher advised of a request received from Deputy Damien English, Minister for Housing and Urban Renewal to attend and meeting with the elected members of Wicklow County Council to discuss the Action Plan for Housing (Rebuilding Ireland) and to hear any other issues which the members wished to raise relevant to the Department of Housing, Planning Community and Local Government. The two dates given are the 24th March 2017 or the 28th March 2017 and that this matter would be discussed at protocol meeting. This was noted by the members.

Suspension of Standing Orders 1: Proposal to construct an access ramp into the River Dargle

Cllr. J. Behan advised that he requested a suspension of standing orders to discuss correspondence received from the residents of Dargle Road Bray, regarding the decision made by the Council at meeting of the 6th of March last in relation to the proposal to construct an access ramp into the River Dargle. He advised that it would appear that Wicklow County Council is not the registered owner of the land and therefore cannot undertake work on land that is not in its ownership. He proposed that the Council defer any works until it can be established that the Council is the registered owner which was seconded by Cllr. M. O Connor. Cllr. M. O Connor requested that no works proceed and that prior to the next Council meeting full legal justification of the Part 8 be ascertained.

At the conclusion of the discussion the Cathaoirleach advised that he had discussed the matter with the Chief Executive before the meeting and that no works would proceed until the queries raised are answered.

Suspension of Standing Orders 2: To discuss the correspondence received from the residents of the Ballycoog area re. the wind farm in their area

Cllr. J. Behan referred to meeting of the 6th of March last wherein a number of requests had been made by the residents of Ballycoog in relation to viewing points, noise surveys and noise monitoring etc.. He asked if any of the request has been actioned in the last seven days. Cllr. S. Cullen proposed that this matter be listed on the agenda for the April 3rd Council meeting to allow Council staff due time to consider issues. This was seconded by the Cathaoirleach and agreed.

THIS CONCLUDED THE BUSINESS OF THE MEETING

**CLLR. PAT FITZGERALD
CATHAOIRLEACH
WICKLOW COUNTY COUNCIL**

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