

MINUTES OF SPECIAL MEETING OF WICKLOW COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 22ND JANUARY, 2018 COMMENCING 7.00 p.m.

PRESENT:

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

APOLOGIES:

COUNCILLORS T. CULLEN AND M. MURPPHY

IN ATTENDANCE:

**MR. FRANK CURRAN, CHIEF EXECUTIVE
MR. D. O'BRIEN, DIRECTOR OF SERVICES
MR. T MURPHY, DIRECTOR OF SERVICES
MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MS. S. WALSH, SENIOR PLANNER
MS. B. HARVEY, EXECUTIVE PLANNER
MR. D. FORDE, BRAY MUNICIPAL DISTRICT ADMINISTRATOR**

ITEM 1

To consider the Chief Executive's Report on submissions to the Bray Municipal District Local Area Plan, 2018 (previously circulated) and to consider making or amending the Local Area Plan (continued from meeting of the 15th of January, 2018).

The following documents were circulated to the elected members:

1. Updated version of the document worked on at the previous meeting, Bray Municipal District LAP, 2018.

The Cathaoirleach advised that he proposed proceeding through the document in chronological order, similar to the previous week, dealing with the amendments which were not dealt with at the last meeting and which were now highlighted in yellow on the document circulated.

Prior to proceeding the Cathaoirleach advised that it was proposed to consider an amendment put forward by Cllr. Fox, and which had been circulated to the elected members which he referred to as an anomaly which was picked up by Cllr. Fox.

Councillor Amendment Number 4	
<p>Chapter n/a Land Use Map 2 Map changes : Amend boundary of 'NC – neighbourhood centre' zone at Junction of Upper Dargle Road and Dublin Road: Change 0.1 ha from 'RE – existing residential' to 'NC – Neighbourhood centre' in accordance with map circulated.</p>	<p>Proposed by Cllr. C. Fox Seconded by Cllr. P. Vance and agreed</p>

Councillor Amendment: Cllr. S. Matthews No. 12	
Community Development Land Use Map n/a Amend an objective on open space CD5 The Council will not normally permit development that will result in a loss of public or private playing fields, parks, children's play spaces, residential amenity open space or land zoned for recreational or open space purposes. The Council will not normally permit development that would result in a loss of open space within the Municipal District. In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development. Non community uses on such lands will not normally be permitted.	Proposed by Cllr. S. Matthews Seconded by Cllr. J. Behan and agreed

Cllr. J. Behan put forward the following amendment number 9 explaining the rationale for doing so which was seconded by Cllr. B. Thornhill.

Councillor Amendment Number 9. Cllr. J. Behan	
Chapter n/a Land Use Map 2 Rezone 1.534 Ha from R20 to OS1 at Charnwood and Gilspur Wood in accordance with map circulated.	Proposed by Cllr J. Behan Seconded by Cllr. B. Thornhill (Following a vote on amendment 10 (set out below) Cllr. J. Behan accepted that amendment 10 was passed and that a vote on amendment 9 was not required)

Cllr. S. Matthews put forward the following amendment number 10, explaining the rationale for doing so which was seconded by Cllr. P. Vance.

Councillor Amendment Number 10. Cllr. S. Matthews	
Chapter 10 (3) Key Development Areas Residential Development Land Use Map 2 Written statement changes Add new SLO (Specific Local Objective) – SLO X Oldcourt House	Proposed by Cllr S. Matthews Seconded by Cllr. P. Vance and passed by a margin of 27 votes for, 2 against, 2 not present and 1 abstaining set out below

FOR (27)	CLLRS: T. ANNESLEY, V. BLAKE, S. BOURKE, S. CULLEN, P. DORAN, G. DUNNE, P. FITZGERALD, C. FOX, M. KAVANAGH, P. KENNEDY, N. LAWLESS, S. MATTHEWS, M. MCDONALD, G. MCLOUGHLIN, D. MITCHELL, D. NOLAN, O O BRIEN, M. O CONNOR, G. O NEILL, J. RUTTLE, J. RYAN, J. SNELL, E. TIMMINS, P. VANCE, G. WALSH, J. WHITMORE AND I. WINTERS
AGAINST (2)	CLLRS BEHAN AND B. THORNHILL

NOT PRESENT (2)	CLLRS T. CULLEN AND M. MURPHY
ABSTAINING (1)	CLLR. T. FORTUNE

Chief Executive's Amendment Number 17 – Bray Southern Cross Route (page 7)	
Key Development areas	Proposed by Cllr. P. Vance Seconded by Cllr. J. Ryan and agreed

Chief Executive's Amendment Number 18 – Zoning Table	
Zoning and Land Use	Proposed by Cllr. P. Vance Seconded by Cllr. I Winters and agreed

Chief Executive's Amendment Number 20	Amendment number 4: Cllr. J. Behan
Zoning Amendment – Bray Retail Park (page 11)	Omit all undeveloped zoned retail warehousing land (page 11) Proposed by Cllr. J. Behan, seconded by Cllr. P. Vance and passed by a margin of 29 votes for and 3 not present as set out below.

FOR (29)	CLLRS: T. ANNESLEY, J BEHAN, V. BLAKE, S. BOURKE, S. CULLEN, G. DUNNE, P. FITZGERALD, T. FORTUNE, C. FOX, M. KAVANAGH, P.KENNEDY, N. LAWLESS, S. MATTHEWS, M. MCDONALD, G. MCLOUGHLIN, D. MITCHELL, D. NOLAN, O O BRIEN, M. O CONNOR, G. O NEILL, J. RUTTLE, J. RYAN, J. SNELL, B. THORNHILL, E. TIMMINS, P. VANCE, G. WALSH, J. WHITMORE AND I. WINTERS
NOT PRESENT (3)	CLLRS T. CULLEN, P. DORAN AND M. MURPHY

As Amendment number 4 proposed by Cllr. J. Behan and seconded by Cllr. P. Vance was passed it was agreed that it was not necessary to take a vote on the Chief Executive's Amendment Number 20.

Chief Executive's Amendment Number 21 – Zoning Amendment Source C259	
Zoning Amendment Map 2 Change from (RE) to (OS1)	Proposed by Cllr. S. Matthews Seconded by Cllr. N. Lawless and agreed.

Chief Executive's Amendment Number 22 – Source Various	
Omit lands which are not publically owned or open to the public from 'open space and parks' code on the GI Map	Proposed by Cllr. M. O Connor, seconded by Cllr. G. Walsh and following a roll call was passed by a margin of 25 votes for, 3 against and 4 not present as set out below.

FOR (25)	CLLRS T. ANNESLEY, V. BLAKE, S. BOURKE, S. CULLEN, G. DUNNE, P. FITZGERALD, T. FORTUNE, C. FOX, M. KAVANAGH, P. KENNEDY, N. LAWLESS, S. MATTHEWS, M. MCDONALD, G. MCLOUGHLIN, D. MITCHELL, D. NOLAN, M. O CONNOR, J. RUTTLE, J. RYAN, J. SNELL, E. TIMMINS, P. VANCE, G. WALSH, J. WHITMORE AND I. WINTERS
AGAINST (3)	CLLRS. J. BEHAN, O O BRIEN AND B. THORNHILL
NOT PRESENT (4)	CLLRS. T. CULLEN, P. DORAN, M. MURPHY AND G. O NEILL

Chief Executive's Amendment Number 23 – Source Various	
Add new Appendix 'Implementation' Appendix D Infrastructure Delivery Schedule and Implementation	Proposed by Cllr. P. Vance Seconded by Cllr. S. Matthews and Agreed.

The Cathaoirleach advised that the final part of the process was to agree putting the document on public display as per the statutory requirements.

It was proposed by Cllr. J. Ryan, seconded by Cllr. P. Vance that the Chief Executive's Report as per the amendments proposed and agreed by the Elected Members, the recommended amendments of the Chief Executive as agreed by the Elected Members and any changes consequent be adopted and put on public display as per the statutory requirements.

Cllr. J. Behan proposed an amendment *'to defer putting the plan on public display on the basis of receiving clarification on two items; statement by the Minister for the OPW that he is not in favour of building on floodplains and that anyone who builds on a flood plain will be able to get insurance for their property.'* The proposal was seconded by Cllr. O Connor. Cllr. O O'Brien proposed an amendment to Cllr. Behan's proposal that *'the Plan, with the exception of this particular aspect goes out on public display.'* Cllr P. Fitzgerald then proposed that the Council go ahead with the process of public display which was seconded by Cllr. C. Fox.

Following a discussion on the matter the proposal put forward by Cllr. J. Behan, seconded by Cllr. M. O Connor: *'that this Council defers a decision to put the Bray Municipal District Plan on Public display until clarification has been received by the Minister for Public Works and the Irish Insurance Authorities on the question of insurance of buildings to be built in the Dargle River Flood plain'* was put to a vote and following a roll call was defeated 8 votes for, 19 against and 5 not present viz:-

FOR (8)	CLLRS. J. BEHAN, T. FORTUNE, M. KAVANAGH, N. LAWLESS, M. MCDONALD, O O BRIEN, M. O CONNOR AND B. THORNHILL
AGAINST (19)	CLLRS T. ANNESLEY, V. BLAKE, S. BOURKE, S. CULLEN, G. DUNNE, P. FITZGERALD, C. FOX, P. KENNEDY, G. MCLOUGHLIN, D. MITCHELL, D. NOLAN, J. RUTTLE, J. RYAN, J. SNELL, E. TIMMINS, P. VANCE, G. WALSH, J. WHITMORE AND I. WINTERS
NOT PRESENT (5)	CLLRS. T. CULLEN, P. DORAN, S. MATTHEWS, M. MURPHY AND G. O NEILL

The proposal *'that Chief Executive's Report as per the amendments proposed and agreed by the members, the recommended amendments of the Chief Executive as agreed by the members and any changes consequent be adopted and put on public display as per the statutory requirements'*. Proposed by Cllr. J. Ryan and seconded by Cllr. P. Vance was then put to a vote and following a roll call was passed by a margin of 19 votes for, 8 against and 5 not present viz:-

FOR (19)	CLLRS T. ANNESLEY, V. BLAKE, S. BOURKE, S. CULLEN, G. DUNNE, P. FITZGERALD, C. FOX, P. KENNEDY, G. MCLOUGHLIN, D. MITCHELL, D. NOLAN, J. RUTTLE, J. RYAN, J. SNELL, E. TIMMINS, P. VANCE, G. WALSH, J. WHITMORE AND I. WINTERS
AGAINST (8)	CLLRS J. BEHAN, T. FORTUNE, M. KAVANAGH, N. LAWLESS, M. MCDONALD, O O BRIEN, M. O CONNOR AND B. THORNHILL
NOT PRESENT (5)	CLLRS. T. CULLEN, P. DORAN, S. MATTHEWS, M. MURPHY AND G. O NEILL

ITEM 2

To consider the Chief Executive's Report on submissions to proposed variation number 1 to the Wicklow County Council Development Plan, 2016 – 2022 (previously circulated) and to consider making or modifying the proposed variation (related to Arklow and Environs Local Area Plan and Bray Municipal District Local Area Plan (deferred from meeting of the 15th of January, 2018).

The following documents were circulated to the elected members: - Proposed Modifications January, 2018.

Des O'Brien, DOS, advised that the purpose of the variation was to make the Local Area Plan consistent with the County Development Plan as set out in the proposed modifications, January, 2018 document circulated. It was proposed by Cllr. I. Winters, seconded by Cllr. G. McLoughlin and agreed to make variation number 1 to the Wicklow County Development Plan, 2016 – 2022 as circulated and any changes consequent to the Bray Municipal District and Local Area Plan.

THIS CONCLUDED THE BUSINESS OF THE MEETING

**CLLR. EDWARD TIMMINS
CATHOAIRLEACH
WICKLOW COUNTY COUNCIL**

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

Date _____