

**MINUTES OF ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 2nd
MARCH 2015, COMMENCING 2.00 P.M.**

PRESENT:

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

APOLOGIES:

CLLR. T. CULLEN

IN ATTENDANCE:

**MR. E. SHEEHY, CHIEF EXECUTIVE
MR. B. DOYLE, DIRECTOR OF SERVICES
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
MS. L. LYNCH, HEAD OF FINANCE
MR. L. FITZPATRICK, HEAD OF IS
MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MS. C. FLOOD, SENIOR EXECUTIVE OFFICER
MS. B. KILKENNY, SENIOR ENGINEER
MS. S. WALSH, A/SENIOR PLANNER
MR. M. DEVEREUX, SENIOR ENGINEER
MR. D. MARNANE, A/SENIOR ENGINEER
MS. D. BURNS, HERITAGE OFFICER
MS. V. DELAHUNT, ADMINISTRATIVE OFFICER
MS. J. CARROLL, ADMINISTRATIVE OFFICER**

Seachtain na Gaeilge

At the outset the Cathaoirleach advised that it was Seachtain na Gaeilge and welcomed the elected members by speaking Irish.

Votes of sympathy

Elected members passed a vote of sympathy to the families of the late Ms. Una Timmins, Mr. Anthony Doyle, Mr. James Tallon, Mr. Eddie O'Sullivan, Mrs. Anne Nolan, Mrs. Sheila Dunne and Mr. Robert Williams. A minutes silence was observed for the deceased.

Vote of congratulations

Cllr. D. Nolan expressed a vote of congratulations to Newtown United on their recent Leinster cup win over Shelbourne.

Request for Suspension of Standing Orders:

Cllr. M. McDonald requested a suspension of standing orders to discuss the following matter which was read to the meeting:-

‘As the CEO Mr. Eddie Sheehy has announced his retirement effective from 7th April, 2015, I am calling on him to do the right thing and cancel his trip to America for the St. Patrick’s Day festival as this trip will be of no benefit to Co. Wicklow as his retirement date will be a week after he returns. As a gesture of goodwill he should redirect this money to a homeless charity in Co. Wicklow.....’

The request for a suspension of standing orders was seconded by Cllr. J. Brady.

The proposal to suspend standing orders was put to a vote and following a roll call was defeated by a margin of 13 votes for, 16 against and 3 not present viz:-

FOR: CLLRS J. BRADY, T. FORTUNE, P. KAVANAGH, N. LAWLESS, S. MATTHEWS, M. MCDONALD, M. MURPHY, O O’BRIEN, G. O’NEILL, J. SNELL, B. THORNHILL, J. WHITMORE AND I. WINTERS (13)

AGAINST: CLLRS T. ANNESLEY, V. BLAKE, S. BOURKE, P. CASEY, S. CULLEN, P. FITZGERALD, C. FOX, P. KENNEDY, G. MCLOUGHLIN, D. MITCHELL, D. NOLAN, J. RUTTLE, J. RYAN, E. TIMMINS, P. VANCE AND G. WALSH (16)

NOT PRESENT: CLLRS. J. BEHAN, T. CULLEN AND P. DORAN (3)

Cllr. J. Brady, while noting item number 13, requested a suspension of standing orders to discuss the pending retirement of the Chief Executive and his recent interview on East Coast radio. This was seconded by Cllr. M. McDonald.

It was agreed that this matter would be discussed at Item No. 13 on the agenda.

Cllr. T. Fortune requested an explanation in relation to email correspondence received by elected members on Sunday the 1st of March. It was agreed that this matter would be discussed at 4.45 p.m.

ITEM NO. 1

To confirm and sign minutes of Ordinary Meeting of Wicklow County Council held on Monday 12th January 2015

It was proposed by Cllr. P. Casey, seconded by Cllr. D. Nolan and agreed to confirm and sign minutes of Ordinary Meeting of Wicklow County Council held on Monday 12th January 2015.

ITEM NO. 2

To confirm and sign minutes of Ordinary Meeting of Wicklow County Council held on Monday 2nd February 2015

It was proposed by Cllr. V. Blake, seconded by Cllr. S. Bourke and agreed to confirm and sign minutes of Ordinary Meeting of Wicklow County Council held on Monday 2nd February 2015.

Cllr. O. O’Brien requested an opportunity to clarify his position in relation to previous comments made with regard to administration, he gave the background to this and apologised for any offence caused.

ITEM NO. 3

To consider the disposal of 0.23 hectares or thereabouts of land in the townland of Crosscoolharbour, Blessington, Co. Wicklow to Thomas Gilmer Hamilton, Three Castles, Manor Kilbride, Blessington, Co. Wicklow by way of Deed of Exchange

It was proposed by Cllr. J. Ruttle, seconded by Cllr. D. Nolan and agreed to dispose of 0.23 hectares or thereabouts of land in the townland of Crosscoolharbour, Blessington, Co. Wicklow to Thomas Gilmer Hamilton, Three Castles, Manor Kilbride, Blessington, Co. Wicklow by way of Deed of Exchange.

ITEM NO. 4

To consider the disposal of 0.0012 hectares or thereabouts of land in the townland adjacent to 31 Connolly Square North, Bray, Co. Wicklow to Anthony Jackson, Breffni Jackson and Penny Jackson, 31 Connolly Square, Bray, Co. Wicklow

It was proposed by Cllr. P. Vance, seconded by Cllr. S. Matthews and agreed to dispose of 0.0012 hectares or thereabouts of land in the townland adjacent to 31 Connolly Square North, Bray, Co. Wicklow to Anthony Jackson, Breffni Jackson and Penny Jackson, 31 Connolly Square, Bray, Co. Wicklow.

ITEM NO. 5

To receive presentation from Mr. Marc Devereux, Senior Engineer, regarding Catchment-based Flood Risk Assessment and Management Programme

Mr. Marc Devereux gave a presentation covering the following areas:

- CFRAMS consultation
- OPW/RPS to meet Councillors
- Contacts for more information
- CFRAM Study – Draft Flood Mapping
- Objectives of this briefing
- CFRAM projects
- CFRAM Roles and Responsibilities
- Flood Risk Management Plans
- Areas for further assessment (AFAs)
- Current status
- Project tasks
- Surveys
- Hydrological analysis
- Hydraulic analysis
- Calibration, verification and deliverables
- Making submissions
- Next steps

Elected members were circulated with letter in relation to public consultation days for the CFRAM Programme which were noted.

ITEM NO. 6

To receive presentation from the Wicklow Local Authority Access Group

Cllr. M. Murphy introduced the Chairman of the Group, Mr. David Lee, and Pdraig O'Reilly and John Aston committee members.

The members of the WLAAG made a presentation to the elected members covering the following areas:-

- Introduction
- Mission statement
- Membership
- The history
- Barcelona declaration
- Aims
- Networking
- What is a disability?
- WLAAG Action Plan

- Baltinglass
- Blessington
- Disability Implementation Plan 2005/2015
- Review of 2007/2008 WCC Access Audits
- Access Officer
- Planning
- Work with WCC/Engineers/Community
- Financial Support

The Cathaoirleach thanked the group for their presentation and asked that the Chairs of the various SPCs take on board the content of the presentation at their meetings.

Elected members contributed to the discussion as follows:-

- There may be an opportunity in the County Development Plan process to capture and enhance the importance of disability access.
- Consideration should be given in the 2016 annual budget to set aside finance to improve disability access in towns and villages.
- Cllr. M. Murphy was commended for her efforts in championing the provision of a ramp at the post office Arklow.
- Disabled persons parking spaces is a concern for people and the Council should try to improve facilities in this area. Parking wardens in towns and villages should be vigilant.
- Consideration should be given to the elderly and people with a disability and houses should be more accessible.
- Reference made to the new greenways in Blessington and it should be more wheelchair friendly
- Query as to the status of access audits in the County
- The Council commended for the work carried out in dishing footpaths and putting in special cobble stone to assist the visually impaired and more work needs to be carried out in this area
- The Chair of the Community and Cultural SPC advised that he would be proposing that €5,000 be set aside from the community grants scheme to assist in the work in this area.
- The Council should be promoting County Wicklow as a county that is accessible, regardless of disability and that more money should be set aside in the annual budget for this area.
- The Chair of the Housing SPC advised that the committee will take on board the issues raised in the presentation with regard to disability and housing issues.

ITEM NO. 7

To consider the establishment of a Wicklow Heritage Forum and the preparation of a County Wicklow Heritage Plan

Report prepared by Ms. Deirdre Burns, Heritage Officer, Planning Section, was circulated.

Ms. D. Burns, Heritage Officer, gave a presentation covering the following areas:

- Introduction
- Content & Implementation
- Examples of Key Actions
- Traditional Buildings
- Wicklow Wetlands
- Wicklow's Online Community Heritage Archive

- Proposed Wicklow Heritage Forum
- Proposed Plan process
- Contact details

Ms. Burns advised that following the merger of the town Council's and the time that had elapsed it was proposed to set up a new forum to initiate the preparation of the next Heritage plan and asked for one representative from each of the municipal district areas which were agreed as follows:-

- | | |
|------------------------------------|---------------------|
| 1. Bray Municipal District | Cllr. S. Matthews |
| 2. Arklow Municipal District: | Cllr. M. McDonald |
| 3. Baltinglass Municipal District: | Cllr. T. Cullen |
| 4. Wicklow Municipal District | Cllr. J. Snell |
| 5. Greystones Municipal District | Cllr. G. McLoughlin |

In response to a query from Cllr. Shay Cullen that there be two representatives from the Municipal District of Wicklow as two elected members had expressed an interest, Ms. Burns advised that in the interest of balance membership was restricted to one member from each municipal district however there was scope through the working groups for additional interest and perhaps a rotating arrangement could be considered.

ITEM NO. 8

To adopt the Draft Wicklow Local Authorities Corporate Plan 2015-2019

Ms. C. Flood, Senior Executive Officer outlined the contents of the Corporate Plan, 2015 – 2019 which sets out the goals, strategies and objectives of the Council. She advised that it was likely that the plan would be reviewed at the end of 2015 to reflect the Local Economic and Community Plan and that any changes to the figures could be included at that stage. She advised that it was a requirement that metrics be included in the corporate plan to measure performance and that the National Auditing and Oversight Committee may also introduce new metrics.

The Cathaoirleach advised that the CPG had discussed the Corporate Plan and that the Plan is envisaged to be a working document as it allows for performance service indicators and comparison performances.

Elected members made the following contributions:-

- Request for targets as well as metrics to be included.
- Request for the metrics to be expanded.
- Disappointment expressed that the N81 was not mentioned in the corporate plan and public transport links at the West side of the County.
- Important to note that the plan will be revisited at the end of the year to take account of the LECP.
- There should be a focus on the Council's Core Values contained within the plan and suggestion put forward for a workshop

Ms. Flood responded by advising that the targets and metrics were based on service indicators, which are compiled nationally by the Department of Environment, Community and Local Government. With regard to additional metrics and setting targets she suggested that the SPCs might consider what metrics or targets they wish to set and there is the opportunity to review them at the end of the year when the LECP is being considered.

It was proposed by Cllr. E. Timmins, seconded by Cllr. P. Casey and agreed to adopt the Draft Wicklow Local Authorities Corporate Plan 2015-2019.

ITEM NO. 9

To consider the adoption of Arts Festival/Groups Funding 2015

Elected members were circulated with report dated 25th February, 2015 regarding details of the Arts Festival and Groups and Bursaries funding applications for 2015. The overall demand for the fund was €39,290 and the total awarded was €16,800.

Cllr. P. Fitzgerald expressed disappointment that the Arklow Music Festival was not awarded a grant advising that the group depended on funding from the former Arklow Town Council. He advised that the festival week contributed to the towns economy attracting some 7,000 competitors and visitors. He said that he could not support the proposal until he received clarification as to why the Arklow group was not recommended for a grant. Cllr. S. Bourke expressed his support for Cllr. P. Fitzgerald which was also seconded by Cllr. T. Annesley.

Cllr. J. Ruttle proposed that the Dunlavin grant of €500 be increased to €1,000 advising that the festival had been running for some forty years and was an example of huge community effort. This was seconded by Cllr. E. Timmins adding that it was the only arts festival in the West of the County to receive funding.

Cllr. P. Vance welcomed the allocation for the Bray Jazz Festival and he would not be supporting any deductions from the allocation proposed.

Additional information was requested in relation to the festival groups that had applied and didn't receive funding.

It was agreed to defer further consideration on the matter and consider again at the next Council meeting to be held on April 13th.

It was proposed by Cllr. I. Winters, seconded by Cllr. G. McLoughlin to extend the meeting.

ITEM NO. 10

To note monthly Management Report of Wicklow County Council for February 2015

The monthly Management Report of Wicklow County Council for February 2015 was noted.

ITEM NO. 11

To note the Data Protection Procedure Policy and Privacy Statement

Report dated 25th February, 2015 from Head of Information systems re: Data Protection Procedures, Policy and Privacy Statement was circulated with enclosures.

Ms. C. Flood advised that the members had been circulated with documents in relation to this and that training has been organised for Monday 9th March, 2015 for elected members which was noted. The Cathaoirleach asked the elected members to attend the scheduled training session if possible that it was relevant to planning as well as other areas.

ITEM NO. 12

To appoint one elected representative to the Wicklow Music Education Partnership, sub-committee of the KWETB

Ms. L. Gallagher advised the members of letter dated 23rd February, 2015 from the Chief Operations Officer, KWETB in relation to nominations to Wicklow Music Education Partnership requesting one elected representative for this sub-committee.

It was proposed by Cllr. S. Bourke, seconded by Cllr.G. McLoughlin and agreed that Cllr. T. Annesley be appointed as representative to the Wicklow Music Education Partnership, sub-committee of the KWETB.

Query regarding email received by elected members.

Mr. S. Quirke, DOS, advised the elected members in relation to email circulated as follows:-

- A national system for procuring bitumen, LA Bitumen, was introduced in 2008 and it was open to local authorities to partake in the process, the fee for joining was €10,000
- For context, he explained that bitumen is supplied by three suppliers in the country and for example in 2012 the difference between the suppliers was approx 2%, the difference between a tonne of bitumen from one supplier to another would have been €584 versus €583.94, there was little difference between them.
- The decision was made at that time not to participate in the process as it did not appear to be value for money, and rates were submitted voluntarily for the following six months which were the same as LA Bitumen.
- Guidelines were issued from the Department of Transport in relation to the process and in October, 2012 a spot check was carried out on Wicklow County Council
- A number of items were queried for varying amounts. In June, 2013 the Council was advised that a sanction of €69,000 was proposed for listed items. He explained the process of including eligible and ineligible expenditure and the definition of eligible expenditure.
- Subsequently following discussion a final sanction of €27,945 was imposed in relation to the procurement of bitumen and the Council's discretionary grant was reduced by that amount in late 2013.
- He advised that neither the Council nor the Exchequer was at loss as the Council had achieved the same rate from the suppliers, ~~as there was an annual cost for maintenance of €10,000 per annum.~~⁴
- He referred to a previous council meeting where the query was raised and advised that he had not linked the two items as the query referenced a different government department.

Elected members made the following comments:-

- Regrettable that the elected members were not advised in advance of reading about it in the local paper
- The members of the Audit Committee should have been advised
- Regrettable that the roads grant was reduced by €27,000

ITEM NO. 13

To note the retirement of Mr. Eddie Sheehy, Chief Executive, Wicklow County Council

The Cathaoirleach advised that the Chief Executive, Eddie Sheehy was due to retire on the 7th of April, following 42 years of public service, 14 years of which were spent as County Manager/Chief Executive with Wicklow County Council. He advised that he always found Mr. Sheehy, courteous, supportive and very professional in his dealings and he expressed his appreciation in this regard. He wished him and his wife Mary, and all of his family a very happy and healthy retirement.

Cllr. J. Ryan, on behalf of the Fine Gael group wished the Chief Executive well in his retirement referring to projects developed over the period such as the Greystones Harbour Project, Wicklow County Campus and the Flood Defence Scheme in Bray. He advised that while he may not have agreed with all of the decisions made he considered that they were made for the absolute right reasons and he wished Eddie Sheehy and his family well in his retirement.

¹ Amendment agreed at Wicklow County Council meeting held on Monday 13th April, 2015.

Cllr. J. Brady said that he would like to acknowledge that the Chief Executive was retiring after 14 years and that while there had been some welcome improvements in the County it was his view that there had been more lows and that the Council had been brought into disrepute. He said that he will be personally calling for an inquiry into the past 14 years and that the biggest item for him was the deaths of the two Wicklow County Council fire fighters. He referred to the radio interview given by the Chief Executive and asked that he issue an apology for the comments made.

Cllr. P. Vance on behalf of the Fianna Fail group acknowledged the work carried out by the Chief Executive, in the local authority system, for the past 42 years and that it was a great achievement for an official to have worked his way through the system to the top position and that his retirement was well deserved. He said that while their ideas may have differed there was mutual respect. He referred to the effort put in by the Chief Executive in the delivery of excellent recreational facilities etc and wished him and his family a long and happy retirement.

Cllr. T. Fortune expressed his disappointment in relation to how the County had developed and evolved advising that he did not like the way things were done. He felt that the Council should be more advanced, he did not like the way the county was run and that there was a lack of transparency.

Cllr. J. Ruttle wished the Chief Executive the very best of good wishes in his retirement advising that he had always found him helpful, supportive and co-operative, particularly in developing the Water Supply Scheme for Blessington which he said was a major issue, also the development of the Blessington Greenways, Dunlavin Playground and Wicklow County Campus. He commended him for his drive and initiative.

Cllr. S. Bourke wished E. Sheehy well in his retirement advising that the decisions taken by him were always in the best interest of doing the job right and by the book.

Cllr. D. Mitchell wished the Chief Executive well in his retirement and while there are differences between elected members and County Managers he referred to the excellent sports facilities which had been developed in Greystones to cater for the growth of the town and that these had been paid for by developers and not the taxpayer. He thanked Mr. Sheehy on behalf of the people of Greystones.

Cllr. P. Kavanagh concurred with Cllr. J. Brady in his request for Mr. Sheehy to apologise to the families of the deceased fire fighters adding that he should consider forfeiting some or all of his severance pay to cover the legal expenses of the Council.

Cllr. J. Snell referred to the long period of service which the Chief Executive had given to local government and that he himself had worked for 23 years in a factory where he said 70 jobs had been lost through decisions of the council and elected members but that he still worked with elected members and officials whom he believed were in the opposite corner to him at that period in time. He referenced the role of an elected member as a sporting contest, akin to a boxing match, and that when the battle is over the gloves come off, hands are shaken and one moves on.

Cllr. J. Behan in wishing Eddie Sheehy and his family a long and happy retirement referred to his 42 years of public service saying that in some ways public servants often come in for a lot of unfair criticism from the media and private business. He advised that people may have their disagreements from time to time and most likely arising from the fact that the Executive have one particular role in the local authority and the public representatives have another and neither would be doing their jobs properly if there were no disagreements.

Cllr. G. O Neill wished the Chief Executive a long and healthy retirement saying that controversy was around long before Mr. Sheehy arrived in County Wicklow. He referred to a situation where a

Councillor as Chairman sold himself some land. He said that if there was going to be an inquiry that he would like to see it go back thirty years.

Cllr. I. Winters in wishing the Chief Executive a happy retirement, also asked for clarification from Cllr. O Neill in relation to the comments made and that she would like to see the matter revisited. She said that no person was perfect and the totality of what has been achieved in the County should be looked at and there had been a number of achievements and it is important for the Council to have a positive outlook.

Cllr. B. Thornhill wished Mr. Sheehy and his family the very best in his retirement saying that he had only been an elected representative for some 7 months and that his dealings with the Chief Executive in that time had been courteous and helpful and while he was aware of controversies a lot of good things had been done and the Council has to look to the future.

Bryan Doyle, Director of Services on his own behalf and on behalf of the staff of Wicklow County Council wished Eddie Sheehy and his family the very best of good wishes in his retirement. He said that he believed under the Chief Executive's stewardship and leadership the mission and vision of the Council had been achieved with the help of the elected members and achievements are not made without working relationships. He referenced the AFS and said that the Council was on a solid platform for the financial future of the County and while the Celtic Tiger had ruined a number of Counties this was not the case for Wicklow.

The Chief Executive, Eddie Sheehy, thanked the Cathaoirleach and the elected members saying that it was a great privilege for him to have spent 43 years as a public servant, 21 of which were at County Manager/Chief Executive level and to have worked in five different local authorities. He said that he felt particularly privileged to have been Wicklow County Manager for the past 14 years and despite the negative publicity there have been fabulous projects developed together with the elected members and achieved through co-operation with the elected members and staff of Wicklow County Council.

He referred to some of the larger projects, such as the N11 dual carriageway, Wicklow County Campus, The Wicklow Port Access and Town Relief Road, Charlesland Schemes, various water and waste water treatment schemes and many fine housing schemes throughout the County. Also the Shoreline Leisure Centre in Bray and in Greystones and the 20 acre recreational facility and numerous skateboard parks, playgrounds and libraries. He referred to the rejuvenation of town centres which he said face steep competition from large retail centres like Dundrum and that the Florentine Centre was vital to improve the retail sector for Bray and will help the economy to improve.

He thanked the management team and staff of Wicklow County Council and said that he was particularly proud when Wicklow won the Livcom awards as the most liveable community in the world with a population of less than 150,000 which gave international recognition of all that is wonderful in County Wicklow. He thanked the elected members and staff working with the County Council to create a better place for citizens to live and people to visit.

He referred to the last six years which he described as particularly challenging in relation to implementing the local government reform provisions, reduction of staff number and finance and that the staff of the Council had responded magnificently. He referred to the efforts by the Council's emergency services during the severe weather events of 2010 and 2011 and expressed sincere thanks to the Council staff for their commitment to county and community.

In conclusion he thanked the management team of the Council for their support and efforts to deliver on projects and thanked the Cathaoirleach for his courtesy saying that it had been a privilege to work with him and other elected members over the years.

He asked for his appreciation to be recorded to the various government departments and state agencies, voluntary bodies and other organisation such as the County Wicklow Partnership, Bray Partnership and Wicklow County Tourism for the work carried out. He thanked the media channels, East Coast Radio, the Wicklow People and the Wicklow Voice papers for their fair and balanced coverage of the affairs of Wicklow County Council over the years.

He congratulated Bryan Doyle on his appointment as temporary Chief Executive with effect from 8th of April, and wished him every success and good wishes in working with the elected members in the future.

THIS CONCLUDED THE BUSINESS OF THE MEETING

**CLLR. C. FOX
CATHAOIRLEACH
WICKLOW COUNTY COUNCIL**

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