

**MINUTES OF ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 8th
JUNE 2015, COMMENCING 2.00 P.M.**

PRESENT:

COUNCILLOR C. FOX, CATHAOIRLEACH, COUNCILLORS T. ANNESLEY, V. BLAKE, S. BOURKE, J. BRADY, P. CASEY, T. CULLEN, 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, P. VANCE, G. WALSH, J. WHITMORE AND I. WINTERS.

APOLOGIES:

Cllr. J. BEHAN AND E. TIMMINS.

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. T. MURPHY, DIRECTOR OF SERVICES
MS. L. LYNCH, HEAD OF FINANCE
MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MS. C. FLOOD, SENIOR EXECUTIVE OFFICER**

DEPUTY A. DOYLE

Votes of Sympathy

Elected members passed a vote of sympathy to Cllr. T. Fortune on the passing of his mother Mrs. Maisie Fortune and to the families of the late Sean O'Shea, Noreen Holt, Rita Byrne and William Moore. A minutes silence was observed for the deceased.

ITEM NO. 4

To receive and make a presentation to H.E. Jianguo Xu, Chinese Ambassador to Ireland

The Cathaoirleach welcomed H.E. Jianguo Xu, Chinese Ambassador to Ireland to the Chamber. He extended this welcome to include Walter Pan, Head of the Political Section of the Chinese Embassy, Mr. Noel Keyes, Chairman, Wicklow County Tourism Ltd., Deputy Andrew Doyle, Cyprian Brady of the Council for Irish and Chinese co-operation and his colleagues from DIT and other welcome interested guests.

The Chief Executive, Mr. Bryan Doyle, also extended words of welcome to the Ambassador and attending guests.

Ambassador Xu, in thanking the Cathaoirleach and the Chief Executive for their kind words, responded by advising that he was very happy to visit County Wicklow and spoke of the beautiful scenery of County Wicklow which he said had impressed him greatly and which reminded him of New Zealand. He advised that a visiting Chinese delegation to Newtownmountkennedy in 2014 were greatly impressed by Wicklow's advanced food quality and that China's growing middle class population meant that China has the potential of becoming the world's largest and promising food market. He referred to the lifting of the ban on Irish beef imports and the abolishment of EU milk quotas and believed that this will bring opportunities to Ireland to sell its quality beef and dairy products to the vast Chinese market.

He said that he was delighted to hear of Wicklow's interest in exploring the possibility of twinning with China's Hainan Province and referred to the developments of Hainan in relation to tourism and agriculture which he said he believed could be of mutual benefit to the development of both communities. He said that he looked forward to seeing County Wicklow play a large and more active part in enhancing the mutual beneficial co-operation between China and Ireland.

Elected members collectively welcomed Ambassador Xu to County Wicklow and referred to relationship between County Wicklow and the Chinese community. They expressed a desire for a greater connection between Wicklow and China in the future in the areas of tourism and in the area of a twinning relationship. The view was expressed that there were tremendous opportunities existing for County Wicklow and China. Reference was made to Wicklow's fantastic agricultural and tourism product, the fact that so many Chinese people live in County Wicklow and it would be of great benefit if the Council could develop a relationship along these lines that would benefit both countries.

In concluding the Cathaoirleach made a presentation to Ambassador Xu.

Suspension of standing orders

Cllr. J. Ruttle requested a suspension of standing orders to discuss the sale of works of art at Russborough House. It was agreed to discuss the matter at 4.45 p.m.

Item 1

To confirm and sign minutes of Ordinary Meeting of Wicklow County Council held on Monday 13th April, 2015

It was proposed by Cllr. P. Casey, seconded by Cllr. J. Snell and agreed to confirm and sign minutes of Ordinary meeting of Wicklow County Council held on Monday 13th April, 2015.

Item 2

To confirm and sign minutes of Special Meeting of Wicklow County Council held on Monday 27th April, 2015.

It was proposed by Cllr Shay Cullen seconded by Cllr P. Fitzgerald and agreed to confirm and sign minutes of Special meeting of Wicklow County Council held on Monday 27th April, 2015.

Item 3

To consider the disposal of 0.1670 hectares and building of 193.8 sqm (or thereabouts) in the townland of Dunlavin, Co. Wicklow to Dun Luain Foods, Ltd., Church Road, Dunlavin, Co. Wicklow

It was proposed by Cllr. J. Ruttle, seconded by Cllr. T. Cullen and agreed to disposal of 0.1670 hectares and building of 193.8 sqm (or thereabouts) in the townland of Dunlavin, Co. Wicklow to Dun Luain Foods, Ltd., Church Road, Dunlavin, Co. Wicklow in accordance with statutory notice circulated.

ITEM NO. 6

To consider report on Legal Expenses for three years 2012, 2013 and 2014

Elected members were circulated with report dated the 2nd of June detailing each sections legal expenses for the years 2012, 2012, 2013 and 2014. The CE advised that it was important that the elected members are familiar with the detail in relation to the larger expenses and if there were any queries he would be happy to respond. The elected members discussed the report as circulated and raised the following queries:

- Query as to the cause of the increase in costs over the last four year period and is this a trend that will continue?
- Could some of the smaller work be carried out in-house?

- Can the Council operate more economically in terms of spend, concern expressed in relation to the extent of litigation.
- Request put forward that figures be provided for income received in relation to court cases that the Council has been successful and where costs are awaiting to be paid over to the Council.
- Reference made to the costs incurred in relation to the deaths of Fire fighters Brian Murray and Mark O Shaughnessy and request put forward for a full breakdown of costs outside of the legal costs in relation to consultants engaged.
- Request for more explanation of the figures included in the report reference made to Wicklow town Port Relief Road €229,000 and Greystones Marina arbitration €249,000 and that the information should be circulate more periodically.

The Chief Executive responded to the issues raised as follows:-

Staff embargo restricts increasing the number of staff the Council can employ, however staffing numbers in the Law Department have been increased over the recent past which has in turn taken over the waste management cases. Even though the Council may win cases in relation to Waste management, it is seldom for fees to be awarded to the Council by the courts. In relation to the Bray Fire case, all of the costs were recouped by IPB and costs relative to Whitestown were recouped by the DoCH&LG. Most of the costs in relation to the roads area are recoupable and those that are not are shown as a deficit in the AFS. There is substantial litigation involved and the Council is required under planning legislation to take enforcement action where required.

Mr. S. Quirke, DOS, Roads and Transportation clarified the costs incurred in relation to the arbitration hears from Greystones Harbour and that generally costs of this nature are unavoidable.

ITEM NO. 5

To receive Ms. Siún Ni Raghallaigh, CEO, Ardmore Studios

The Cathaoirleach welcomed Ms. Siun Ni Raghallaigh, CEO, Ardmore Studios to the meeting referring to Ardmore Studios as being a long established Film Studios in Bray. He referred to recent reports in relation to the development of Film Studios in Limerick and asked Ms. C. Flood to present to the meeting in relation to the work of the County Wicklow Economic Think Tank and the Film Industry in County Wicklow prior to Siun Ni Raghallaigh speaking.

Ms. Christine Flood presented to the meeting covering the following areas:-

- The real and immediate opportunities for Ireland and County Wicklow in the Film Industry arising out of the successes of the Section 481 Tax credit scheme.
- Difficulties experienced by the film industry to meet the demand in studio space
- The vision of the CWETT, with the support of key players in the industry is to develop a film industry cluster centered in County Wicklow.
- There is already substantial studio infrastructure in the County, Ardmore Studios in Bray and Ballyhenry Studios in Ashford.
- The opportunity to create sustainable, thematic and geo-clustering, that are innovation led, export orientated, and are linked to the assets of Wicklow Film Sector.
- Strong potential to build an internationally visible brand
- County Wicklow has a significant talent pool, natural assets, beautiful scenery and close proximity to Dublin Airport
- The potential for co-operation on agreed objectives
- Value of the film production industry nationally and locally.
- Outline of the work of the Film Development Group of the County Wicklow Economic Think Tank to date and recommendation thus far.

- Submission was made to the expert Group on the film industry and a meeting was attended with the Department of Arts, Heritage and The Gaeltacht with a view to designating County Wicklow as the film centre of Ireland.

Ms. Siun Ni Raghallaigh presented to the meeting as follows:-

- History of Ardmore studios and current infrastructure (40,000 sq ft of sound stages and 100,000 sq ft of support facilities such as workshop space, production office space wardrobe and prop space.
- Globally recognized studio with a strong brand
- There is a lack of studio space available in Ireland particularly having regard to the changes to the section 481 film tax incentive which has added to Ireland's competitiveness.
- Ireland has approximately 111,000 sq ft of studio space and the Government's strategy is to double the value of the audio visual sector, but the lack of studio infrastructure is a big issue.
- Ardmore has been operating at full capacity, €1.4m has been invested in redeveloping the Herbert Road site through modernization and upgrading of the buildings infrastructure.
- Ardmore's investment programme is to ensure that it continues to be fit for purpose and continues to attract world class television and film productions.
- Ardmore has plans to increase the studio space on the Herbert Road site and Ardmore has recently taken an interest in a Building at Bray Business Park on the Southern Cross route.
- Wicklow County Council needs to examine how it can encourage existing studio operators to grow their operations if it wants to see the production of film and television grow in County Wicklow.
- County Wicklow is the only County in Ireland that has such a concentration of studio space accruing and the Council needs to strategize how it can help the industry grow even more.
- Ardmore studios are committed to Bray and will remain in Bray.

Elected members raised the following points:-

- Concern expressed in relation to the media coverage around plans by Limerick City and Council to provide studio space in the recently acquired Dell building, also in relation to media reports which suggest that the deal has been done with Ardmore studios there for a five year term bringing an estimated 750 jobs to Limerick
- View expressed that County Wicklow should remain the number one destination and location for film and TV production in Ireland
- Fear expressed in relation to the impact any dilution of the service or the Industry at Ardmore Bray, by moving to Limerick.
- Reference made to the work of the County Wicklow Economic Think Tank and one of the core pillars within that process is the film industry in County Wicklow. Collaboration viewed as extremely important and how Wicklow County Council can made changes for the film industry to deliver the best environment possible to see an expansion of facilities. Reference made to certain areas which the Council has control over i.e. the development contributions schemes.
- Call for the Council to consider a proposal to change the development levy structure at the July meeting.

The CEO of Ardmore Studios, responded by advising again of Ardmore Studio's history and that through reinvigoration and the growth in the industry the business has reached critical mass where sustainable jobs have been created which is important both for job creation and the industry itself. In order to build new studios or expand facilities on the Ardmore site it would mean closing down studios for a certain period of time, which is not viable as the studios are currently full and there are commitments to film productions such as Penny Dreadful. Ms. Raghallaigh advised that while she could not comment on media reports, Limerick plans will not affect anything that Ardmore Studios are doing in Wicklow and that Ardmore are committed to Bray. She commended

the elected members for working on the various issues around the film industry and advised of the work carried out by Ardmore Studios in relation to searching for suitable premises in County Wicklow for expansion purposes.

In conclusion the Cathaoirleach advised that the elected members should review the development levies contribution scheme immediately and maybe look at exemptions for the film industry as with other industries. He advised that while rates were outside of the elected members' control, the development contribution scheme was within its control and proposed that the development contributions and the exemptions towards the film industry be looked at straight away.

Discussion on the matter concluded.

ITEM NO. 7

To note Monthly Management Report of Wicklow County Council for May 2015

Elected members were circulated with the Monthly Management Report for May, 2015 dated 5th June, 2015 from Thomas Murphy, Director of Services, Enterprise and Corporate Services which was noted by the elected members.

ITEM NO. 8

To note the Local Community Development Committee Annual Report 2014

The Local Community Development Committee Annual Report 2014 as circulated was noted.

ITEM NO. 9

To receive recommendation from the Community, Cultural & Social Development Strategic Policy Committee on the allocation of €100,000 Tourism Promotion Fund

Elected members were circulated with report dated 8th of June, 2015 from Michael Nicholson, Director of Services, Community, Cultural and Social Development which recommended the following projects for approval on recommendation of the SPC.

1. Greystones - €20,000 for further development at St. Crispins Field, Rathdown.
2. Bray - €20,000 for development of walking route linking the Cliff Walk to the Wicklow Way, via the Sugarloaf Way.
3. Wicklow - €20,000 for looped walkways at Roundwood Reservoir.
4. Arklow - €20,000 to help establish an Arklow Pottery Museum and Visitor Centre.
5. Baltinglass - €20,000 for phase 2 of the Blessington Greenway.

The recommendation from the Community, Cultural & Social Development Strategic Policy Committee was proposed by Cllr. J. Ruttle, seconded by Cllr. N. Lawless and agreed.

Elected members suggested that for future recommendations there should be a formal process to the allocations.

ITEM NO. 10

To consider the nomination of three elected members to the East Coast Regional Drugs Task Force (to be filled on an agreed rotational basis with elected members from Dun Laoghaire-Rathdown County Council)

L. Gallagher advised that a letter had been received from the Chair of the East Coast Regional Drugs Task Force advising that there was an upper limit of five seats comprising two for members of the Oireachtas and three of the local authority which incorporated part of the Dun Laoghaire-Rathdown and Dublin City Council Areas.

It was proposed by Cllr. P. Kennedy, seconded by Cllr. P. Casey and agreed to nominate Cllr. P. Fitzgerald to the East Coast Regional Drugs Task Force.

It was proposed by Cllr. N. Lawless, seconded by Cllr. M. McDonald and agreed to nominate Cllr. J. Snell to the East Coast Regional Drugs Task Force.

It was proposed by Cllr. S. Matthews, seconded by Cllr. J. Snell and agreed to nominate Cllr. B. Thornhill to the East Coast Regional Drugs Task Force.

ITEM NO. 11

To discuss water charges and attachment orders (proposed Civil Debt Procedures Bill: Debt Enforcement measures (requested at Council meeting of 11th May 2015))

Ms. L. Gallagher advised that matter had been raised under suspension of standing orders at the last meeting but time did not allow discussion on the matter and it was agreed to include it on the agenda for this meeting.

Cllr. T. Fortune, in requesting the suspension of standing orders advised that he felt that it was an item worthy of discussion and that it needs to be addressed by the elected members. He considered the proposal wrong and as a local Authority the Council should express this.

Ms. L. Gallagher advised that the Housing department of the Council had at this point in time received no official communication from Irish Water or the Department in relation to collecting water charges via attachment orders or other mechanisms and until further direction the position is: *that the occupier is liable for charges, and the owner is presumed occupier unless proven otherwise. Therefore, if a tenant doesn't register with Irish Water, the landlord will get the bill unless s/he provides Irish Water with the tenant's details. Once the landlord has done this, the landlord can no longer be liable. Wicklow County Council has provided the names of tenants to Irish Water, this does not include the names of RAS tenants.*

Following a brief discussion on the matter wherein it was noted that the legislation had not been signed into law and the Cathaoirleach suggested that when information is sent to the Council, there would be a further discussion on the content.

ITEM NO. 12

Correspondence

Tellus low-flying airborne survey

Ms. L. Gallagher advised that elected members had been circulated with email received in relation to the airborne geophysical survey being carried out and information pack in relation to the survey.

Written Question

The following question was submitted by Cllr. J. Brady:

"A portion of the Private Residential Tenancies Board (PRTB) registration fees are given over to Wicklow County Council on an annual basis to carry out inspections of private rental properties in Wicklow. On an annual basis since 2010 how much has Wicklow County Council received from the PRTB? How many inspections have been carried out? How many improvement orders have been served?"

Response:

Amount Received from the PRTB

2010	€ 53,906
2011	€146,747
2012	€138,274.62

2013	€ 53,273
2014	€ 75,300

No. of inspections carried out

2010	793
2011	681
2012	722
2013	496
2014	366

No improvement orders have been served.

Cllr. J. Brady requested that this information be circulated to all members.

Annual declarations by elected members

The Cathaoirleach informed the members that correspondence had been received from a member of the public in relation to the Annual Declarations made by elected members. He advised that both he and the Chief Executive will follow the set procedures and have written to the elected member in question. The Cathaoirleach explained that when the matter has been concluded, all the members will be made aware of the issue.

Suspension of Standing Orders

Cllr. J. Ruttle requested a suspension of Standing Orders to discuss the sale of art from Russborough House. He gave a brief overview of the history of the house and its art collection.

Cllr. J. Ruttle proposed that '*Wicklow County Council calls on the Minister for Arts, Culture and the Gaeltacht to liaise with the Alfred Beit Foundation to establish a solid financial base for Russborough and to consider financial support for the continued existence of Russborough without the sale of works of Art*'. This was seconded by Cllr. T. Fortune.

Cllr. G. O'Neill proposed that '*Wicklow County Council write to the Minister for Arts, Heritage and Gaeltacht and request a full report on the level of public funding that has been awarded to Russborough House*'. This was seconded by Cllr. N. Lawless.

Both proposals were agreed.

Protocol Committee

The elected members were advised that the protocol committee meeting was deferred to allow elected members attend the community grants award ceremony taking place in Arklow at 6.00 p.m.

THIS CONCLUDED THE BUSINESS OF THE MEETING

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

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