

**MINUTES OF ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 7th
MARCH 2016, COMMENCING 2.00 p.m.**

PRESENT:

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

APOLOGIES:

CLLR. G. McLOUGHLIN, CLLR. N. LAWLESS

IN ATTENDANCE:

**MR. B. DOYLE, CHIEF EXECUTIVE
MR. D. O'BRIEN, DIRECTOR OF SERVICE
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
MR. S. QUIRKE DIRECTOR OF SERVICES
MS. L. LYNCH, HEAD OF FINANCE
MR L FITZPATRICK, HEAD OF I.T.
MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MR. D. MARNANE, A/SENIOR ENGINEER
MR. M. DEVERAUX, SENIOR ENGINEER
MS. B. KILKENNY, SENIOR ENGINEER
MS. S BARRETT, ARCHITECT
MS. S. WALSH, A/SENIOR PLANNER
MS. C. FLOOD, SENIOR EXECUTIVE OFFICER
MS. T. O'BRIEN, A/SENIOR EXECUTIVE OFFICER
MS. H. DENNEHY, A/SENIOR EXECUTIVE OFFICER
MS. J. CARROLL, ADMINISTRATIVE OFFICER
MS. CAROLINE FOX, ADMINISTRATIVE OFFICER
MS. SHEELAGH DALY, HEAD OF ENTERPRISE, LEO**

Seachtaine Na Gaeilge

In recognition of Seachtaine Na Gaeilge, the Cathaoirleach opened the meeting as gaeilge.

Votes of Sympathy

Elected members passed a vote of sympathy to the families of the late Mr. Peter Keogh, Mrs Elizabeth Kelly (Rathdrum) and Mrs Elizabeth Kelly (Barndarrig). a minutes silence was observed for the deceased.

Elected members collectively paid tribute to the late Peter Keogh in recognition to his long service commitment and contribution to GAA in County Wicklow.

Votes of Congratulations

The Cathaoirleach, elected members and Chief Executive collectively congratulated former Councillors John Brady and Pat Casey on their election to the 32nd Dail and to Deputies Simon Harris, Stephen Donnelly and Andrew Doyle on their re-elections. Tributes were also paid to outgoing Deputies Anne Ferris and Billy Timmins. It was agreed to mark this occasion by inviting the Dail Deputies to the Council meeting of the 4th of April, 2016.

It was agreed to move item number 6 on the agenda to number 1.

ITEM NO. 6

To consider the filling of casual vacancy arising from the passing of Cllr. P. Kavanagh (RIP), in accordance with Section 19 of the Local Government Act, 2001.

L Gallagher advised of letter received from Mr. Francis Murphy dated 4th January, 2016 nominating Ms. Mary Kavanagh, 58 Seafield, Wicklow to fill the casual vacancy arising from the passing of his late wife, Cllr. Pat Kavanagh. The elected members were also advised of letter dated the 4th of January, 2016 received from Ms. Mary Kavanagh accepting the nomination to fill the casual vacancy.

Cllr. T. Fortune in paying tribute to the work of the late Councillor Pat Kavanagh, formally proposed the nomination which was seconded by Councillor S. Matthews. The Cathaoirleach and elected members collectively welcomed Cllr. Mary Kavanagh to the Council and wished her success in the position. In response Cllr. M. Kavanagh advised that it was an honour to assume the seat of her late sister and pledged to work hard for the people of Wicklow.

Special Meeting Monday 14th March, 2016

A short discussion took place in relation to the requirement to provide the names of the co-opted elected members to the Seanad Returning Officer for inclusion on the Seanad electoral roll and that this would require a special meeting. Cllr. J. Ruttle proposed that representatives from the Cheviot Sheep Owners be invited to the special meeting to make a presentation on Responsible Dog Control. This was seconded by Cllr. S. Cullen and agreed.

Item 18:

At the request of Cllr. D. Mitchell it was agreed to consider item 18 after item 13.

ITEM NO. 1

To confirm and sign minutes of Ordinary Meeting of Wicklow County Council held on Monday 11th January 2016

It was proposed by Cllr. S. Cullen, seconded by Cllr. J. Snell and agreed to confirm and sign minutes of Meeting of Wicklow County Council held on Monday 11th January 2016.

ITEM NO. 2

To consider the disposal of 2.47 hectares or thereabouts of land at Woodview Park, Avoca, Co Wicklow in Kilqueeney & Castlemacadam Td., known as 'Rooster Park Playing Fields' to Rooster Park Community Field Limited for a period of 35 years from 1st March 2016

It was proposed by Cllr. P. Fitzgerald, seconded by Cllr. M. McDonald and agreed to dispose of the Council's interest and equity in 2.47 hectares or thereabouts of land at Woodview Park, Avoca, Co Wicklow in Kilqueeney & Castlemacadam Td., known as 'Rooster Park Playing Fields' to Rooster Park Community Field Limited for a period of 35 years from 1st March 2016

ITEM NO. 3

To consider disposal of the Council's interest and equity in 32.68 m2 or thereabouts of land at Ballingate Upper, Carnew, Co. Wicklow to Mr. Michael Leslie Porter, Ballingate Upper Carnew, Co. Wicklow

It was proposed by Cllr. P. Doran, seconded by Cllr. V. Blake and agreed to dispose of the Council's interest and equity in 32.68 m2 or thereabouts of land at Ballingate Upper, Carnew, Co. Wicklow to Mr. Michael Leslie Porter, Ballingate Upper Carnew, Co. Wicklow

ITEM NO. 4

To consider disposal of the Council's interest and equity in 445m2, or thereabouts, of land at Hollyvalley, Blessington, Co. Wicklow to Mr. Patrick Murphy, Hollyvalley, Blessington, Co. Wicklow

It was proposed by Cllr. J. Ruttle, seconded by Cllr. G. O'Neill and agreed to dispose of the Council's interest and equity in 445m2, or thereabouts, of land at Hollyvalley, Blessington, Co. Wicklow to Mr. Patrick Murphy, Hollyvalley, Blessington, Co. Wicklow

ITEM NO. 5

To consider the disposal of .830 hectares or thereabouts of land at Croneyhorn, Carnew, Co Wicklow to Margaret (Gret) Fitzpatrick Croneyhorn, Carnew, Co Wicklow

It was proposed by Cllr. P. Doran, seconded by Cllr. V. Blake and agreed to dispose of the Council's interest and equity in .830 hectares or thereabouts of land at Croneyhorn, Carnew, Co Wicklow to Margaret (Gret) Fitzpatrick Croneyhorn, Carnew, Co Wicklow.

It was agreed to consider Item 8 next.

ITEM NO. 8

To receive Ms. Patricia King, General Secretary, ICTU (*Irish Congress of Trade Unions*): Congress Charter for Fair Conditions of employment

The Cathaoirleach welcomed Ms. Patricia King, General Secretary, ICTU to the meeting. Ms. King made a verbal presentation to the elected members in relation to the Congress Charter for Fair Conditions at Work under the following headings:-

- A living wage
- Fair Hours at work
- Right to representation and collective bargaining
- Respect, equality and ethics at work
- Fair public procurement

Following the presentation the elected members collectively expressed their appreciation to Ms King for attending the meeting and wished her well in the future.

ITEM NO. 7

To consider report in accordance with Part V111 of the Planning and Development regulations, 2001 (as amended) in respect of the construction of 42 housing units consisting:

- A. Accessed from Kilbride Lane
- i) 7no. 1 bed apartments
 - ii) 3no. 1 bed accessible units for people with disabilities
 - iii) 4no. 2 bed apartments
 - iv) 20no. 2 bed two storey houses
 - v) 5no. 3 bed 2 storey houses
 - vi) 1no. 4 bed three storey house

B Accessed from Clover Hill
2 no. 1 bed accessible units for people with disabilities

Elected members were circulated with report of Director of Housing, Wicklow County Council in the matter.

Ms. Shelly Barratt, Senior Executive Architect presented to the meeting on the contents of the report and the layout of the scheme. Cllr. J. Snell, Chair of the Housing SPC thanked the Housing Department for the presentation and referred to the 42 unit scheme as great news for the Bray Area where there is a very high demand on the waiting list for social housing.

Cllr. J. Behan in concurring with Cllr. J. Snell, proposed the adoption of the scheme with the following amendments:-

- Units 35 to 37 to be finished with a red brick finish rather than plaster finish which is proposed.
- The removal of one of the units 41 and 42 and remodelling of the end of the cul-de-sac to allow for proper turning movement and proper visitor parking at that location.
- Before a final decision is made on provision of a communal back gardens that the tenants be consulted as some may wish to have their own back gardens and will take responsibility for them.

Following a lengthy discussion in the matter wherein the elected members expressed their broad support for the provision of the 42 housing units it was proposed by Cllr. J. Behan, seconded by Cllr. P. Vance and agreed by a margin of 27 votes for, 2 not present and 1 abstaining to adopt the scheme subject to the following:

1. The gables ends of units 35 – 37 to be finished with red brick finish in keeping with surrounding houses
2. Some level of agreement with tenants be sought prior to developing a communal garden as individual back gardens may be more desirable.
3. That the Council endeavour to ensure that the two residents of the disabled units will be able to have visitors coming to visit and not have to park in the middle of a cul-de-sac.

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

NOT PRESENT: CLLRS N. LAWLESS AND G. MCLOUGHLIN (2)

ABSTAINING: CLLR. T. CULLEN (1)

VACANCIES: (2)

ITEM NO. 9

To consider nominating two representatives to the Comhairle na nOg steering group.

L. Gallagher advised of request received for two representatives to the Comhairle na nOg steering group which would meeting approximately three to four times per annum around school holiday times were possible as follows:- The first meeting of the steering group was

on the 17th February and it was agreed to ask Wicklow County Council to nominate two elected members to the steering group as it was felt their membership would be invaluable and would provide a direct link to the Council, so that as issues are raised they could be presented to the full Council. At present the steering group consists of members from Kildare Wicklow ETB, An Garda Síochána, Foroige, Comhairle na nÓg Co-ordinator, three representatives of the Comhairle na nÓg and Mr. Garvan Hickey from CCSD. The role of the steering group is to support and assist the Comhairle na nÓg to achieve their desired outcomes, impacts and change. The Department of Children and Youth Affairs Comhairle na nÓg Development Fund provides the main source of funding for Comhairle and there is an annual contribution from Wicklow County Council.

1. It was proposed by Cllr. C. Fox, seconded by Cllr. P. Vance and agreed to nominate Cllr. D Nolan to the Comhairle na nÓg steering group.
2. It was proposed by Cllr. S. Bourke, seconded by Cllr. D. Mitchell and agreed to nominate Cllr. I. Winters to the Comhairle na nÓg steering group.

ITEM NO. 10

Presentation by Planning Staff, Wicklow County Council.

The Cathaoirleach advised that the Corporate Policy Group had recently received a presentation from a number of staff of the Planning Department relating to the effect reports and allegations of corruption in the media and in news papers reports had on the Planning Staff of Wicklow County Council he welcomed Ms. Leonora Earls, Administrative Officer, Ms. Vicki O Neill, Clerical Officer and Ms. Lucy Roche, Planner to the meeting. Ms. Earls, O Neill and Roche presented to the meeting as follows:-

Presentation Ms. Leonora Earls:-

We would like to thank the Cathaoirleach and the Members for hearing us today. We would also like to thank the Chief Executive for his assistance and support. The staff of planning are here today as we can no longer remain silent about the destructive perception created about us. If we do not stand up now and be heard, we are allowing the current situation to continue. As the Cathaoirleach has indicated, the staff within planning felt so strongly about the continuous attack on us, we wrote to the Chief Executive to set out our concerns. We are not here to moan, whine or apportion blame.

We merely want to let the Councillors know, that these constant allegations of corruption, the constant circulation of untruths about planning, have considerable negative impacts, not just on us and our families, but also on Councillors, the Council and the County as a whole. Staff have endured constant allegations against them. These are often made in the absence of any particular evidence to support them. This was further escalated when a number of TDs, used Dail privilege to make allegations against us. While stated as allegations, the manner in which they were reported, was such that these allegations were portrayed as being correct.

While the aim of these accusations and allegations may be to attack the Executive, we see them as attacks on each and every one of us within the planning section.

This was confirmed by a recent visit of a staff member to another local authority, where the staff of that authority referred to having to work in planning in Wicklow as toxic.

Vicki and Lucy are going to outline the impacts on staff and how staff feel abused and under constant attack. It is in all our interests to put a stop to these false stories about corruption and ensure that they are tackled head on. As a Council, we now have a considerable role in

driving economic development in the county.

We must promote Wicklow as a place to do business. With the continuous circus of falsehoods and untruths, what enterprise is going to come to the county.

If we, as staff don't stand up for ourselves, how can we expect others to stand up for us. So that is what we are doing today and we are asking Councillors to now stand up.

We are asking Councillors to publically support us against these unfounded allegations that serve no helpful purpose for this Council

We believe putting a protocol in place that prevents allegations being thrown out in this Chamber, without any evidence or foundation, would be a positive outcome for us all. We agree that all allegations of corruption must be investigated by the appropriate authorities.

We also believe there is an onus on those raising such allegations, to ensure they are well founded and raised in the proper manner.

As staff, we are proud to serve the community of Wicklow.

We want to concentrate all our efforts in providing quality services to its citizens. We ask the Councillors to work with us in creating a positive environment to achieve this.

I would ask that you now hear Vicki and Lucy,

Thank you

Presentation Ms. Vicki O Neill:-

I work as a Clerical Officer in the administration section of the Planning Department and this includes duties relating to the public counter and answering telephone calls. I am speaking on behalf of my colleagues who like me, are front line staff within the section.

Over the last 12-18 months we have experienced a serious increase in aggressive and abusive behaviour by the public towards us. There is also a sharper edge to the correspondence we deal with. On a daily basis, we have to endure insinuations that we are corrupt and fail to do our jobs correctly.

We genuinely believe that a considerable factor in the change of attitude towards us, are statements made by some Members in the Council Chamber and also by some T.Ds in the Dail, alleging corruption in the Wicklow Planning Section. We fully appreciate that Councillors and T.Ds cannot control the media, including social media, however, much of what is being reported, has originated within the Chamber and Dail and feeding the "planning are corrupt" stories.

What has become particularly difficult, is dealing with this outside of our working day. Personally I've had experiences at the school gates, with people being unpleasant to me because I work in planning and therefore consider me to be corrupt. Our families must also endure the impact of this type of behavior on us. We do consider our honesty and integrity is constantly being questioned.

Instead of taking pride in the work we do and the service we provide to the public, we are now afraid to say what section we work in.

We are non political. We deal with all Councillors equally. We believe we have good working and positive relationships with Councillors. Routinely we go above and beyond to assist Councillors in whatever way we can and are happy to do so.

It is demoralising for all staff when unfounded and untrue accusations are made against us. It is also demoralising when nobody stands up to defend the service we provide. We continue to provide a quality and respectful service to Councillors, including those who chose to fuel such allegations without foundation. It is disappointing to staff that at no stage have we witnessed Councillors or T.Ds publically comment on the falsehoods being spread about us and say "Enough is Enough".

We have all worked in the public service for many years and are completely aware of the political environment we work in. We accept and understand the rough and tumble of our environment and have no problem with same, but this has gone way beyond what is acceptable. Comments and accusations are being made that have no consequences for the person making them, but have significant impacts on us and our families.

We believe the lack of a protocol has allowed unacceptable behaviour to go unchallenged and permitted an "open season" attack on planning staff.

We believe it is necessary that a protocol be put in place that ensures that in the event that a Member becomes aware of possible wrong doing, that this protocol is followed and the correct authorities contacted. We, like Members want a service that the public have confidence in.

We are seeking the support of the Members, to introduce such a protocol, to support staff of the planning department and work with us to build trust and confidence in planning system in Wicklow

Thank you.

Presentation Ms. Lucy Roche:-

I differ from Leonora and Vicky in that I chose to take up planning as a profession. I went to college and studied for 6 years to become a qualified town planner and I did so at a time when Planning corruption was very topical in the media with planning tribunals etc being headline news. So I went into planning with my eyes open, fully aware that the Irish Planning system had a bad reputation, but with optimism that these emerging controversies would bring about change and create a more open and transparent planning system -----and I believe that there have been a number of positive steps in this regard.

Still however, if you tell people you are a planner you learn to expect the clichéd joke and comments about backhanders and brown envelopes etc and while these comments have never

really bothered me, they can be quite deflating – but you learn to deal with this and for the most part its meant to be light hearted - as the majority of people you encountered have very little interest in or knowledge of the planning system. In some cases you come across people who have a bad experience with the Planning System and they may feel it necessary to openly vent their frustrations – but again you learn to deal with this. Working as a planner I am aware that the system is not perfect and it can be a very stressful and costly process particularly for people who experience the system for the first time – and while I will avoid entering into debates with people outside of work hours - I do understand their point of view and their realities

However, when councillors and TD's, highly respected members of the community who are seen to have an important role in the Planning System, make inappropriate comments / unfounded and unsubstantiated allegations in the public domain, comments which are not directed at the flaws in the system but at those of us who work in the system – I see this as an attack on our professionalism and professional integrity is not appropriate and is not acceptable. It is acknowledged that such comments have been made by only a few however it has to be said that in terms of others coming to our defence in the public domain; we sadly have not seen this happen.

Planners appreciate that Councillors have an important role within the Planning system and myself and my colleagues do try to engage with councillors, in so far as possible. Personally, while I have always tries to maintain a certain degree of impartiality (which is necessary in order for me to do my job effectively) I have always found it advantageous to maintain a good working relationship with councillors so that I can speak openly to them when queries arise regarding the assessment of planning applications etc but recently I have to say I have become more and more reluctant to do so for fear that anything that I say will be taken out of context.

I think that it is important for service delivery that councillors and planners try maintain a positive relationship however it must be pointed out that the lack of support from councillors in recent times has had and continues to have a negative impact.

I therefore hope that you take our concerns on board.

The following views were expressed by elected members:-

- Cllr. V. Blake Chair of the Planning SPC thanked the Planning Officials for their presentation. He advised that it was important from the elected members perspective that the issues raised be addressed and that the concerns outlined by the staff be taken on board.
- Council planning staff fully supported in their presentations and the 100% integrity and 100% co-operation given by staff was never in doubt. Elected members need to do more to protect the integrity of staff while at the same time questioning planning policy.
- Surprise expressed at the scale of the issue and the realisation of the impact this was having on staff
- Reference made to allegations made in the chamber which go unchallenged and that it is imperative on elected members to challenge those that are making the allegations
- View expressed that if there is information to be highlighted it should be substantiated and go through proper channels.
- Suggestion put forward that a mechanism be put in place to deal with allegations of this nature.

- View expressed that the planning staff are not trying to stifle debate or queries from elected members, but that there should be proper channels put in place to deal with issues.
- Planning is a very complex issue and it is regrettable that this point was reached.
- View expressed that the information stated under Dail privilege was disgraceful and there should be some method for responding to the statement rather than leaving them unchallenged.
- The establishment of a protocol supported. Councillors have a duty of care to the entire community they represent and elected members are entitled to ask questions and raise issues however, they do not have the entitlement to insinuate corruption.
- The genuine concerns of staff members should be addressed however if there are questions to be asked about the leadership and management of public property or the affairs of the Council and how they are handled by senior management the elected members would be derelict in their duties not to address these concerns.,
- Protocol should be put in place and training be provided as to expectations
- View expressed that discussion should be extended to the workings of the chamber

The Chief Executive explained the background to which he received a letter from the Planning staff outlining the discussion which had taken place in the Dail, the banking enquiry and correspondence which had issued to the elected members and submitted to the Minister for the Environment, Community and Local government. There was also suggestions of the Minister being requested to carry out an investigation into the activities of Wicklow County Council. He said that it was important for him as Chief Executive to listen to the staff of Wicklow County Council and have a discussion around concerns raised. He referred to previous investigation with regard to the CPO at Charlesland and to questions raised on the Barrauda matter and to all of the discussions which had taken place. He also referred to the Council's policy to deliver employment and to support business initiatives and that unfounded allegations could undermine this process. He said that he would welcome any investigation that is required or any file being forwarded to the Gardai so that matters can be formally dealt with but that the issues raised previously had never gone that far. He advised that the proposed protocol will be a collaboration between the executive and the elected members of the Council and that he viewed it as a positive first step. He thanked Leonora Earls, Vickie O Neill, and Lucy Roche for presenting to Council. The matter was a serious topic and he appreciated the time given to it by the elected members.

The Cathaoirleach advised that the culture which is to drive Wicklow County Council forward needs to be defined and a set of values created that are believed in. He spoke of the pride he has experienced in his line of work of people and their organisations and the energy that drives them forward and he would be hopeful that through hard work with the staff of the Council that an organisation with a great culture can be created. With regard to the proposal to develop a protocol as outlined by the staff of the planning department he said that this was hugely important that this be brought forward in detail. The thanked the three officials of the planning department for presenting to the Council and that it was important that they were aware of the support within the chamber.

At the conclusion of the discussion Cllr. G. O Neill requested that a copy of the transcripts of what was said in Dail Eireann be circulated to the elected members which was agreed.

ITEM NO. 11

National Ports Policing (2013) Harbours Act, 2015

Transfer of control of Wicklow Port to Wicklow County Council

Report dated 29th February, 2016 of B. Doyle, Chief Executive was circulated to the elected members:--

TO CHAIRMAN AND EACH MEMBER OF WICKLOW COUNTY COUNCIL

National Ports Policy (2013) - Harbours Act 2015

Transfer of control of Wicklow Port to Wicklow County Council

INTRODUCTION:

In March 2013 the Government approved the adoption as Government Policy of a new National Ports Policy. A copy of the Executive Summary is included in Appendix No. 1. The new policy allows for:

- a) The creation of separate legal entities (with or without share capital) under control of local government.
- b) The continuation of existing legal entities with share capital owned by local rather than central government.
- c) The operation of a port as an administrative unit of local government.
- d) The potential for private investment.

The Department of Transport, Tourism and Sport commenced discussions with the County Council and the Port Company to ascertain the most appropriate method of transfer of Wicklow Port.

To complement the discussion Wicklow County Council commissioned a Due Diligence Review of Wicklow Port Company. This was completed in July 2015. Following consideration by Wicklow County Council the review was submitted to the Port company for their consideration in October 2015. A copy of the Executive Summary is attached as Appendix 2. Also attached as Appendix 3 is a S.W.O.T. analysis which summarises the view of the Company arising from the Due Diligence Review.

Current Situation:

I attended a meeting of the Port Company on the 2nd December 2015. My presentation to the meeting outlined:

- The progress being made on rectifying title matters on the Ports property portfolio.
- The application for an E.P.A. Emissions licence.
- The interaction between the Department, Port Company and the Council.
- Outline the detail of meeting with Mr. Roy Conway.
- County Council commissioned a condition survey on the piers and quay walls.
- The commercial future of R.D.F. exports.
- Staff transferring to County Council.
- New Marine Officer/Harbour Master to be appointed.

- Visions for the development of the Harbour – Maritime Development Group – County Wicklow Economic Think Tank (CWETT).
- My meeting with Wicklow Harbour Amenity Users, at which the group delivered a presentation.
- Health & Safety inspections by the H.S.A.
- Legislation moving through the various committee stages in the Oireachtas.
- The Minister wants the transfer to be completed in Quarter 1 – 2016.

I pointed out that:

Overall my view is that Wicklow County Council should proceed with Option C

- The operation of the Port as an administrative unit of Local Government and transfer the trade, assets and employees and to wind up the company thereafter.

Following a discussion and responding to questions raised by the Port Company Chairman and the Directors, a vote was taken and the Port Company agreed to proceed with this option.

Condition Survey:

Condition Survey of the Piers and Walls commissioned by Wicklow County Council was received on the 8th January, 2016. The survey involved inspections of the harbour structures above and below Mean Low Water Spring Tide (M.L.W.S.T.). The results of the survey identified the requirement for remedial works on

- East Pier
- North Pier
- Packet Pier
- North Quay
- South Quay

The estimated cost of these works is €3,220,000 (+V.A.T.). The report concludes that the works identified represent the minimum expenditure to ensure the future serviceability of the Port structures.

The S.W.O.T. analysis (Appendix 3) identifies that a strength of the Port Company is their strong balance sheet and cash reserve. With increased traffic through the port the required funding should be available to undertake the remedial works on a priority basis.

Conclusion:

Wicklow is designated as a port of Regional Significance for Trading and Performance. It is grouped with

- Drogheda Port Company
- Dun Laoghaire Harbour Company
- Galway Harbour Company
- New Ross Port Company

(See Appendix 1)

The President signed the Harbours Bill 2015 on 25th December 2015. The Harbours Act 2015 presents Wicklow County Council with the opportunity to ensure the continued business operations of the Port. The Local Authority will bring

- Corporate Governance certainty.
- A connection between the Port and the Planning and Development System.
- Increase the recreational usage of the harbour and adjacent urban environment.
- Ensure compliance with environmental and foreshore issues.
- Provide the base to attract investment to implement the vision of the C.W.E.T.T. for the harbour.
- Health & Safety standards.

The transfer of the harbour activities in Wicklow will clarify the primary role of Wicklow County Council in maritime activity. This will ensure that the vision and roadmap necessary to develop this important economic resource will be driven by the Council in collaboration with all interested stakeholders.

BRYAN DOYLE
CHIEF EXECUTIVE

Mr. B. Doyle, CE gave a presentation to the Elected Members on the National Ports Policy (2013) – Harbours Act 2015 and the transfer of control of Wicklow Port to Wicklow County Council and outlined the background in the matter.

Following a brief discussion on the matter wherein elected members requested further information in relation to the matter and that it was too late in the evening to make a decision on such an important issue, the CE responded that information on the financial out-turn of the port for 2015 is awaited, however it is understood that profits were generated. He outlined that the legislation provides for options as outlined and the option being recommended is the operation of the port as an administrative unit of the Council and is not specifically a reserved function of the Council. He further advised that a solicitor has been engaged to finalise outstanding issues with regard to title and there is the expertise within the local authority to run the harbour, mentioning Paul Ivory and the Harbour master. It was agreed to consider this matter again at a future meeting.

THIS CONCLUDED THE BUSINESS OF THE MEETING

CLLR. JOHN RYAN
CATHAOIRLEACH
WICKLOW COUNTY COUNCIL

MS. LORRAINE GALLAGHER
SENIOR EXECUTIVE OFFICER/
MEETINGS ADMINISTRATOR

