

MINUTES OF THE ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 5th NOVEMBER, 2018, COMMENCING 2PM

PRESENT:

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

APOLOGIES:

COUNCILLORS M.MCDONALD, T. FORTUNE, AND D. NOLAN.

IN ATTENDANCE:

MR. F. CURRAN, CHIEF EXECUTIVE
MR. S. QUIRKE, DIRECTOR OF SERVICES
MR. J. LANE, DIRECTOR OF SERVICES
MR. T. MURPHY, DIRECTOR OF SERVICES
MR. M. NICHOLSON, DIRECTOR OF SERVICES
MR. M. GEANEY, A/DIRECTOR OF SERVICES
MR. B. GLEESON, HEAD OF FINANCE
MR. A. DEMPSEY, CHIEF FIRE OFFICER
MS. M. RICHARDSON, CIVIL DEFENCE OFFICER
MS. L. GALLAGHER, MEETINGS ADMINISTRATOR
MS. B. KILKENNY, SENIOR ENGINEER
MS. M. DEVEREUX, SENIOR ENGINEER
MS. S. WALSH, SENIOR PLANNER
MR. M. FLYNN, SENIOR ENGINEER
MS. D. MARNANE, SENIOR ENGINEER
MR. K. SCANLON, SENIOR EXECUTIVE ENGINEER
MS. C. FLOOD, SENIOR EXECUTIVE OFFICER
MS. H. DENNEHY, SENIOR EXECUTIVE OFFICER
MS. E. BIRMINGHAM, SENIOR EXECUTIVE PLANNER
MS. LINDA MCDONALD, DISTRICT ADMINISTRATOR
MS. G. LANG, ASSISTANT STAFF OFFICER

ALSO IN ATTENDANCE

Her Excellency, Mrs. Deike Potzel, Ambassador of the Federal Republic of Germany
Mr. George Jones, Chairman of the Bray/Wurzburg Twinning Committee

VOTES OF SYMPATHY.

Elected Members passed a vote of sympathy to Cllr. Mary McDonald on the recent passing of her mother, Mrs Julia Lambard and Cllr. Tom Fortune on the recent passing of his brother in law Mr. Leonard Enright. A minutes silence was observed for the deceased.

ITEM NO. 1

To receive The Ambassador of the Federal Republic of Germany Her Excellency Mrs. Deike Potzel.

The Cathaoirleach and Elected Members warmly welcomed Her Excellency Mrs. Deike Potzel to Wicklow County Council. The Ambassador presented to the Elected Members in relation to her experience of County Wicklow and her vision for her term of office as Ambassador to Ireland. Following the presentation Mr. George Jones, Chairman of the Bray/Wurzburg Twinning committee addressed the meeting which the Elected Members responded to. At the conclusion of the discussion the Cathaoirleach presented the Ambassador with a hand knitted garment from Shuttle Knit created by a workforce which is 70% comprising members of the Travelling Community the tag ling being 'knitting communities together'.

ITEM NO. 2

To confirm minutes of ordinary meeting of Wicklow County Council held on Monday 3rd September, 2018.

It was proposed by Cllr. P. Fitzgerald, seconded by Cllr. J. Snell and agreed to confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 3rd September, 2018 as circulated

ITEM NO. 3

To confirm minutes of special meeting of Wicklow County Council held on Monday 10th September, 2018.

It was proposed by Cllr. N. Lawless, seconded by Cllr. P. Fitzgerald and agreed to confirm and sign minutes of special meeting of Wicklow County Council held on Monday 10th September, 2018 as circulated.

ITEM NO 4

To confirm minutes of Local Property Tax meeting of Wicklow County Council held on Monday 24th September, 2018.

It was proposed by Cllr. G. Dunne, seconded by Cllr. P. Kennedy and agreed to confirm and sign minutes of Local Property Tax meeting of Wicklow County Council held on Monday 24th September, 2018 as circulated.

ITEM NO. 5

To confirm minutes of ordinary meeting of Wicklow County Council held on Monday 1st October, 2018.

It was proposed by Cllr. J. Snell, seconded by Cllr. D. O'Brien and agreed to sign and confirm minutes of ordinary meeting of Wicklow County Council held on Monday 1st October, 2018 as circulated.

ITEM NO 6

To confirm minutes of special meeting of Wicklow County Council held on Monday 15th October, 2018.

It was proposed by Cllr. J. Ryan, seconded by Cllr. P. Fitzgerald and agreed to sign and confirm minutes of special meeting of Wicklow County Council held on Monday 15th October, 2018 as circulated.

ITEM NO 7

To consider the disposal of 0.0234ha or thereabouts of land in the townland of Ballinacoooley (adjoining plot, part of Folio WW12303F) to side of 26 carrig View, Glenealy, Co. Wicklow to John O'Gorman and Patricia O'Gorman, 26 Carrig View, Glenealy, Co. Wicklow.

It was proposed by Cllr. J. Snell, seconded by Cllr. G. Walsh and agreed to dispose of 0.234ha. or thereabouts of land in the townland of Ballinacoooley (adjoining plot, part of Folio WW12303F) to side of 26 Carrig view, Glenealy, Co. Wicklow to John O'Gorman and Patricia O'Gorman, 26 Carrig View, Glenealy, Co. Wicklow as set out in statutory notice circulated.

ITEM NO 8

To consider the disposal of 0.0103ha. or thereabouts of land in the townland of Ballinacooley (adjoining plot, part of Folio WW12303F) to side of 27 Carrig View, Glenealy, Co. Wicklow to Thomas Byrne and Bertha Byrne, 27 Carrig View, Glenealy, Co. Wicklow.

It was proposed by Cllr. G. Dunne, seconded by Cllr. J. Snell and agreed to dispose of 0.0103ha. or thereabouts of land in the townland of Ballinacooley (adjoining plot, part of Folio WW12303F) to side of 27 Carrig View, Glenealy, Co. Wicklow to Thomas Byrne and Bertha Byrne, 27 Carrig View, Glenealy, Co. Wicklow as set out in statutory notice circulated.

ITEM NO 9

To consider the disposal of the Council's interest and equity at 47 Darragh Park, Wicklow Town, Co. Wicklow to Mr. Leo Dover, for the updated value of the equity plus costs €16,585.78.

It was proposed by Cllr. G. Dunne, seconded by Cllr. J. Snell and agreed to dispose of the Council's interest and equity in 47 Darragh Park, Wicklow Town, Co. Wicklow to Mr. Leo Dover for the updated value of the equity plus costs €16,585.78 as set out in statutory notice circulated.

ITEM NO 10

To consider the Chief Executive's Report: Strategic Infrastructure Development Application for the Waste Water Treatment Plant Project, Arklow, by Irish Water: An Bord Pleanala Reference ABP – 30255618

Elected Members were circulated with the following documents:

1. Letter of Ms. Theresa O'Brien Senior Executive Officer (Planning and Environment)
2. Chief Executive's Report pursuant to Section 37E of Planning and Development Act, 2001 (as amended).

Mr. Kevin Scanlon, Municipal District Engineer, gave a power point presentation to the elected Members in relation to the Project. Ms. L. Gallagher, Meetings Administrator advised the elected members in relation to paragraph 37 E (6) in that *'the members of the planning authority may by resolution decide to attach recommendations specified in the resolution to the report of the authority, where the members so decide those recommendations (together with the meetings administrator's record) shall be attached to the report and submitted to the Board'*

Elected Members expressed the following views which were responded to by Mr. Kevin Scanlon.

- Scheme welcomed and costs noted
- Submission of the Scheme to An Bord Pleanala fully welcomed and supported by the Elected Members.
- Query as to how the tunnelling works will effect residents?
- Monitoring of Emissions – request that information be provided realtime or on line so that Agencies can have access to it.
- Request for information in relation to the Flood Defence Scheme and how it interacts with the Waste Water Treatment Plant Project
- At what stage will future Planning Permissions be signed having regard to the new scheme?
- Concern expressed in relation to the impact traffic diversions will have on motorists and view expressed that communication is key. This is a major concern for business people and residents of Arklow.
- Request for a meeting to be arranged in Arklow in relation to the serious traffic implications.

Mr. Sean Quirke, Director of Services responded to the issue of disruption to traffic and advised that there will be a communication plan in place as well as a traffic management plan, which he

described as hugely important. In relation to the flood scheme he advised that this will be a separate process.

At the conclusion of the discussion the Meetings Administrator called for a proposer and seconder to any formal resolution under Paragraph 37E (6) of the Planning and Development Act, 2000 as amended in respect of which there were none.

ITEM NO 11

To consider draft policy in relation to the reserved functions that may be performed under Section 131 (A) (1) (B) Part 2 of the Local Government Reform Act, 2014 in respect of the Municipal Districts of Wicklow, Arklow, Bray, Greystones and Baltinglass.

Elected Members were circulated with draft policy in relation to the reserved functions that may be performed under Section 131 (A) (1) (B) Part 2 of the Local Government Reform Act, 2014 with report dated the 31st October, 2018 from Ms. Lorraine Gallagher, Senior Executive Officer, Enterprise and Corporate Services.

Ms. L. Gallagher advised that the following consideration of the draft policy at Council meeting held on Monday the 2nd of July, 2018, the five municipal Districts had considered same and recommended for adoption as set out in the report of the 31st of October, 2018.

Baltinglass MD:

Agreed to recommend adopting the policy with the removal of the last part of the sentence in paragraph 7.4 page 4. (set out in red)

Wicklow MD:

Agreed to recommend the adoption of the policy as recommended by the Baltinglass MD

Arklow MD:

Agreed to recommend the adoption of the policy without amendment

Greystones MD:

Agreed to recommend the adoption of the policy without amendment

Bray MD:

Agreed by a margin of 5 votes to 3 to recommend the adoption of the policy without amendment.

- Cllr. J. Behan proposed that major housing development in general consisting of 20 or more housing units, page 4 paragraph 7.6 be increased to 100. This was subsequently reduced to 50 units and seconded by Cllr. M. Kavanagh.
- Cllr. S. Matthews proposed that the policy as agreed at Bray MD be adopted seconded by Cllr. J. Walsh.

The amendment put forward by Cllr. J. Behan and seconded by Cllr. M. Kavanagh was put to a vote and following a roll call was passed by a margin of 12 votes for, 12 votes against, 8 not present with the Cathaoirleach exercising his casting vote 'for' viz:

FOR (12)	CLLRS. T. ANNESLEY, J. BEHAN, G. DUNNE, P. FITZGERALD, M. KAVANAGH, P. KENNEDY, N. LAWLESS, M. MURPHY, O. O'BRIEN, D. O'BRIEN, B. THORNHILL, P. VANCE
AGAINST (12)	CLLRS. V. BLAKE, C. FOX, S. MATTHEWS, G. MCLOUGHLIN, D. MITCHELL, J. RUTTLE, J. RYAN, J. SNELL, E. TIMMINS, G. WALSH, J. WHITMORE AND I. WINTERS.
NOT PRESENT (8)	CLLRS. S. BOURKE, T. CULLEN, S CULLEN, P. DORAN, T. FORTUNE, M. MCDONALD, D. NOLAN G. O'NEILL.
CLLR. P. VANCE	EXERCISING THE CASTING VOTE FOR

ITEM NO 12

To consider Chief Executive's Report, October 2018.

The Elected Members were circulated with the Chief Executive's Report for October 2018. The Chief Executive presented on the main highlights of the report for the month of October covering the following areas:- Funding received under the Town and Village Enhancement: Blessington €80,000; Hollywood €29,757; Newcastle €23,760; Newtownmountkennedy €120,488; Rathdrum €68,000; Tinahely €76,000; Wicklow Town €120,000: Total €518,005.

The Chief Executive also advised that planning will begin at Municipal District level to submit projects and apply for funding in the following year. He advised that there is an extra €318,000 for Local Improvements schemes and €500,000 for road improvements/weather damage in addition to the €600,000 payment for overtime incurred during the severe weather event. He referred to other areas of activity such as the Food Strategy for County Wicklow and the commencement of the County Wicklow Commuter Survey and that contracts are due to be signed with Arup Consulting Engineers for Junction 4, N11/M11 along with three new contracts for the development on playgrounds at Annacurra, Laragh and Roundwood. The Chief Executive mentioned that the Regional Spatial and Economic Strategy had gone on display this morning and paid tribute to the Cathaoirleach and Wicklow County Council members of the MERA for raising the issues of concern for County Wicklow and having secured improvements in the Strategy for County Wicklow around the areas populations targets, M11/N11, LUAS extension to Fassaroe, N81 Tallaght and other enabling infrastructure development proposals to be addressed in the draft strategy. The Elected Members welcomed the information contained in the report.

ITEM NO 13

To approve an overdraft accommodation of €20m for the financial year ending 31st December, 2019.

Elected Members were circulated with a letter from Mr. Brian Gleeson, Head of Finance requesting the approval of an overdraft accommodation of €20m for the financial year ending 31st December, 2018. It was proposed by Cllr. S. Bourke, seconded by Cllr. E. Timmins and agreed to approve an overdraft accommodation of €20m for the financial year ending 31st December, 2018.

ITEM NO 14

To receive presentation: Major Emergency Management – Severe Weather Preparedness – Winter Season 2018/2019.

Mr. Aidan Dempsey, Chief Fire Officer, Mr. Michael Richardson, Civil Defence Officer and Mr. Michael Flynn, Senior Engineer presented on the following areas:

- Major Emergency Management Preparedness covering the areas: Severe Weather; Flooding; Civil Defence and Winter Maintenance
- Severe Weather Plan, 2018 Consequences of Severe Weather
- Response Objectives
- Flood Plans 2017
- Areas Affected March, 2018
- Specialist Roles
- Severe Weather Response Plan
- Co-ordination
- Monitoring and Assessment
- Regional Sub-Group
- Oil Pollution – Regional Planning
- Civil Defence- our team
- Resources

- Fleet
- Equipment
- Winter Maintenance
- Wicklow Winter Service Plan
- Gritting Routes
- Viasala Ice Cast System
- Winter Maintenance Operations.

At the conclusion of the presentation the issues and queries raised by the elected members were responded to. The issue of 'local access only' was raised in relation to residents in particular areas find themselves trapped in their houses when 'snow tourists' visit the area and abandon their vehicles, thereby blocking the roads. Elected Members also asked if there could be further distribution of sand and gravel to specific locations where there may be elderly and vulnerable people living.

Question submitted by Cllr. J. Whitmore:

Has Wicklow County Council had any discussions with stakeholders or the Department regarding the purchase of lands at Luggala?

Cllr. J. Whitmore advised that the Estate is for sale at €28m but that the proposal from Mountaineering Ireland and the National Parks is that the area proposed for recreational and tourism is smaller and estimated at around €2m. Cllr. Whitmore also mentioned the impact on the sale on the film industry. She made the following proposal: *That Wicklow County Council writes to the Minister and request that the State acquire the uplands surrounding Luggala Estate in County Wicklow for the public's recreational use and that it be incorporated into the Wicklow National Park.* Cllr. Whitmore also requested that this letter be sent to Minister for Culture Ms. Josepha Madigan, Minister for Community Development Mr. Sean Kyne and also the Irish Film Board. This was seconded by Cllr. S. Matthews and agreed.

The Chief Executive advised that the Council had received written correspondence from Mountaineering Ireland in relation to the State purchasing the property, and that the State has appointed Planning Consultants in the matter which both he and the Director of Planning, Mr. Sean Quirke would be meeting with.

ITEM NO 15

To receive presentation: County Wicklow Refugee Resettlement Review.

Mr. Michael Nicholson, DOS, presented on the following areas:

- SOMALI FAMILIES IN ARKLOW: A REVIEW OF RESETTLEMENT, REUNIFICATION AND INTEGRATION
- Rights of Refugees under the Resettlement Programme
- Introduction
- Review of Programme
- Issues
- Findings
- Recommendations
- Next Steps:
- Conclusion

At conclusion of the presentation, Mr. M. Nicholson responded to the queries of the Elected Members.

ITEM NO 16

To note Wicklow County Council Annual Report, 2017.

Elected Members were circulated with the Wicklow County Council Annual Report, 2017 on 31st October, 2018 which was noted by the Members.

ITEM NO 17

Notice of Motions: None listed.

ITEM NO 18

Correspondence

Letter from Local Authority Waters Programme: Public Engagement and Public meetings in priority Action Areas in County Wicklow:

L. Gallagher advised of letter dated the 17th of October, 2018, received from Local Authority Waters Programme advising of a public meeting to be held for Potters and Three Mile Waters on the 29th of November, 2018 at 7.30 p.m. at the Centre of Excellence, Ballinakill, Rathdrum, Co. Wicklow and circulated to the elected members on the 23rd of October last. This was noted by the Elected Members.

THIS CONCLUDED THE BUSINESS OF THE MEETING

**CLLR. PAT VANCE
CATHOAIRLEACH
WICKLOW COUNTY COUNCIL**

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