

**COMHAIRLE CHONTAE CHILL MHANTAIN**

**MINUTES OF ANNUAL MEETING OF WICKLOW COUNTY COUNCIL HELD ON  
MONDAY 18TH JUNE, 2018 IN THE COUNCIL CHAMBER, COUNTY BUILDINGS,  
WICKLOW AT 2.00 P.M.**

**PRESENT:**

**COUNCILLOR E.TIMMINS, CATHAOIRLEACH, COUNCILLORS T. ANNESLEY, J. BEHAN, V. BLAKE, S. BOURKE, S. CULLEN, T. CULLEN , P. DORAN, G. DUNNE, P. FITZGERALD, T. FORTUNE, C. FOX, 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. M. KAVANAGH AND CLLR. M. O'CONNOR.**

**IN ATTENDANCE:**

**MR. F. CURRAN, CHIEF EXECUTIVE  
MR. T. MURPHY, DIRECTOR OF SERVICES  
MR. M. NICHOLSON, DIRECTOR OF SERVICES  
MR. S. QUIRKE, DIRECTOR OF SERVICES  
MR. J. LANE, DIRECTOR OF SERVICES  
MR. M. GEANEY, A/DIRECTOR OF SERVICES  
MR. B. GLEESON, HEAD OF FINANCE  
MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR  
MS. THERESA O'BRIEN, SENIOR EXECUTIVE OFFICER,  
MR. A. MINION, ADMINISTRATIVE OFFICER,  
MR. D. KEYES, ADMINISTRATIVE OFFICER,  
MR. F. KEOGH, SENIOR PLANNER  
MR. T. HUGHES, IT SUPPORT**

**DEPUTY P. CASEY, TD**

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**Suspension of Standing Orders**

Cllr. T. Cullen referred to the recent Prime Time Investigates Programme in relation to matters concerning the KWETB which he described as very disturbing and expressed the view that as there are elected members of Wicklow County Council on the KWETB Board he asked that this issue be given priority on the agenda for the July Council meeting.

The following views were expressed by the elected members in relation to the request-

- While in agreement with the request and acknowledging the seriousness of the matter, the view was expressed that while there is an ongoing investigation into the matter the elected members should think very carefully prior to discussing the matter in the chamber
- View expressed that as the matter was discussed on national television and there is no criminal case under investigation, there could be no reason why the Council cannot discuss it.
- View expressed that there should be no issue in discussing the matter as long as the Council kept within certain parameters. Suggestion put forward that the Council write to

the new Chief Executive of the KWETB and invite her to come to a Council meeting to outline her vision for the ETB.

- The Council should get legal advice on the matter prior to the July meeting as to what the Councillors can and cannot discuss.

At the conclusion of the discussion it was also agreed that prior to the July meeting the Council would write to the Department of Education and Skills and request that the final draft of Mr. Thorn's report be published and that any legal advices that the KWETB have been provided with, be provided to Wicklow County Council. It was also agreed to invite Dr. Deirdre Keyes, CE of the KWETB to the July Council meeting.

Cllr. J. Behan referred to what he described as the important vital medical facilities for the people of County Wicklow and asked for a letter to be sent to the Minister for Health and to the HSE in relation to the non-availability of a public consultant for orthopaedic work in St. Vincent's hospital and also the non-availability of ophthalmology services in Loughlinstown Hospital. This was agreed.

#### Vote of Congratulations:

The elected members extended a voice of congratulations to the following persons

- Ms. Lorna Mallick – representing Wicklow in the Rose of Tralee contest
- Ms. Áine O'Gorman – 100 caps for Irish soccer
- Dee Featherstone on raising nearly €500,000 for charity through the recent 'strip and dip' at Magheramore Beach some weeks ago and worldwide.
- Wicklow ladies senior football team on reaching the intermediate football final
- County Wicklow participants of the Special Olympic Games.

#### **ITEM NO: 1**

##### **Election of Cathaoirleach**

Prior to calling for nominations for the position of Cathaoirleach, Cllr. E. Timmins, outgoing Cathaoirleach, said that he had been honoured to hold the position of Cathaoirleach of Wicklow County Council and thanked the elected members for the courtesy and support shown to him over the last 12 months. He especially thanked the Leas Cathaoirleach, Councillor Pat Vance, whom he said was a great support as well as his predecessor, Councillor Pat Fitzgerald. He thanked the Chief Executive and all of the staff of the Council for the support given to him. He said that he felt extremely lucky and privileged to live in a county as beautiful as Wicklow which he said was 'on the up and progressing'. He repeated the priority issues which he considered to be relevant a year ago and today which are, maximising the drawdown of national funding in all areas, continued increased decision making and spending at local level, and the recognition of the differences that exist in the rural and urban parts of the County.

Elected members and the Chief Executive collectively paid tribute to Cllr. E. Timmins on the manner in which he carried out his duties as Cathaoirleach, commending his strong work ethic. He was congratulated for the manner in which he carried out his role both at County level and abroad, for his impartiality and fairness and that he made himself available to Members to discuss issues and concerns when requested. The Chief Executive and Members wished him well for the future.

Cllr. E. Timmins called for nominations for the position of Cathaoirleach for the forthcoming year.

1. Cllr. G. Walsh proposed Cllr. P. Vance as Cathaoirleach. The proposal was seconded by Cllr. G. Dunne.

As there were no further nominations Cllr. P. Vance was elected Cathaoirleach of Wicklow County Council.

Cllr. P. Vance accordingly took the Chair, following which the meeting was adjourned for 5 minutes to allow for photographs to be taken.

On resuming the meeting and before calling for nominations for Leas Cathaoirleach, the newly elected Cathaoirleach addressed the Council.

He thanked the elected members for their vote of confidence in electing him to the position of Cathaoirleach of Wicklow County Council. He paid tribute to Councillor E. Timmins for his commitment and dedication to the role of Cathaoirleach over the last 12 months. He said that he was prepared to give as much time as possible to the elected members and to the officials to make this year a successful one and outlined the areas he intended to focus on in the year to come.

- Housing will continue to be a priority issue especially the provision of affordable housing
- Employment opportunities – we have a marvellous product (County Wicklow) and he will welcome the opportunity to meet with anyone who expresses an interest in developing job opportunities for County Wicklow.
- The development of the N11/M11 merge
- Tourism opportunities
- The Regional Assembly – this is vitally important for the development of County Wicklow
- Increased autonomy for the Municipal Districts

He concluded by saying that it is impossible to perform the role of Cathaoirleach without the support of the Executive and also one's family, and he looked forward to working with the elected members, Chief Executive and all staff of Wicklow County Council for the coming year.

The elected members joined together in congratulating Councillor P. Vance on his election. The Chief Executive congratulated the Cathaoirleach and assured him of the support of the staff of the Council.

## **ITEM NO: 2**

### **Election of Leas Cathaoirleach**

The Cathaoirleach called for nominations for the position of Leas Cathaoirleach.

1. Cllr G. McLoughlin proposed Cllr. I. Winters, which was seconded by Cllr. V. Blake.
2. Cllr. G. O'Neill proposed Cllr. J. Snell which was seconded by Cllr. B. Thornhill.

Following a roll call, Cllr I. Winters was elected as Leas Cathaoirleach of Wicklow County Council by a margin of: 20 votes for Cllr. I. Winters, 7 votes for Cllr. J. Snell, 4 not present and 1 abstaining viz:

<b>Cllr I. Winters (20)</b>	<b>Cllrs V. Blake, S. Bourke, G. Dunne, S. Cullen, P. Doran, P. Fitzgerald, C. Fox, P. Kennedy, N. Lawless, M. McDonald, G. McLoughlin, D. Mitchell, D. Nolan, J. Ruttle, J. Ryan, E. Timmins, P. Vance, G. Walsh, J. Whitmore and I. Winters.</b>
<b>Cllr J. Snell (7)</b>	<b>Cllrs J. Behan, S. Matthews, M. Murphy, O. O'Brien, G. O'Neill, J. Snell and B. Thornhill.</b>
<b>Not present (4)</b>	<b>Cllrs T. Annesley, T. Cullen, M O'Connor, and M. Kavanagh.</b>
<b>Abstaining (1)</b>	<b>Cllr T. Fortune.</b>

Cllr. I. Winters was congratulated on her election as Leas Cathaoirleach of Wicklow County Council.

### **ITEM NO: 3**

#### **To Agree Schedule of Ordinary/Special Meetings for the coming year**

Ms. L. Gallagher clarified with the Elected Members that the meeting listed for the 8<sup>th</sup> of October, 2018 should be read the 1<sup>st</sup> of October. This was noted and schedule of ordinary/special meetings for the coming year as circulated was agreed.

#### Suspension of Standing Orders

Cllr. T. Fortune proposed a suspension of standing orders to discuss the granting of Planning Permission 18/373 and Objective R17 of the Wicklow County Development Plan. This was seconded by Cllr. J. Behan.

Cllr. T. Fortune read the wording of objective RT17 from the County Development Plan.

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fast-food/takeaway outlets, including those with drive-through facility.*

*Exclude any new fast-food outlets which offer foods that are high in fat, and salt or sugar from being built or from operating within 400 metres of the gates or site boundary of schools, parks or playgrounds excluding premises zoned town centre.....*

*Fast-food outlets or takeaways with proposed drive-through facilities will generally only be acceptable within major town centres or district centres and will be assessed on a case by case basis. Locations of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.....”*

He referred to a meeting the previous week with the Council Official(s) and the Municipal District Councillors and described the decision of the grant of permission as devastating to the residents whom he said cannot understand or accept the decision made having regard to Objective R17. He requested that the planning decision be called back under section 44 of the Planning and Development Act, 2000.

Mr. S. Quirke, DOS, explained that a number of the Greystones MD members were briefed on the matter on Friday, and gave the background to the planning application in that it referred to the change of use from a gym to a restaurant/takeaway and associated signage at Unit 1A Blacklion Retail Centre. The planning application was received on the 11<sup>th</sup> of April, 2018 and no submissions or observations were made. The permission was granted on the 1<sup>st</sup> of June, 2018, subject to 4 conditions, one of which is that the takeaway cannot operate before 5.p.m in the afternoon. He referred to the retail policies contained within the County Development Plan, numbering in the region of 35, and that the permission related to a premises within a neighbourhood centre, where there is also the objective to provide services for people in the locality that they do not have to travel for their services whether it is shopping or convenience food. He explained the considerations taken into account in considering the application and also referenced the precedent in the matter in relation to Wexford County Council. With regard to the request to invoke section 44 of the Planning and Development Act, 2000, he said that he did not think that it could be invoked at this point in time referencing ‘a planning authority shall neither revoke no modify a permission under this section unless the development to which the permission relates no longer confirms with the provisions of the development plan.’ He advised that the appeal period was still open

and that that An Bord Pleanála had confirmed that they received a letter seeking leave to appeal.

Following a lengthy discussion on the matter, wherein the elected members expressed their views, the Chief Executive reiterated the specifics of Policy RT17 and that no fast food will be served before the schools are well concluded as well as the zoning policy contained within the plan for neighbourhood centres and smarter travel etc. The Cathaoirleach suggested that the appeal period be allowed to run its course and in the meantime the Council can access legal advice and have the matter listed on the agenda for the July meeting. This was agreed.

**THIS CONCLUDED THE BUSINESS OF THE MEETING**

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**Cllr. P. Vance**  
**Cathaoirleach**

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**Ms. L. Gallagher**  
**Senior Executive Officer,**  
**Enterprise & Corporate Services**

**Date:** \_\_\_\_\_