

**MINUTES OF THE ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 1<sup>ST</sup> APRIL, 2019, COMMENCING 2PM**

**PRESENT:**

COUNCILLOR P. VANCE, CATHAOIRLEACH, COUNCILLORS T. ANNESLEY, J. BEHAN, V. BLAKE, S. BOURKE, T. CULLEN, S. CULLEN, P. DORAN, G. DUNNE, P. FITZGERALD, T. FORTUNE, C. FOX, M. KAVANAGH, P. KENNEDY, N. LAWLESS, S. MATTHEWS, M. MCDONALD, G. MCLOUGHLIN, D. MITCHELL, M. MURPHY, D. NOLAN, 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.

**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. B. GLEESON, HEAD OF FINANCE  
 MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR  
 MS. S. WALSH, SENIOR PLANNER  
 MS. B. KILKENNY, SENIOR ENGINEER  
 MR. M. FLYNN, SENIOR ENGINEER  
 MR. F. KEOGH, SENIOR ENGINEER  
 MR. D. MARNANE, A/SENIOR ENGINEER  
 MS. H. DENNEHY, SENIOR EXECUTIVE OFFICER  
 MS. J. CARROLL, SENIOR EXECUTIVE OFFICER  
 MR. D. FORDE, BRAY MUNICIPAL DISTRICT ADMINISTRATOR  
 MR. T. GRIFFIN, SENIOR EXECUTIVE CHEMIST  
 MS. L. ROTHWELL, ASSISTANT PLANNER  
 MS. G. LANG, ASSISTANT STAFF OFFICER

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**VOTES OF SYMPATHY:** Elected Members passed a vote of sympathy to the families of the late Mrs Ann Rountree, Mrs. Maureen Doyle, Mr. Paddy Dunne, Mr. James Johnson and Mr. Duncan Cole. The elected members noted the opening of a book of condolences for the victims of the Christchurch New Zealand attacks. A minutes silence was observed for the deceased.

**REQUEST FOR SUSPENSION OF STANDING ORDERS:-**

L. Gallagher advised that two requests for suspension of standing orders had been submitted in advance of the meeting. In accordance with the protocol adopted both requests were read to the meeting as proposed and seconded:-

1. Proposed by Cllr. G. Walsh, seconded by Cllr. Pat Fitzgerald:- *As Chairperson of the Economic Development and Enterprise Support Strategic Policy Committee for Wicklow, I wish to request that a suspension of standing orders be considered at the ordinary meeting of the Council on 1/4/2019 in order to discuss the recent revaluation process by the Valuation Office of all commercial and industrial properties in Wicklow. Proposed valuation certificates being received by small businesses over the past two weeks have resulted in considerable confusion as well as a high level of anxiety to the recipients, with proposed increases to rates for 2020, over 100% in many cases. Advice clinics arranged in Districts last week proved ineffective due*

*to their timing, as businesses owners were just receiving their new valuations certificates and did not have sufficient time to absorb/ digest the consequences of these changes to their businesses. Clinics being held during daytime business hours were also not an option for small business owner/occupiers. Also, as business owners only have 40 days to make representation regarding their new valuations from the date of issue of their notices, I would contend that the situation should be considered urgent to the business of this Council. It was agreed to discuss this matter at 4.30p.m.*

2. Proposed by Cllr. B. Thornhill and seconded by Cllr. O. O'Brien: *I wish to seek a suspension of standing orders at the Wicklow County Council Meeting on Monday 1/4/2019 at 2pm to discuss urgent planning and related matters that have come into the public realm in the past 3 weeks, I Brendan Thornhill, Cllr will propose the suspension and Oliver O'Brien Cllr will second the proposal. Mile buiochas. For your attention please. Brendan Thornhill Cllr.*

The Cathaoirleach advised that he intended to rule that the matter not be discussed, the reason being that there may be a future high court action in the matter and there may also be a future Garda enquiry put in place. He advised that people are entitled to their good name and reputation. The reputation of Wicklow County Council, the Planning Department and staff needs to be protected and he referred to the presentation by the staff of the planning department in the Council Chamber on the 7<sup>th</sup> of March, 2016. He advised that there are procedures in place for dealing with such matters and he referred to Part 15 of the Local Government Act, 2014, namely the Ethical Framework for the Local Government Services. He said he was ruling on this matter in accordance with standing order number 44 which he had to the power to do as Cathaoirleach.

#### **ITEM NO. 1**

**To confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 4<sup>th</sup> March, 2019.**

It was proposed by Cllr. P. Fitzgerald, seconded by Cllr. G. Dunne and agreed to confirm and sign the minutes of ordinary meeting of Wicklow County Council held on Monday 4<sup>th</sup> March, 2019.

#### **ITEM NO. 2**

**To consider the disposal of 0.0379 hectares (0.0937 acres) or thereabouts of land in the townland of Ballinaclogh, Rathnew, Co. Wicklow to Mr. Aubrey Armstrong, Ballinaclogh, Rathnew, Co. Wicklow.**

It was proposed by Cllr. G. Dunne, seconded by Cllr. P. Kennedy and agreed to dispose of 0.0379 hectares (0.0937 acres) or thereabouts of land in the townland of Ballinaclogh, Rathnew, Co. Wicklow to Mr. Aubrey Armstrong, Ballinaclogh, Rathnew, Co. Wicklow.

#### **ITEM NO. 3**

**To consider the disposal of part of the freehold interest in the property comprised in Folio WW5279F being 25 Hawthorn Road, Bray, Co. Wicklow to Mr. James Mulrooney (junior) and Ms. Elizabeth Carroll, the legal representatives of Mr. James Mulrooney (deceased) 25 Hawthorn Road, Bray, Co. Wicklow.**

It was proposed by Cllr. P. Vance, seconded by Cllr. D. O'Brien and agreed to dispose of part of the freehold interest in the property comprised in Folio WW5279F being 25 Hawthorn Road, Bray, Co. Wicklow to Mr. James Mulrooney (junior) and Ms. Elizabeth Carroll, the legal representatives of Mr. James Mulrooney (deceased) 25 Hawthorn Road, Bray, Co. Wicklow.

**ITEM NO 4**

**To consider the disposal of part of the freehold interest in the property comprised in Folio WW5279F being 25a Hawthorn Road, Bray, Co. Wicklow to Mr. Rossa Murray and Ms. Deirdre Murray, 25a Hawthorn Road, Bray, Co. Wicklow.**

It was proposed by Cllr. J. Snell, seconded by Cllr. N. Lawless and agreed to dispose of part of the freehold interest in the property comprised in Folio WW5279F being 25a Hawthorn Road, Bray, Co. Wicklow to Mr. Rossa Murray and Ms. Deirdre Murray, 25a Hawthorn Road, Bray, Co. Wicklow.

**ITEM NO. 5**

**To consider the disposal of 0.00208ha (0.0314 acres) or thereabouts of land in the townland of Merrymeeting, Rathnew, Co. Wicklow being 50 Seaview Heights, Rathnew, Co. Wicklow to Mr. Thomas Butler and Ms. Elaine Butler, 50 Seaview Heights, Rathnew, Co. Wicklow.**

It was proposed by Cllr. J. Snell, seconded by Cllr. G. Dunne and agreed to dispose of 0.00208ha (0.0314 acres) or thereabouts of land in the townland of Merrymeeting, Rathnew, Co. Wicklow being 50 Seaview Heights, Rathnew, Co. Wicklow to Mr. Thomas Butler and Ms. Elaine Butler, 50 Seaview Heights, Rathnew, Co. Wicklow.

**ITEM NO 6**

**To consider the Chief Executive's Monthly Management Report, March 2019.**

Elected Members were circulated with Chief Executive's Monthly Management Report, March 2019 on 27<sup>th</sup> March, 2019. The Chief Executive advised that he would take the report as read and also take any questions in relation to it.

Cllr. T. Cullen referred to a document he said he had received, which he described as serious, and which referred to the alleged issuing of a certificate of compliance without the full planning levies being paid. As the matter was not included in the Chief Executive's report the Cathaoirleach advised that it would not be considered. Cllr. T. Cullen then left the meeting speaking while unseated.

Elected members made the following contributions which were responded to by the Chief Executive:-

- Extension to the cold weather initiative welcomed and proposal to extend it and have additional facilities in place also welcomed
- Proposed increased supply of housing units welcomed
- Update on remediation works to Whitestown requested
- Update on water and waste water in the County requested and is there is any update on convening a meeting to discuss the issue
- Interview process for general operatives which commenced noted and welcomed
- Update on proposals for engineering staff Bray MD requested.
- Reference made to public lighting and the slow repair of lights out of order.
- Assurance sought from the executive that the legal department will engage the additional staff needed to process disposal resolutions passed by the elected members in a timely manner. Reference made to a disposal resolution passed some 7 years ago which has not been finalised.

Councillors Clinics held by Irish Water recently raised and the provision of responses requested to questions submitted to Irish Water in advance. It was proposed by Cllr. J. Behan, seconded by Cllr. P. Vance and agreed that the Council would write to Irish Water and advise that elected members who submit their questions in advance of the Elected Members Clinics expect that a response be provided to them on the day. In cases where the questions are not submitted in advance and are asked of Irish Water staff on the day, a response is expected to be received the following week.

**ITEM NO 7**

**To note the Wicklow County Council Joint Policing Committee Report for year ended 31<sup>st</sup> December, 2018.**

Elected Members were circulated with Wicklow County Council Joint Policing Committee Report for year ended 31<sup>st</sup> December, 2018 on the 27<sup>th</sup> March, 2019 which was noted by the elected members for submission to the Policing Authority.

**ITEM NO 8**

**To consider the LCDC Annual Report, 2018**

Elected Members were circulated with the LCDC Annual Report, 2018 on 27<sup>th</sup> March, 2019. Cllr. G. McLoughlin, Chair of the LCDC in introducing the LCDC Annual Report outlined the role of the LCDC and the work and achievements of the committee. She advised that the focus of *Local Government Reform* and *Putting People First* is maximising the resources and to improve the service to our citizens. She advised that the LCDC is integral to this and the annual report will provide the elected members with information on all that has been achieved. She thanked the Director of Services, Mr. Michael Nicholson, for his contribution to the process and to the entire team of the CCSD Department. The Cathaoirleach and elected members paid tribute to Cllr. McLoughlin for her contribution to the process and for the wonderful job that she has done as Chair of the LCDC and wished her the best in her retirement from local politics.

Mr. M. Nicholson, DOS, gave the following presentation covering the following areas and responded to queries raised:

**Background**

- **Putting People First – Action Programme for Effective Local Government** outlines Government policy for reform and development across the local government system. It sets a vision of local government *“as the main vehicle of governance at local level – leading economic, social and community development”*.
- The local government reform programme is built around this vision with a clear rationale for the role and potential of local government. Consistent with the vision, Government policy provides that the functions of government at local level will be performed through the local government system to the greatest extent possible.
- In the context of local and community development, *Putting People First* outlines a central role for local authorities in oversight and planning of local and community development interventions and programming, with **Local Community Development Committees (LCDCs)** and **Local Economic and Community Plans** as the primary governance mechanisms through which this will be achieved. This commitment was given legislative effect through the **Local Government Reform Act 2014**.
- LCDCs can comprise between 15 and 21 members drawn from a range of public and private socio-economic interests, though membership ranges typically from 17-19 members in most cases. Membership is determined locally with the majority of members drawn from the private sector. In a typical 19 member LCDC, nine members are drawn from the public sector with 10 members drawn from the private sector.
- **Wicklow LCDC has 19 members.**
- The public members include local authority elected members and officials. Each LCDC typically has between three and four local elected members and two local authority officials, namely the Chief Executive (or their nominee) and the Head of Local Enterprise

Office. They also include representatives from locally-based State bodies, including the HSE, ETBs, the Department of Social Protection, third level institutions etc.

- The private members include representatives from local development bodies, the PPN, business interests, trade union and other community or local interests. **The PPN nominate a minimum of five members representing community & voluntary interests (2), social inclusion (2) and environmental interests (1).**
- LCDCs have been established on a statutory basis as committees of their respective local authorities, however they are wholly independent in the functions assigned to them, such functions being assigned by their parent local authorities or Government Departments and State agencies, as appropriate.

### **Functions of Local Community Development Committees**

- To prepare the community element of a 6 –year Local Economic and Community Plan.
- To implement or arrange for the implementation of the community elements of the plan
- To review the community elements of the Plan
- To co-ordinate, manage and oversee the implementation of local and community development programmes
- To seek to ensure effectiveness, consistency, co-ordination and avoidance of duplication between public funded local and community development programmes
- To consider and adopt a statement for consideration of the Council in respect of the economic elements of a draft of the Plan prepared by the local authority.

### **LEADER & SICAP**

- LEADER – a programme for socio-economic development in rural areas. All of County Wicklow is defined as rural. Funded by the EU through national government. Mainly a funding scheme where community groups and entrepreneurs apply for funding for their projects. LEADER also do capacity building in communities
- SICAP - To support the long-term unemployed, marginalised target groups and build capacity of communities. SICAP is not a grant awarding scheme. The government funds organisations with professional community development workers to work directly with marginalised communities

### **L.E.C.P. And P.P.N**

- The Local Economic and Community Plan is a 6-year plan with 10 High level goals (5 Community and 5 economic), and 20 Objectives (7 Community and 13 Economic) and 130 Objectives (25 Community and 105 Economic).
- The Public Participation Network is a network of local community groups and is the main vehicle used to engage with all sectors of the community.

### **SICAP**

- SICAP is delivered by **45 Programme Implementers (PIs)** covering **50 lots** across the country and is led by Local and Community Development Committees (LCDCs).

### **SICAP Delivery in Wicklow**

- Delivered in Co. Wicklow by two Programme Implementers
- **Bray Area Partnership Company** (based in Bray town centre) in conjunction with Little Bray Family Resource Centre (based in the Fassaroe estate) runs the programme in the Bray & Greystones MD Areas (referred to as Lot 15-1) €711,777
- **Co. Wicklow Partnership Company** (based in Arklow) runs the programme in the Wicklow, Arklow & Baltinglass MD Areas (referred to as Lot 15-2) €597,842

**SICAP GOALS**

- To support socially disadvantaged areas and society's most marginalised groups to improve their quality of life and create more sustainable communities (capacity building, engaging with relevant state agencies etc.)
- To support disadvantaged individuals to engage in further education/training and to support those most disengaged from the labour market in accessing employment and self-employment opportunities

**Policy Context**

- **SICAP 2018-2022** design considerations have been influenced by national policy document from Government, including:
  - Programme for Government
  - Action Plan for Jobs
  - Updated National Action Plan for Social Inclusion 2015-2017
  - Action Plan for Rural Development
  - Further Education and Training Strategy
  - **Our Communities**: A Framework Policy for Local and Community Development in Ireland

**Key Aims of SICAP 2018-2022**

- Engage in meaningful community development work in Wicklow's most marginalised neighbourhoods and build-up the capacity of Local Community Groups.
- Support disadvantaged individuals to improve their education and training qualifications.
- Support unemployed into employment.

**Co. Wicklow SICAP statistics from 2018:**

- **36** Local Community Groups supported
- **721** disadvantaged individuals supported
- **495** participants received supports in relation to progressing their educational and training qualifications
- **36** participants progressed into employment
- **66** participants assisted to progress into self-employment
- **32** Local Community Groups received capacity-building supports

**Examples of SICAP 2018-2022 actions:**

- Public health initiatives, particularly in the area of mental health
- Adult education access programmes
- Initiatives to prevent early school-leaving
- Assist substance mis-users and their families access support services
- Provision of one-to-one self employment and entrepreneurship supports

**L.E.A.D.E.R.- (Acronym)**

Liaisons Entre Actions de Developpement de L'Economie Rurale  
Links Between Actions for the Development of the Rural Economy

**Policy in Context****LEADER - Rural Development Programme**

- Originates – EU Common Agriculture Policy (CAP)
- Supported through – European Fund for Rural Development (EAFRD)
- Delivered through – National Co-Financed Programme

- Local Government Reform Act – Establishment of LCDC Committees (LAG)

### **LEADER RDP Programme**

LEADER is a Community Led Local Development (CLLD) approach that involves the participation of rural communities in developing responses to the key economic, environmental and social challenges identified in their areas.

### **Local Development Strategy (LDS)**

The Local Development Strategy is a Community Led Local Development (CLLD) Plan, developed and driven by rural communities through the LAG, to address the needs identified and to achieve a defined set of local objectives.

### **Role of the LAG (LCDC)**

- Build Capacity in operational area (CWP/IP)
- Determine direction and strategic changes for delivery of LEADER
- Develop fair and transparent selection criteria for project assessment
- Ensure that at least 51% of decision making votes are not from public authorities or any single interest group
- Ensure coherence with the Local Development Strategy
- Agree and publish calls for proposals (time specific/rolling) (IP)
- Makes all Funding Decisions
- Monitor & Evaluate LDS progress and implementation

### **LAG (LCDC) Meetings & Decisions**

- Ensure a quorum of 50 percent to hold LAG meeting (17 member = a quorum of 9)
- Ensures that any member with a Conflict of Interest absents themselves from the relevant deliberations/decision-making process
- Ensure decisions are voted on by a least 50% of the LAG membership (following any COI issues)
- Ensure that at least 51% of the votes are from non-public sector partners
- Ensure decision-making is non discriminatory and transparent
- No casting vote for Chair
- Restricted facility to accommodate votes by written procedures or phoned in decisions in advance
- Record in respect of each decision - public/private member balance has been achieved; and the sectors represented by the members attending the LAG meeting.

### **Role of the Financial Partner (WCC)**

- Provide advance administration & animation funding to support the activity of the LAG/IP
- Make payments to Promoters on behalf of the LAG
- Carry out administration and financial oversight
- Verify and approve claims through LAG
- Submit LAG approved drawdown claims to Department
- Support and provide secretarial duties to the LAG

### **Role of Implementing Partner (CWP)**

- Animate the Programme (including targeted promotional activities)
- Manage calls for proposals (Rolling & Time Specific Calls)
- Assist promoters at all stages of the Application process
- Prepare all projects for review by the Independent Evaluation Committee
- Maintain all project files (physical and electronic)

- Ensure all files are compliant for Article 48 checks
- Review claim documentation and ensure compliance for drawdown
- Annual monitoring of the outcome and impacts of the LDS
- Lead and progress in-house projects as identified in LDS

### **Other Guiding / Binding Documents**

- Operating Rules / Circulars / FAQ's
- National Law i.e. Procurement law, Health & Safety
- National Standards i.e. Fáilte Ireland, National Trails Office, EHO
- Heritage Guidelines
- Wicklow Specific Policies approved by LAG
- Seek to support rather than compete with other programmes and policies i.e. LECP, REDZ, Town & Village Renewal, Rural Recreation Scheme etc.

### **Wicklow Specific LAG Policies**

1. Sporting Facilities – Capital Funding
2. Community Facilities – Capital Funding
3. Accommodation
4. Publications
5. Enterprise Funding
6. Festival & Events
7. Training facilities and Training Courses
8. Social Enterprise
9. Race & Sport horse Industry (Ancillary supports)
10. Voluntary Labour
11. Outdoor Recreation Policy

### **Types of Funding Support Available**

- **Capital**
  - Building
  - Works
  - Equipment
- **Analysis & Development**
  - Feasibility Studies
  - Plans
  - Designs
- **Marketing**
  - Advertising
  - Promotion
  - Branding
- **Training**
- **Co-operation Projects**
- **Artisan Food Initiative**
- **Voluntary Labour/Contribution-In-Kind**

### **IEC – Evaluation Procedures/Meetings**

#### **Role**

- Solely responsible for evaluating funding proposals under LEADER programme and to make recommendations to the LAG



- IEC required to be fair, non-discriminatory, open and transparent

### **Evaluation Procedures**

- Documents circulated in advance of meetings – Application Form & Project Summary
- IEC Members may contact CWP for further information on projects
- IEC Checklist (quorum/conflict of interest)
- IEC collectively complete a score sheet for each project
- Projects must reach a minimum of 65% on aggregate to be recommended for approval to LAG
- In Targeted Calls – Projects to be ranked highest to lowest as per the scoring template
- Record all decisions (rate/ceilings/conditions)
- LAG may request the IEC to reconsider or seek further information before reaching a final decision
- Where the LAG rejects a recommendation from the IEC, it must clearly record the rationale for its decision
- Where the LAG rejects a recommendation not to award funding, it must carry out its own scoring record, ensuring that a minimum aggregated threshold of 65% is met.

### **IEC Transparency Policy Considerations**

- Conflict of Interest Declaration (Ethics in Public Office Acts 1995 & 2001)
  - Declaration Form (LAG/IEC/Staff)
- Freedom of Information (Act 2014)
- Data Protection/LAG Authorised Data Controller (1988 & 2003 Acts)
- Non-disclosure Policy/Agreement
- Public Procurement (National Public Procurement Guidelines/LEADER Guidelines)
- Specific LAG Policies as developed – relevant to Operational Area/LDS

### **ITEM NO 9**

#### **To receive progress on the Draft Regional Spatial and Economic Strategy 2019-2031**

Elected Members were circulated with the proposed material amendments to the Draft Regional Spatial and Economic Strategy 2019-2031 on the 27<sup>th</sup> March, 2019. Ms. S. Walsh, Senior planner gave the following presentation to the Elected Members:

#### **Draft Regional Spatial and Economic Strategy (RSES)**

##### Public Consultation

- 15<sup>th</sup> March 2019 – 12<sup>th</sup> April 2019 (5pm)
- [www.emra.ie](http://www.emra.ie)
- Submissions:
  - Online: [www.emra.ie/rses](http://www.emra.ie/rses)
  - Email: [rses@emra.ie](mailto:rses@emra.ie)
  - Mail: Eastern & Midland Regional Assembly, 3rd Floor North, Ballymun Civic Centre, Main Street, Ballymun, Dublin, D09 C8P5

##### **Submissions to draft RSES**

- The Assembly gave notice that a draft Regional Spatial and Economic Strategy was available for Public Consultation, and that submissions are invited from interested parties from the 5th November 2018 to the 23rd January 2019 inclusive.
- 315 submissions were received during this public consultation process, as well as 2 late submissions.

### **Wicklow County Council submission**

1. Two submissions – from the Chief Executive and the members; members raised 19 points; Chief Executive raised 38 points (some overlap)
2. A 'Director's Report' on the submissions was prepared for the members of the Assembly and was issued to the members on 13th February and presented at the Assembly meeting of the 15th February.
3. This report was assessed by the Wicklow County Council team and it was determined that a number of issues were either not fully addressed or that the Director did not accede to our request. This assessment was provided to our RA members.

### **Amendment process**

- After the meeting of 15<sup>th</sup> February, the members were invited to submit 'motions' for the next meeting of 1<sup>st</sup> March, to be received by 25<sup>th</sup> February
- 29 no. valid motions for proposed amendments to the draft RSES were submitted including 8 from the Wicklow County Council members of the RA
- A 'Director's Report' in response to these motions was issued on the 27th February.
- At the Assembly meeting of 1st March 2019, the members considered the motions, the Director's Report and recommendations, except where it was superseded by the agreed motions.
- At this meeting the members of the Assembly agreed to make the RSES subject to the amendments agreed. It was deemed that a number of these amendments were material and as such, would be subject to a further public display period .
- To note it is only these proposed material amendments that are being placed on display and to which submissions can relate.

### **Wicklow County Council motions**

1. Population re-allocation from Dublin growth target to metro settlement (Bray)
2. Additional text and objectives for key towns of Bray and Wicklow – Rathnew NB public transport and rail improvement objectives
3. List of road schemes including N81
4. Objectives with respect to employment and housing outside M50
5. Inclusion of Wicklow green infrastructure and cultural heritage assets
6. Map corrections

### **Wicklow County Council motions...outcome**

Priority 1 issues

#### **A: Population redistribution from Dublin to Bray**

- The RA did not accept the WCC proposals that it was made unequivocal that population growth in Bray would come out of the Dublin pot. Instead the following objective is now proposed:

*The determination of population targets for local authorities within the MASP including the population targets for the city and the Metropolitan Key towns is a matter for the agreement in consultation with the MASP Implementation Group after the adoption of the RSES to inform the preparation of core strategies of the relevant city and county development plans.*

- Concern in this regard is the timing for this agreement; we will be starting the review process for the County Development Plan this year and therefore the population allocation must be swiftly decided. In addition, it is not clear who will make up the MASP Implementation Group, and what process or structures will be in place within the group where conflict or disagreement arises.

**B: Enhanced descriptive text and objectives for Bray and Wicklow-Rathnew**

- The requested objectives have mostly been included; however the proposed final text for the narrative piece about each town has not been published as part of the ‘proposed material amendments’ document.
- One additional key request related to the growth towns but also the county in general, related to the enhancement of the objectives about the rail service in Wicklow; we had requested text promoting a ‘*major enhancement*’ to rail services. This text has not been included, but this was not agreed at the meeting of the Assembly.

**C: Road objectives**

- We had expressed concern that there were projects listed across the region that had lesser strategic value than some schemes that were omitted. In response to this and other submissions, the RA has proposed to remove a large number of the schemes
- However the two schemes in Wicklow (N11 and N81) are proposed to be retained.

**D: Sequential development policy for the MASP**

- We had expressed concern that the text as written would prioritise city locations over key growth towns and had asked for a small text amendment. This was agreed and forms one of the proposed material amendments:

*Future residential development in the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.*

**E: Green and Blue Infrastructure**

- We had requested additional Wicklow assets be included in the table; this has been proposed:

*Amend Table 7.1 Strategic Natural, Cultural and Heritage Assets to include additional assets under the following headings;*

- *Maritime towns and beaches - Wicklow town*
- *Lakes, Rivers and Canals - Lough Tay – Lough Dan on the Cloghoge River, Vartry Reservoir, River Slaney and tributary Derry River.*
- *Greenways / Blueways: Liffey Valley, Dodder, Lakelands Greenway, Newgrange to Newbridge Greenway, Blessington Greenway, Coastal Greenway from Wicklow to Greystones, Arklow – Shillelagh recreational trail. Refer to the Green & Silver triangular navigation route encompassing Dublin, Royal Canal, River Shannon and Grand Canal.*
  - *National and Regional parks; Avondale and Kilmacurragh. Lough Ree and Mid-Shannon Wilderness Park and Lanesborough Commons North Park, Curragh Plains*
  - *Heritage sites; Curragh Plains, Baltinglass Hill fort Structure.*

**Other priority issues****Dublin to Rosslare Corridor**

- The Director in his report of February 2019 had recommended significant changes including additional text and revised maps relating to ‘strategic connections’ and the ‘Eastern Economic Corridor; Dublin –Belfast – Rosslare Europort’. This was to be referenced in a number of sections including Growth Strategy and Regional Economic Engines.
- However, no reference to this appears in the ‘proposed material amendments’ document.

**Priority 2**

A: Lack of reference to Wicklow generally

- No amendments are proposed in this regard

B: Reference to IDA Greystones in Bray narrative to be removed

- No reference made to this in 'proposed material amendments' document; however the Director in his report to members of 27/02/19 (responding to motions) indicated that this would be removed.

C: Inaccurate maps

- Green infrastructure map: we had pointed out that this map was incorrect. There is no proposed material amendment in relation to this although the Director in his report to members of 27/02/19 (responding to motions) indicated that this would be omitted entirely.
- Map of economic assets did not show Clermont or IDA sites in Bray. There is no proposed material amendment in relation to this although the Director in his report to members of 27/02/19 (responding to motions) indicated that Clermont would be shown on final maps.
- Map of areas under urban influence did not show influence on south / west Wicklow of towns outside out region. There is no proposed material amendment in relation to this

D: Employment in MASP area

We had requested wording change to ensure that areas employment areas outside the M50 would be supported. In this regard, the following text is proposed:

*To increase employment in strategic locations, with a focus on re-intensification and regeneration of lands within the M50, and providing for people intensive employment at other sustainable locations near high quality public transport nodes, building on commercial and research synergies in proximity to large employers and activating strategic sites to strengthen the local employment base in commuter towns.*

**Next steps...**

- Chief Executive will be making a submission reflecting the concerns outlined in this presentation and any other issues arising following further analysis
- The CE will prepare a submission on the members behalf if they so wish
- The members are entitled to make individual submissions if desired
- To note it is only these proposed material amendments that are being placed on display and to which submissions can relate.

The Elected Members made the following contributions, raised the following concerns which were responded to by Ms. Walsh

- View expressed that the Council should make a submission to ensure the inclusion of the linkage from the N9 to the Baltinglass and Dunshaughlin road.
- View expressed that An Bord Pleanála has set a trend in disregarding County Development Plans and especially in relation to Rural one-off plans. Concern expressed that there is no place for local democracy within An Bord Pleanála decision making having regard to the distribution of populations trends.
- Are the non material amendments available on request
- In relation to MASP, is there a separate document within the document and at what stage can the detail be viewed.
- What is the current position with regard to the LUAS to Bray
- How much of the Council's Roads budget is spent on Walking and cycling routes

- Dublin to Rosslare Corridor welcomed.

At the conclusion of the discussion Ms. Walsh asked the elected members to email their submissions of the areas they would like to see included by Friday the 5<sup>th</sup> of April at 5.00 p.m..

### **ITEM NO 10**

#### **To receive update on the Water Framework Directive**

Mr. T. Griffin, Senior Executive Chemist gave the following presentation to the Elected Members and responded to queries raised in the following areas:

#### **EU Water Framework Directive & Water Quality in County Wicklow**

##### **WFD & Water Quality**

- Water Framework Directive 2000
- River Basin Planning Cycles
- Aim to Restore and Protect All Water from the Mountains to the Sea to Good or High Ecological and Chemical Status
- Rivers, Lakes, Groundwater, Estuaries and Coastal Waters
- Fish, Stonefly, Mayfly, River flow and absence of obstacles to fish and river flow
- 1<sup>st</sup> Plan 2009-2015
- 2<sup>nd</sup> Plan 2018-2021

#### **RBD and Shared Regional Service**

- RBD Plan 2018-2021
- Established as measure in RBMP 2018-2021
- Department of Housing Planning and Local Government funded Shared Regional Services
- Local Authorities Waters Programme in Priority Areas for Action
- Wicklow is in East Midlands and South Eastern Region

#### **Catchment Science Team what they do:**

- Work with others to tell the story of the catchment
  - Prepare *Regional Integrated Catchment Management Programmes*
  - Undertake local catchment assessments
  - Collaborate with Teagasc and dairy co-op advisors (ASSAP)
  - Work with partners to identify measures and support implementation at local level (*right measure in right place*)
  - Provide Support and Advice to LA, where needed

#### **Community Water Officers what they do:**

- Work with communities to foster interest in water amenity amongst public and promote water community projects
  - Meet and advise local community groups
  - Facilitate Local Catchment Team Meeting with Community in Priority Catchments
  - Promote and process grant applications for community water projects
  - SUAS project, River Derry Bubble Project, East Wicklow Rivers Trust, Priority Area for Action Meeting

#### **Wicklow Work to Date**

- Potters & Three Mile Water & Slaney Priority Areas
  - Desk Study complete
  - Joint initial catchment review with Wicklow Co Co: Environment Section
  - Review of Desk study findings with

Wicklow Co Co and ASSAP - Community Information Meeting:

29<sup>th</sup> Nov – 28 attendees (Potters)

12<sup>th</sup> March – 11 attendees (Slaney)

- IFA Meeting: 12<sup>th</sup> Dec – 35 attendees
- Farmer Specific Meeting: 21<sup>st</sup> February
- Planned stream assessment: July 2019

### **Wicklow Priority Work (contd.)**

- Desk studies commenced on:
  - Avonmore/Avonbeg (2 waterbodies (WB) High Status Objective)
  - Derry/Coolboy/Rosnastraw (1 WB High Status Objective)
  - Ow (Forestry Catchment)
  - Liffey Upper (low pH - acidification study desk study underway)
  - Dargle (1 WB High Status Objective) and Carrickmines
    - LIFE project on misconnections led by South Dublin and Dun Laoghaire Rathdown Co Cos
- Joint meeting with Forest Service on a strategic approach to address forestry issues as main pressure in 4 PAAs (13 waterbodies) in Wicklow
- Linking with the Blue Dot Programme for High Status Objective sites
- WCC working with EPA to on desk study of acidification & pressures

### **Wicklow Co Co Implementation**

- Public Engagement
  - WQ stand at Tinahely Agricultural Show, PPN network & Coastal Network
  - Assist SUAS Project
  - Assist East Wicklow River Trust Set-up
  - RBMP presentations to Council & SPC
  - RBMP public evenings around the County.
- Implementation
  - Coordination via Operational & Management Committees
  - 680 water samples taken annually
  - Local Catchment Assessments
  - Farm surveys
  - Licensing wastewater discharges
  - Septic Tank surveys
  - Bathing Water Monitoring

### **Priority Area Assessment**

- Catchment Science Team identify reason for low water quality
- Refer matter to Local Authority or relevant Public Authority to implement action(s) e.g. Forest Service, Agricultural Support and Advice Service, Irish Water, EPA etc.
- EPA assess Water Quality Status to show improvement by 2021

### **High and Good Water Quality Benefits**

High and Good Water Quality contributes to: -

- Protection of Drinking Water Supply and less Treatment required
- Promotes Ireland's Green image abroad
- Attracts environmentally conscious tourism and industry
- Added value to our Export Products
- Meets requirements of WFD – Avoid EU Court Fines

**Wicklow Co Co Focus 2019-2021**

- Assist Catchment Scientists with local Knowledge
- Assist Water Community Officers engage with communities
- Carry out Local Catchment Assessments outside Priority Areas
- Continue to Sample Rivers & Lakes under the National Programme
- Continue with Septic Tanks Inspections
  - Improvement Grants to be extended to Priority and High Status Areas
  - Improvement Grants to be increased to 85% or max €5,000 (no means test)
- Continue Farm Surveys outside Priority Areas
- Continue to Licence Wastewater Discharges to Waters
- Continue to Monitor Private Water Supplies
  - Private well improvement grants to increase to max €3000 (max 75% of value)
- Continue to Monitor Bathing Water Quality
- Continue to respond to pollution complaints
- Continue to report on planning applications

**Avoca Mines Update**

- Capping of spoils & Reclamation of Ore Bins at Tigroney
- Capping of all mine shafts
- Remediation of mine adits
- Japanese and Himalayan Knotweed removal

**ITEM NO 11****Correspondence**

Ms. L. Gallagher, Meetings Administrator, advised the Elected Members that the polling day order had been circulated to the members and that the elections will be held on 24<sup>th</sup> May, 2019 between 7.00am and 10.00pm.

**ITEM NO 12****Notice of motions**

The Cathaoirleach advised that he would hear notice of motion number 1 and number 3 together as they were linked.

- 1) Notice of motion in the name of Cllr. J. Whitmore: ***That Wicklow County Council install a network of water fountains and bottle-refill stations across each Municipal District to help reduce the use of single use packaging, such as plastic water bottles'***

**Response:**

Greystones MD has installed a Water Refill Station at Church Road entrance to Burnaby Park, adjacent to the 'Big Love' bicycle parking area on Killincarrick Road. (press release issued to the elected members on the 30<sup>th</sup> November, 2018).

Wicklow MD; Concerns vandalism and soiling of tap but interested

Arklow MD; Will consider purchasing and installation of a network of refill stations if funding is provided for same.

Bray MD; Supports the proposal of the installation of drinking water refill fountains in Bray similar to scheme introduced in the UK earlier this year. Refill Ireland is a voluntary environmental project that is already promoting refill stations in businesses throughout the country. Refill.ie provides a map to all refill stations in the country.

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3) Notion in the Names of Cllr Lawless, Cllr D O' Brien & Cllr Mc Donald: ***'That this Council commits to an exploration in Q1 2019 of the feasibility of installing drinking water fountains in areas within the County that have high volumes of footfall. This will ensure improved access to drinking water and thereby reduce plastic waste from bottled water'***.

**Response:**

The environmental awareness office has installed bottle refill stations in three schools Colaiste Bhríde in Carnew, St Mary's College in Arklow and Colaiste Chraobh Abhann in Kilcoole and is due to install one in more in Glenart College Arklow. This project is funded as a demonstration project under the Local Authority Prevention Network and aims to address the shift in drinks culture from reusable beakers or bottles to single use containers that occurs between primary and secondary schools.

Schools offer scope to engage the public more deeply in changing attitudes and behaviour on waste than can be achieved through general public campaigns. Other local authorities have installed refill stations in public spaces and public building with LAPN funding. Concern has been expressed about maintenance and sanitation required on fountains in open spaces and this should be considered prior to installation.

The national Refill.ie campaign to promote refill station for water has been in contact with the Environmental Awareness Office to explore opportunities to work together. They have expressed an interest to see fountains installed in high footfall public buildings such as libraries but also to work with us on encouraging businesses in our towns to sign up to the campaign offering a refill station on their premises.

This model with no maintenance cost for Wicklow County Council can help to provide a service while also assisting business in our town centres to promote themselves. I am attaching a document which outlines some proposed opportunities to work with the refill campaign. It is intended that at least one project focused on water refill stations will be submitted to the EPA for consideration for funding under the LAPN fund in 2019.

Responses from the Municipal Districts as set out at 1 above

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2) Notice of Motion in the Names of Cllr Lawless, Cllr D O Brien & Cllr Mc Donald: ***'That this Council recognise the landmark decision in the European Parliament when MEP's voted overwhelmingly in favour of an EU-wide ban on single use plastics by implementing a ban on single use plastics in all County Council buildings in County Wicklow and at any council funded functions, within 3 months of passing of motion'***

**Response:**

The European parliament voted to ban a list of ten single use items which includes plates, cups, cutlery, polystyrene fast food containers, cotton buds sticks and balloon sticks under a proposed directive to come into force by 2021. Other measures are included to reduce environmental contamination from fishing lines, cigarettes and other items of concern in the marine



environment. There is also a target set for 90 % recycling of disposable plastic bottles which is likely to necessitate a deposit return scheme.

It has long been the policy in Wicklow County Council that the canteen should use reusable ware for food purchased and consumed and as a result plastics cutlery, plates, stirrers and disposable cups do not feature in catering to any significant extent. It is important that this policy is maintained and strengthened going forward.

Use of plastic drink cups would be the only significant item on the proposed list of items to ban. Water fountains are provided throughout County Buildings and in other offices with plastic disposable cups available for staff and visitors. The plastic cups could be replaced easily either with reusable drink bottles or the provision of drinking glasses or tumblers. Wicklow County Council now has a budget provided under the regional waste management plan to promote waste prevention and it can be used to purchase such bottles or drinking tumblers. Other Councils have gone down this route either with bottles or reusable coffee cups where disposable coffee cups had been used, often selling them below cost price with money from the sales going to charity.

A monetary contribution prevents wastage where items are taken but not used. Provision of glasses or tumblers would be a lower cost option with ease of filling and washing. Branded bottles particularly where used outside the building as well as internally would help promote awareness on avoiding waste through single use items. A provision of tumblers for all staff with an option of a reusable bottle would work best to displace disposable items and also promote the work being done by Wicklow County Council to incorporate best practice on sustainable use of resources.

Banning single use items from council funded functions could be more challenging as some events funded through grants involve large scale catering to the general public by outside contractors. Events such as the Bray Air show, the Tinahely show or A Taste of Wicklow are examples of events which may seek some council funding but where Wicklow County Council does not play a central role in the operation of the event. The Environmental Awareness Office has worked with organisers of a Taste of Wicklow through the Greener Festivals campaign to introduce policies to reduce single use items during the recent Christmas market and it is hoped to continue and strengthen this collaboration for the 2019 Taste of Wicklow event. This will provide scope to develop best practice that can be rolled out through other events.

For all events it would be necessary to ensure that any funding given towards festivals and events carries a condition that single use items must be avoided. This will require commitment from all services in the council particularly the municipal district offices and Community and Enterprise services.

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4) Notice of Motion in the Names of Cllr Lawless, Cllr D O'Brien & Cllr Mc Donald: ***'That this Council commits to a process of recognising its role as a local authority in supporting the implementation of the UN Sustainable Development Goals. The seventeen 'Global Goals' represent the universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity'***.

**Response:**

The 17 Sustainable Development Goals (SDGs) cover all areas WCC work. The Government has set up a SDG Interdepartmental Working Group to oversee a *Whole of Government* approach to

implementation of the SDG's. Details of this can be found in the *The Sustainable Development Goals*

*National Implementation Plan 2018-2020* published by Department of Communications, Climate Action & Environment. The Interdepartmental Working Group has convened a National Stakeholder Forum that includes Local Authorities and it is anticipated that further policy and initiatives will derive from this. A forum is anticipated in January 2019 which will set out initiatives and events for 2019. Planning for a new National Implementation Plan 2021-2025 will also commence.

Local government also has a crucial role to play in translating national policies into tangible practical actions. It is anticipated that WCC will add to its existing work to achieve the SDG's through structures such as the Local Community Development Committees (LCDCs), Strategic Policy Committees (SPCs), Public Participation Networks (PPNs) as well as through development plans and local economic and community plans.

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5) Notice of motion in the name of Cllr. Mary Kavanagh (26<sup>th</sup> November, 2018). ***That this council noting the recent Cervical Check Scandal, calls upon the Minister for Health and An Taoiseach to acknowledge, support and respond in detail to the demands of the Standing4Women\* campaign. These include: Legislation and policy on mandatory open disclosure independent of the patient safety bill. Provision of a start and end date and full disclosure on the 1800 smears yet to be audited, and a breakdown of the new packages being negotiated with laboratories carrying out smear slide analysis including mandatory site audits.***

The action set out in the notice of motion was proposed by Cllr. M. Kavanagh, seconded by Cllr. P. Vance, Cathaoirleach and agreed.

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**Time Extension:** In response to a proposal by the Cathaoirleach it was agreed to extend the duration of the meeting to 5.15 pm.

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6) Motion in the Name of Councillor Brendan Thornhill (14<sup>th</sup> January, 2019)  
***'That the elected members of Wicklow County Council call on the Minister for Housing, Planning and Local Government, Eoghan Murphy, to introduce legislation so that the maximum term that any elected councillor serve without break would be 15 years (3 terms);***

Following a lengthy discussion on the matter the proposal put forward by Cllr. B. Thornhill failed to get the support of the elected members, it was considered that the electorate were best placed to decide what elected members are returned to Council at election time.

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3) Notice of Motion in the Names of Cllr. Miriam Murphy and Cllr. Mary Kavanagh (8<sup>th</sup> February, 2019): ***'On behalf of Aitheantas I am calling on Wicklow County Council to write to Minister Zappone's Department requesting/demanding that her Department acknowledges Adoptee***

***Identity Rights and immediately allows Adoptees access to their own information on health, history and heritage in line with the equality and personal autonomy rights of other citizens and as voted for in two referenda'***

The action set out in the notice of motion was proposed by Cllr. M. Murphy, seconded by Cllr. M. Kavanagh and agreed.

It was agreed that the responses be circulated to the elected members.

**Suspension of Standing Orders:** Proposed by Cllr. G. Walsh and seconded by Cllr. P. Fitzgerald

Proposed valuation certificates being received by small businesses over the past two weeks have resulted in considerable confusion as well as a high level of anxiety to the recipients, with proposed increases to rates for 2020, over 100% in many cases. Advice clinics arranged in municipal districts last week proved ineffective due to their timing, as businesses owners were just receiving their new valuations certificates and did not have sufficient time to absorb/ digest the consequences of these changes to their businesses. Clinics being held during daytime business hours were also not an option for small business owner/occupiers. Also, as business owners only have 40 days to make representation regarding their new valuations from the date of issue of their notices, I would contend that the situation should be considered urgent to the business of this Council.

Mr. B. Gleeson Head of Finance advised that the process of revaluation was being carried out by the Valuation Office and not Wicklow County Council and that the Council has no input as to the determination of the rates. He advised that this was a 'revenue-neutral' exercise in that there will be no additional income to Wicklow county Council and while there may be individual increases or decreases the base income for Wicklow County Council will remain the same. He advised that he had received stats from the Valuation office in relation to the changes and that approximately 56% of rate payers had experienced a reduction in County Wicklow, 41% had experienced an increase and for 3% there was no change. He said that he had raised the issues highlighted by individual elected members to the valuation office and that he would do so again following the meeting.

At the conclusion of the discussion it was agreed that the Council would write to the Valuation office and outline the elected members concerns requesting that :-

1. Due to the delay in ratepayers receiving their proposed valuation certificates, it is requested that an extension to the 40 days representation period is provided.
2. Due to the very significant increases received by some ratepayers, it is requested that increases are phased in over a number of years rather than the full amount being applied in 2020.
3. While additional walk in clinics have been arranged for the 17<sup>th</sup> and 18<sup>th</sup> May in County Buildings and Bray Municipal District respectively, the members have requested that clinics are also provided in the other areas of Greystones, Blessington and Arklow.
4. Members have been advised by a number of ratepayers that they were unable to attend the earlier clinics as they were held during business hours. It is therefore requested that evening clinics are provided in order to address this particular issue.

**ANY OTHER BUSINESS.**

It was noted that the next meeting of Wicklow County Council will be Monday the 29<sup>th</sup> of April, 2019 as scheduled.

**THIS CONCLUDED THE BUSINESS OF THE MEETING**

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

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

**Confirmed at meeting of Wicklow County Council held on Monday the 29<sup>th</sup> of April, 2019**