

## MINUTES OF WICKLOW MUNICIPAL DISTRICT MEETING

THURSDAY 26<sup>th</sup> SEPTEMBER 2019 3PM

DISTRICT CHAMBER, TOWN HALL

**Present:** Cathaoirleach Shay Cullen, Councillors Gail Dunne, Paul O'Brien, John Snell, Irene Winters, Mary Kavanagh.

**In attendance:** District Manager Brian Gleeson, District Administrator Joan Sinnott, District Engineer Kevin Scanlon, Assistant Staff Officer Anne Marie Kelly,

Executive Architect Benan Clancy, Executive Engineer Mark Devereux, Senior Executive Officer Theresa O'Brien, Administrative Officer Merlin Ovington.

Myles Buchanan Wicklow People.

Cathaoirleach Shay Cullen opened the meeting at 3.00pm.

Cllr Mary Kavanagh entered the meeting at 3.05pm.

Executive Architect Benan Clancy left the meeting at 3.30pm.

Executive Engineer Mark Devereaux left the meeting at 3.30pm.

Senior Executive Officer Theresa O'Brien entered the meeting at 3.15pm and left at 5.20pm.

Administrative Officer Merlin Ovington entered the meeting at 3.15pm and left at 5.20pm.

Cllr Irene Winters entered the meeting at 3.40pm.

Myles Buchanan left the meeting at 5.00pm.

### **ITEM 1.**

#### **Confirmation of the Minutes from the Wicklow Municipal District Meeting held 22<sup>nd</sup> July.**

It was proposed by Councillor John Snell, seconded by Councillor Gail Dunne and unanimously agreed to confirm and sign the minutes from the Wicklow Municipal District meeting held on the 22<sup>nd</sup> July 2019.

### **ITEM 2.**

#### **Part VIII Approval for 22 Social Housing Units at Mountainview, Moneycarroll,.**

The Chief Executives Report of September 2019 had been circulated to the members in accordance with Section 179 of the Planning and Development Act, 2000 as amended; RE: Part VIII of the Planning and Development Regulations 2001 – 2006 as amended, regarding the development of 22 housing units at Mountainview, Moneycarroll, Newtownmountkennedy.

Executive Architect Benan Clancy and Executive Engineer Mark Devereux presented the details of this application to the meeting.

- The units are to be 9m maximum ridge height.
- Reduce the number of proposed units from 28 to 22 to allow for an increase in public open space available.
- Dedicated parking to be provided to the proposed dwellings which it is hoped will alleviate concerns over traffic congestion.
- The planted strip of ground adjacent the public road is to be retained in order to achieve adequate site lines and set back requirements.
- The members welcomed the proposals, and felt that the revisions to the application had taken on board the majority of concerns which had been raised by the existing residents. They stated however that the existing houses in the Mountainview Drive and Sycamore Drive estates had been neglected, and that funding should be made available to renovate them in line with the proposed new dwellings.
- They also stated that these additional one and two bed units would be particularly welcome and would go some way to alleviating the housing list.

It was proposed by Cllr Shay Cullen and seconded by Cllr John Snell and unanimously agreed by all members present to proceed with the development of 22 Social housing units at Mountainview, Moneycarroll, Newtownmountkennedy.

<b>FOR (5)</b>	<b>Cllrs Shay Cullen, John Snell, Gail Dunne, Paul O'Brien, Mary Kavanagh.</b>
<b>AGAINST (0)</b>	
<b>ABSENT (1)</b>	<b>Cllr Irene Winters.</b>
<b>ABSTAINING (0)</b>	

The members thanked and commended the housing staff for their presentations.

### **ITEM 3.**

#### **Engineers Report**

Before presenting his report to the meeting, District Engineer Kevin Scanlon informed the members that ½ inch of rain had fallen between 5am and 7am on Sunday morning (22<sup>nd</sup> September) in Wicklow Town, which was a very serious weather event which resulted in 2 houses being flooded. Two crews were out working for much of Sunday alongside Irish Water. He informed the members that he would be liaising with property owners, and that the outdoor staff would be undertaking further drain clearing in the coming days.

Mr. Scanlon also informed the members that a television production company would commence filming in the town and surrounding areas in the coming days. Some roads would have to be closed for periods of time, however Wicklow Municipal District would be liaising with the Guards in this respect.

#### **Housing:**

- Work continuing on general maintenance and repairs.
- Fire damaged houses in Ashwood. Completed.

- Technical support to WCC-Housing Dept:
  - Re-lets (quantities have increased following transfers to new houses):
    1. 11 standard. 7 purchases. 16 transferred to new houses
    2. 5 returned to WCC Housing Dept.
    3. 9 have works continuing.
  - DPGs: 8 completed or ongoing.
  - Part V: 0 completed.
  -

### **Roads and Footpaths:**

- Surface dressing of 7 roads completed in July.
- 3 LIS roads completed in July.
- 1 CIS road in Laragh to be done in coming weeks.
- Road recycling at Sleamaine and Moneystown completed in July.
- Road overlays of 7 roads completed in September. 1 to be completed this week.
- Dunbur Road overlay completed in September.
- Roads in charge queries continue to be processed.
- Road Opening Licences (approx. 10) continue to be processed and agreed.

### **Environment:**

- Brittas Bay trial mowing scheme received funding and works to commence this week.
- Grass cutting and edge cleaning continues.

### **Planning**

- Reports on applications and compliance with applications continue to be issued.
- Estate taking in charge reports and inspections continue with WCC staff.

### **Playgrounds**

- New playground at Brockagh Centre, Laragh completed in August.
- New playground in Roundwood works to commence next week.
- On-going inspections and maintenance. Gym equipment ordered, awaiting Contractor.
- Murrough zip-wire repaired, ship panels replaced. Fencing ordered.

### **Public Liability**

- No update this month

### **Discretionary Works:**

- Glenealy bus bay completed. Ramp and crossing to be completed in October.
- Ballinastoe equipment ordered, road crossing for ESB in coming weeks.
- Riverwalk and Sailing Club steps lighting to be installed in October.
- Dunbur Rd crossing, ramp and lights to be installed in October.
- Newtown traffic survey remains on hold until consultant is appointed.
- Roundwood toilets. No progress.
- Newtown footpaths. Complete.
- Ashtown Lane footpath. No works till October.
- Glenealy footpath and lines. No works till October.

- Maritime Project. Payment for materials and labour made. Locations TBA.
- Ballynerrin playground lights. No progress.
- Murrrough wildflowers. Complete.
- Footpath widening Kidzone to Glebemount. Complete.
- Sinnott's Corner green area. Payment to be made to group.
- Laragh traffic calming. No progress till after Part 8 works complete.
- Merrymeeting footpath. No progress.
- Seaview Heights resurfacing. No works till September.
- Brittas Bay crossing. Traffic count complete. Design underway.
- Ashford Weir report submitted. To be examined with relevant parties.
- Rosanna footpath. Sections widened and cleared off. Ballinalea underway.

### **Town & Village Renewal Grants**

- Newtown footpath and streetscape works. WCC-Roads crew currently onsite working through jobs. Lights ordered.
- Wicklow Lighting at historic sites project. Contractor appointed. Civil works commenced. ESB to finalise connection details next week.

### **Councillor's questions and queries.**

The members queried when certain projects would commence or be completed, including speed ramps in Glenealy, provision of the footpath at Ashtown Lane, Maritime Project, pedestrian crossing on Dunbur Road, resurfacing of Seaview Heights, and marking of car parking spaces in the car park in Glenealy. These questions/queries were addressed in Mr. Scanlon's report.

It was asked if the drains in the housing estates could be inspected, and cleared if necessary. The members advised that flooding was particularly bad outside Bridge Street books.

The members were advised that staff would be dispatched to carry out drain clearing in the coming week.

The members expressed concerns about the lack of progress with the discretionary projects and stated that a decision needed to be taken with respect of the public toilets in Roundwood and what to do with them.

It was requested to look at erecting 'slow down' signs on the Marlton Road after the Ashtown Lane roundabout heading into the town, and on Ashtown Lane.

The members asked if it is possible to extend the newly constructed footpath in Ashford (Rosanna footpath) out to the roundabout in Rathnew.

Concerns were raised about overhanging hedgerows, leaving little room to walk on some of the footpaths in Newtownmountkennedy. The members were advised that the cutting season had begun, and that private landowners had been contacted to advise of their responsibility to cut back overhanging foliage on their properties.

Cllr Mary Kavanagh requested that the proposed memory garden be included as a topic for discussion at next month's meeting.

### **ITEM 4.**

**To consider Municipal District Policing Plan Committee**

District Administrator Joan Sinnott informed the members that at the last meeting of the JPC (Joint Policing Committee) on Monday 2<sup>nd</sup> September, it was agreed that 5 Policing Plan Committees be set up by Municipal District Area. This committee is to be made up the Superintendent for the Area (or their deputy), Members of the Oireachtas, elected members of the Municipal District, a representative from the PPN, District Manager, District Administrator and District Engineer. The purpose of the Policing Plan Committee is to focus on the objectives of the Wicklow County Council Joint Policing Committee 6 Year Strategic Plan and the Garda Annual Policing Plan. It is proposed to meet in committee once a quarter for 1 hour before the monthly Municipal District meeting.

## **ITEM 5.**

### **Notices of Motion**

- (a) Motion in the name of Cllr. John Snell (19/08/2019) **‘Request that Wicklow County Council proceed with the wishes of the Elected Members who voted in July 2018 that lawn cemeteries was not the preferred choice for the Public Representatives of Wicklow East’.**
- (b) Motion in the name of Cllr. John Snell (19/08/2019) **‘That Rathnew Cemetery be returned to the traditional burial ground it had been for all religious denominations since 1905’.**
- (c) Motion in the name of Cllr. John Snell (19/08/2019) **‘The option of surrounds to be taken on a case by case basis on what is currently known as the section of lawn cemetery’.**

A document outlining the background to the operation of the lawn cemetery in Rathnew was circulated to the members prior to the meeting. In summary, the lawn section of Rathnew Cemetery opened in 2004 while it was under the control and management of the Rathdrum and Wicklow Joint Burial Board. The Board decided at this time to designate all unused sections and open areas as ‘Lawn Cemetery’ area. The principal changes following from this decision included.

- Prohibition of the use of kerbstones, chains, railings, shrubs, plant vases, artificial wreaths and other obstructions on the surface of the grave areas.
- All headstones must be erected on a level base stone plinth measuring 3’8” x 1’6” x 4”.
- The maximum height of the headstone above the plinth shall be 4’2”, in the case of a Celtic Cross, a higher limit will apply.
- Fresh flowers and wreaths may be placed on the graves following interment. These may be removed by the Council one month after interment or should they wither and decay before that period has elapsed.

To date there are approximately 300 graves sold and a further 50 presold in the lawn cemetery and all plot owners in the lawn cemetery signed a grave space purchase form agreeing to the terms and conditions applicable to the lawn cemetery.

Cllr John Snell had met with senior officials in Wicklow County Council in August regarding a number of concerns locals had with regard to the operation of the cemetery, and advised that he intended putting a motion before the September Wicklow Municipal District Meeting.

Cllr Snell requested that the decision made at the Municipal District meeting of the 23<sup>rd</sup> July 2018 be implemented, and to give people an option to place a surround around a grave in the lawn cemetery if that is their preference. It was stated that families were not given a choice when the lawn cemetery came into operation.

The members agreed that this was a very emotive and sensitive issue. An open discussion took place and differing views and opinions were expressed.

- Choice should be given to people to put a surround around a family member's grave.
- Culturally some people believe that graves should not be walked on.
- Insensitive to drive machines over graves.
- Maintenance is not an issue in lawn cemeteries which can give certain families piece of mind and works well for them.
- Sympathy was expressed for the families who have graves in the lawn and wish for a traditional.
- There are families who signed up to burying their family member in the lawn cemetery who specifically wanted this type of grave. It was stated that it would be difficult to go back to these families and inform them that the policy governing the lawn cemetery would change and thereby disregard their wishes.
- By allowing surrounds in the lawn cemetery would mean it would no longer be a lawn cemetery.
- The members were conscious that this matter would make families revisit their grief.

It was noted in the document circulated to members that if they voted to change the existing policy it could open up the potential for legal action by the owner of a plot in the lawn section who has signed an agreement for plot in that section. It was clarified at the meeting that this was a very low level risk. It was further noted that when you purchase a burial plot it is not the same as the purchase of a piece of land or buildings. There is no land transfer or the purchaser is not registered on a folio as the owner. By purchasing a plot you are purchasing burial rights.

Following some discussion it was decided to take a vote on the following proposals:

**Proposal Number 1**

**‘With immediate effect the families of a person being interred in Rathnew Graveyard will be given a choice of interring their loved ones in either a lawn cemetery or in a portion of the graveyard that allows for kerbing’.**

This was proposed by Cllr Paul O’Brien and seconded by Cllr Irene Winters and unanimously agreed

**Proposal Number 2**

**‘That the Environment Section of Wicklow County Council would endeavour to contact all families of the persons already interred in the existing lawn cemetery in Rathnew (approx. 300) to say that the council are now considering allowing the installation of kerbing and asking them if they were in favour of this or not – it was agreed that people would be given 6 weeks to reply’.**

This motion was proposed by Cllr Irene Winters and seconded by Cllr John Snell and voted on as follows

FOR (3)	Cllrs John Snell, Irene Winters, Mary Kavanagh.
AGAINST (3)	Cllrs Gail Dunne, Paul O’Brien, Shay Cullen.
ABSTAINING (0)	
ABSENT (0)	

Due to the equal division of votes, the Cathaoirleach, Cllr Shay Cullen exercised his casting vote against the proposal and therefore the decision was taken to not contact the families concerned.

This proposal was defeated.

Following this decision a further vote was taken on the following proposals:

**Proposal Number 3**

**‘To allow Kerbing in the existing lawn Cemetery in Rathnew Cemetery’.**

Proposer – Cllr John Snell and this was seconded by Cllr Mary Kavanagh

FOR (2)	Cllrs John Snell, Mary Kavanagh.
AGAINST (4)	Cllrs Paul O’Brien, Gail Dunne, Irene Winters, Shay Cullen.
ABSTAINING (0)	
ABSENT (0)	

This motion was defeated with the majority of members voting against allowing kerbing in the existing Lawn Cemetery in Rathnew Cemetery.

This proposal was defeated 4 votes to 2

**Proposal Number 4**

- 1) All future plots would face east and would have a clearly defined grassed or concrete open space to the front to avoid the need to walk on graves. This would reduce the overall capacity of the graveyard as each row could not share a path and headstone would not be back to back.**
- 2) The Council will re-introduce the option to pre purchase plots. As was previously the case plots will not be allocated until the first interment. Accordingly, it will not be possible to specify a particular location as this can create significant operational issues. Purchasers can continue to purchase a double plot when purchasing a single. Please note that pre selling can only occur while there is sufficient space available.**
- 3) A specific area within Rathnew Cemetery is to be established for the interment of ashes / garden of remembrance.**
- 4) Confirmation that headstones in Rathnew graveyard can be installed to a height of 4ft 6 inches**

Proposal number 4 was proposed by Cllr John Snell and seconded by Cllr Shay Cullen with an amendment that triple graves can also be purchased under 2 above.

This was unanimously agreed by the members.

It was also agreed that the Environment section would revert to the members prior to any final decision on the internment of ashes and with a map of the graveyard

**ITEM 6.**

**CORRESPONDENCE**

District Administrator Joan Sinnott read out the following emails:

Wicklow County Council's Housing department advising that building works on the former FCA site on the Murrough would commence next week.

John Goodman Chairman of the Regatta Committee thanking the members for their financial contribution to this year's event. In his email he also wished to thank Rueben O'Neill for his help and co-operation in providing material assistance that helped make the festival possible. Finally, he expressed his gratitude for facilitating the meeting with Moore's Carnival which was a definite improvement in the standard of the amusements this year and had received no complaints.

Brendan Flynn, FCA Captain (Retired) invited the members to a Service of Remembrance on Saturday 28<sup>th</sup> September at 1.00 p.m. at the Memorial Garden on the Murrough. Representatives from the Organisation of National Ex-servicemen (ONE), United Nations Veterans Association (UNVA), Irish Army Reserve and ex members of the County Wicklow and South County FCA along with representatives from some local voluntary groups are to be in attendance to pay their respects to men/women who sacrificed their lives serving their communities.

Cllr Shay Cullen requested that a discussion on Christmas Lighting be put on next month's Agenda.

**ITEM 7.**

**ANY OTHER BUSINESS**

Cllr Paul O' Brien raised an issue with abuse and hate speech being directed at him and other Councillors on Social Media. He stated the need for elected representatives to be respectful on social media and that there is an onus to protect each other.

CATHAOIRLEACH SHAY CULLEN CONCLUDED THE MEETING AT 5.30PM

Signed: \_\_\_\_\_  
CATHAOIRLEACH

Signed: \_\_\_\_\_  
DISTRICT ADMINISTRATOR

Dated: \_\_\_\_\_