

**MINUTES OF WICKLOW MUNICIPAL DISTRICT SPECIAL MEETING
WEDNESDAY 12th AUGUST 2020 10.00am
THE BOARD ROOM, WICKLOW COUNTY CAMPUS, CLERMONT HOUSE, RATHNEW**

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

In attendance: Director of Services Joe Lane, District Engineer Kevin Scanlon, District Administrator Joan Sinnott, Dorothy Kennedy, Law Agent, Helena Fallon, Senior Executive Engineer, Gillian Power, Senior Executive Engineer, Jackie Carroll, Senior Executive Officer.

Aveen McCloy, Wicklow Travellers Group

Myles Buchanan, Wicklow People

Cathaoirleach John Snell opened the meeting at 10.00am. He thanked the District Administrator for organising the meeting and thanked everyone for their attendance.

ITEM 1

To consider report in accordance with Part 8 of the Planning and Development Regulations 2001 (as amended) in respect of the proposed construction of a group housing scheme consisting of three no 3 bed housing units at Ballinteskin, Wicklow. The construction of a new entrance including a culvert of the stream, and the replacement of the pipes at the existing entrance with a new culvert

This item was on the Agenda for the July monthly meeting and members had requested that the matter be deferred until they received further information. This was emailed and posted to them. The cathaoirleach asked if there were any queries in relation to the documents.

The following points were raised:

Members made reference to an agreement reached with residents over 20 years ago in relation to the initial six bay development and requested legal advice on the agreement. They were advised that following proceedings on the matter there was a High Court Order that stated that the 1996 agreement between the Council and residents of Ballinteskin could not fetter the decision making of the Council and therefore was not legally binding with regard to this development. It was suggested that the Council should uphold the spirit of the agreement rather than the letter of the law.

It was pointed out that the plan for the original site was for six houses and there are now eight houses and the question was raised if planning permission was sought and given for the additional two houses. It was confirmed that a Part 8 was passed by Wicklow County Council in 2001 for two additional houses.

Clarification was sought as to whether the 3 mobile homes on site constitute unauthorised development and in the event that three houses are built what would happen to them. It was confirmed

the units under consideration were intended to house the people in these mobile homes and that the mobiles would be removed from site at time of allocation of houses and disposed of.

It was confirmed that the proposal under consideration constituted a new development rather than an extension to the existing site.

A query was raised as to whether it is acceptable to connect the sewerage system for the proposed development to the existing services. Members were advised that the system could be upgraded and would be in compliance with regulations.

It was pointed out that the site is bigger than would be required and the question was raised if there were any plans for further developments.

Members sought assurance that this development is for people already living on site, that no other households would arrive and that the Council wouldn't be in the same position in the future. It was confirmed that the three families are already resident on site.

The members, while accepting that the proposal would provide approved accommodation for the families and tidy up the area, voiced strong reservations about any future development on the site.

A query was raised that if the Part 8 is passed can a condition be included that no further development takes place on site. They were advised that a Part 8 cannot be conditioned in this way and that any future developments were outside today's vote and would have to come back before the members if such a development was proposed in the future..

Reference was made to ongoing problems experienced by local residents of the area regarding animals, pets etc. It was pointed out that a social worker and dedicated caretaker were assigned to the site and a lot of work had been done recently and work is ongoing.

It was suggested that if the development goes ahead that regular reports could be compiled and the situation monitored on an ongoing basis to avoid problems arising.

It was confirmed that the Part 8 for the original halting site was carried out in June 2001.

The Cathaoirleach called for a vote on the proposal.

The vote was as follows:

FOR (4)	Cllrs. John Snell, Gail Dunne, Mary Kavanagh, Paul O'Brien
AGAINST (1)	Cllr. Irene Winters
ABSTAINING (1)	Cllr. Shay Cullen
ABSENT (0)	

The proposal was therefore passed.

The meeting concluded at 11.30am.

Signed: _____
CATHAOIRLEACH

Signed: _____
DISTRICT ADMINISTRATOR

Dated: _____