

**MINUTES OF ORDINARY MEETING (HYBRID) OF WICKLOW COUNTY COUNCIL HELD ON
MONDAY 13TH JANUARY 2025, COMMENCING 2.00 PM IN THE COUNCIL CHAMBER AND
VIA MICROSOFT TEAMS**

PRESENT:

COUNCILLORS P. O'BRIEN CATHAOIRLEACH, D, ALVEY, M. BARRY, J. BEHAN, S. BOURKE, M. CORRIGAN, A. CRONIN, M. DUDDY, G. DUNNE, L. FENELON GASKIN, O. FINN, A. FLYNN KENNEDY, T. FORTUNE, P. GLENNON, P. KENNEDY, S. LANGRELL, P. LEONARD, P. MAHON, J. MULHALL, M. MURPHY, I. NEARY, D. O'BRIEN, G. O'NEILL, W. O'TOOLE, G. RICHMOND, L. SCOTT, J. SNELL, P. STAPLETON, S. STOKES AND C. WINSTANLEY (30)

APOLOGIES

CLLRS. E. DOYLE AND P. FITZGERALD (2)

IN ATTENDANCE:

**MS. E. O'GORMAN, CHIEF EXECUTIVE
MS. L. GALLAGHER, DIRECTOR OF SERVICES
Ms/ T. O'BRIEN, T/DIRECTOR OF SERVICES
MS. L. EARLS, DIRECTOR OF SERVICES
MR. J. LANE, DIRECTOR OF SERVICES
MR. M. NICHOLSON, DIRECTOR OF SERVICES
MR. B. GLEESON, DIRECTOR OF SERVICES
MR. M. DEVEREUX, T/DIRECTOR OF SERVICES
MS. D. KENNEDY, LAW AGENT
MS. H. PURCELL, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MS. S. NICHOLS, SENIOR EXECUTIVE OFFICER
MS. M. HALVEY, A/SENIOR EXECUTIVE OFFICER
MR. M. FLYNN, SENIOR ENGINEER
MR. J. BOWES, SENIOR ENGINEER
MR. F. KEOGH, SENIOR ENGINEER
MS. S. WALSH, SENIOR PLANNER
MS. M. CAHILL, A/SENIOR ENGINEER
MS. E. BERMINGHAM, SENIOR EXECUTIVE PLANNER
MR. K. SCANLON, SENIOR EXECUTIVE ENGINEER
MR. T. GRIFFIN, SENIOR EXECUTIVE CHEMIST
MS. S. SWEENEY, SENIOR ASSISTANT CHIEF FIRE OFFICER
MS. E. O'DONOVAN, HEAD OF INFORMATION SYSTEMS
MR. R. KELLY, EXECUTIVE SCIENTIST**

MR. J. SEXTON, EXECUTIVE SCIENTIST
MR. G. CULLEN, EXECUTIVE ENGINEER
MR. D. O'BRIEN, EXECUTIVE ENGINEER
MR. S. CLARKE, TOWN REGENERATION OFFICER
MR. B. WILDES, ADMINISTRATIVE OFFICER
MS. C. CANTERBURY, SENIOR STAFF OFFICER
MS. S. NUGENT, EXECUTIVE ACCOUNTANT
MS. A. HUBBARD, SPORTS CO-ORDINATOR
MS. S. BISHOP, STAFF OFFICER
MS. V. KILLEEN, STAFF OFFICER
MR. S. DOYLE, IS PROJECT LEADER
MS. T. BYRNE, ASSISTANT STAFF OFFICER

At the commencement of the meeting a roll call was taken. The Meetings Administrator advised of meetings etiquette for online meetings and that the press and some members of the public were also present.

Votes of Sympathy

Elected Members passed a vote of sympathy to the families of the late Mr. Ger Minogue, Ms. Margaret Kane, Mr. Mick Davis, Mr. Jim Smith, Mr. Everett Kavanagh, Mr. John McAuley and Ms. Mary Harvey. A minutes silence was observed for the deceased.

Request for Suspension of Standing Orders:- The Meetings Administrator advised that a request for suspension of standing orders had been submitted in advance of the meeting. In accordance with the protocol adopted the request was read to the meeting as proposed and seconded:-

1. Cllr. S. Bourke, seconded by Cllr. S. Langrell and supported by Cllrs. A. Flynn Kennedy, P. Stapleton, A. Cronin, P. Mahon, M. Corrigan, L. Fenelon Gaskin and G. Richmond requested a suspension of standing orders to discuss the following motion:

“The disgraceful and dangerous state of public lighting throughout the county.”

It was agreed by all to have a discussion on the topic at 4.30 p.m.

ITEM NO. 1

To confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 2nd December 2024.

It was proposed by Cllr. J. Snell, seconded by Cllr. S. Langrell and agreed by all to confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 2nd December 2024.

ITEM NO. 2

To confirm and sign minutes of special meeting of Wicklow County Council held on Wednesday 18th December 2024.

It was proposed by Cllr. A. Cronin, seconded by Cllr. L. Fenelon Gaskin and agreed by all to confirm and sign minutes of special meeting of Wicklow County Council held on Monday 18th December 2024.

ITEM NO. 3

To consider the disposal of 0.0266Ha or thereabouts in the townland of Old Connaught being the property known as 1 James Everett Park, Bray to Patrick & Barbara McLoughlin.

It was proposed by Cllr. A. Flynn Kennedy, seconded by Cllr. J. Behan and agreed by all to consider the disposal of 0.0266Ha or thereabouts in the townland of Old Connaught being the property known as 1 James Everett Park, Bray to Patrick & Barbara McLoughlin, as set out in statutory notice circulated.

ITEM NO. 4

To consider the disposal of 0.0258Ha or thereabouts in the townland of Carnew being the property known as Coolattin Road to John & James Murphy as LPR of Bernard Murphy.

It was proposed by Cllr. P. Stapleton, seconded by Cllr. P. Glennon and agreed by all to consider the disposal of 0.0258Ha or thereabouts in the townland of Carnew being the property known as Coolattin Road to John & James Murphy as LPR of Bernard Murphy, as set out in statutory notice circulated.

ITEM NO. 5

To note the Local Government Statutory Audit Report to the Elected Members for the year ended 31st December 2023.

Mr. B. Gleeson, Director of Services gave a brief summary of the Local Government Statutory Audit Report.

Questions raised were responded to by the Chief Executive and Director of Services.

The Local Government Statutory Audit Report to the Elected Members for the year ended 31st December 2023 was noted.

ITEM NO. 6

To consider report on the Strategic Infrastructure Development application in respect of Ballinclare Quarry.

The Chief Executive advised that the Elected Members were circulated with the report of the Chief Executive on the Strategic Infrastructure Development application.

Ms. L. Earls, Director of Services advised the Elected Members of the steps involved in the process. In accordance with the Planning & Development Act, the Members may, by resolution, decide to attach recommendations, specified in the resolution to the report of the Chief Executive

Cllr. P. Leonard proposed a resolution to be attached to the report of the Chief Executive on Ballinclare Quarry as follows:

‘Proposed wording on behalf of the members to be included as an appendix to the Chief Executive Report on Ballinclare Quarry, alongside the minutes and transcript of the full council discussion on the report.

ABP Case Reference: PA27.321255

Description: Ballinclare Quarry, Proposed Material Recovery / Recycling Facility and Inert Landfill

This summary outlines the key objections to the proposed development at Ballinclare Quarry and highlights discrepancies in the Chief Executive’s Report.

ENVIRONMENTAL SECTION

- **Groundwater**

Claims of "no change in well levels during dewatering" are unsubstantiated. Dewatering began in 2022, but groundwater monitoring only started in 2024, after pressure had already reduced. Uisce Éireann warns the backfill could disrupt groundwater flow, levels, and quality, impacting domestic and agricultural wells.

- **Waste Acceptance Criteria**

Kilsaran proposes extending waste intake beyond inert soil, aiming to increase contaminant limits in line with EU Council Decision 2003/33/EC. In 2023, a similar EPA application sought to triple limits for Sulphates, Chlorides, Arsenic, and other contaminants, raising risks of elevated pollution levels.

- **Wastewater**

Contradictions arise in Kilsaran’s statements: they claim no hazardous leachate will be generated due to the inert nature of the waste, yet plans include a leachate tank. No provisions are made for leachate or landfill gas monitoring, leaving potential contamination risks unaddressed.

- **Untreated Surface Water**

Runoff from the site will flow untreated into Kilmacurragh Stream and Potter's River via aswale. This poses a long-term contamination risk, with no monitoring plan for potential leachates dispersing into local water networks.

- **Quarry Lining**

The proposed clay liner may include filter cake, a by-product of washing contaminated materials. Using potentially polluted filter cake risks lining the quarry with harmful substances.

- **Invasive Species**

Despite assurances against accepting soils with invasive species, Kilsaran intends to apply for EPA approval to dispose of soils containing species like Japanese Knotweed and Giant Hogweed. A similar application was rejected by ABP in 2023.

ROAD SAFETY

- **Reduced Road Safety**

Kilsaran's own consultations admit the proposed road widening (to 6m) may encourage higher speeds, reducing safety on the L1157. The design is inadequate for two HGVs (2.9–3m wide) to pass safely, leaving no margin for error, increasing accident risks.

- **N11/M11 Traffic Congestion**

The addition of 600–750 HGV movements weekly will exacerbate existing congestion on the already overburdened N11/M11 corridor.

BIODIVERSITY

- **Peregrine Falcons**

Proposals fail to protect breeding peregrine falcons. Recommended buffer zones for nesting raptors are 200–600m, but the application allows only 15m in cliff height. Such proximity to human and mechanical activity jeopardizes the falcons' survival, critical for maintaining the species in the region.

- **Special Areas of Conservation (SAC)**

The Natura Impact Statement (NIS) fails to conclusively address potential impacts on water-dependent habitats in the Buckroney Brittas Dunes and Fen SAC. Hydrology and leachate studies contain uncertainties, and increased waste acceptance criteria heighten risks. The NIS lacks the necessary assurances required by law.

HUMAN HEALTH

- **Asbestos** - *The site contains asbestos, yet mitigation plans are insufficient. Questions remain about testing protocols, air and water safety measures, and whether the site is even suitable for development.*
- *There has been scant mention of the asbestos discovered onsite in 2016, which was distributed to over 20 building sites before being returned. Since the site closure, the quarry has filled with water, minimising the airborne risk of asbestos particles.*
- *Dewatering the quarry and proposed activities could release asbestos particles into the air, posing severe health risks to local families.*
- *Despite being a critical issue, asbestos is mentioned only briefly in the 2,000-page proposal and relegated to the acronym NOA (Naturally Occurring Asbestos). A comprehensive, independently reviewed plan to mitigate these risks must be enforced before considering approval. The lack of transparency on this long standing issue has eroded trust with local residents.*

Conclusion

This development poses severe environmental, safety, biodiversity, and health risks, particularly concerning asbestos contamination, groundwater impacts, and insufficient safeguards for wildlife. Furthermore, the lack of meaningful consultation and public engagement throughout this process necessitates an Oral Hearing to ensure transparency, and address public concerns. In the light of the genuine and legitimate concerns of local residents and the many issues specified above, we the Elected Members of Wicklow County Council request An Bord Pleanála to refuse permission for this SID application’.

A discussion followed in which the Elected Members endorsed Cllr. Leonard’s proposal. Issues raised included the following:

- History of the site.
- Serious environmental concerns.
- Colossal development being proposed.
- Consequences to health.
- Protection of peregrine falcons and red kite.
- Asbestos.
- Volume of traffic, trucks, Ballinameesda Bends.
- Untreated water.
- Mega dump in the Garden of Ireland.
- Close proximity to the National Arboretum, Kilmacurragh.
- Request for oral hearing.
- Community concerns and impacts.
- Impact on scenic area, Brittas Bay beach and tourism.
- Lack of public consultation.
- Pre-planning meeting.
- Planning enforcement.
- Impact on business and enterprise in the county.
- Implementation of mitigation measures.
- Environmental risks and compliance.
- Public health concerns.
- Health impacts.
- Impact groundwater and local streams.
- Impacts National Gardens, Kilmacurragh, local school and sports facilities.

The resolution proposed by Cllr. P. Leonard and seconded by Cllr. J. Behan with change of wording from ‘*conclusion*’ to ‘*resolution*’ and ‘*request*’ to ‘*recommend*’ in the last sentence, and the addition of the following line ‘*we also request* that the transcript of the meeting accompany the report submitted to An Bord Pleanála.

‘This development poses severe environmental, safety, biodiversity, and health risks, particularly concerning asbestos contamination, groundwater impacts, and insufficient safeguards for wildlife. Furthermore, the lack of meaningful consultation and public engagement throughout this process necessitates an Oral Hearing to ensure transparency,

and address public concerns. In the light of the genuine and legitimate concerns of local residents and the many issues specified above, we the Elected Members of Wicklow County Council recommend An Bord Pleanála to refuse permission for this SID application. We also request that the transcript of the meeting accompany the report submitted to An Bord Pleanála’.

was put to a vote and following a roll call was passed by a margin of 29 for and 3 not present viz:-

FOR (29)	CLLRS. D. ALVEY, M. BARRY, J. BEHAN, S. BOURKE, M. CORRIGAN, A. CRONIN, M. DUDDY, L. FENELON GASKIN, O. FINN, A. FLYNN KENNEDY, T. FORTUNE, P. GLENNON, P. KENNEDY, S. LANGRELL, P. LEONARD, P. MAHON, J. MULHALL, M. MURPHY, I. NEARY, D. O’BRIEN, P. O’BRIEN, G. O’NEILL, W. O’TOOLE, G. RICHMOND, L. SCOTT, J. SNELL, P. STAPLETON, S. STOKES, AND C. WINSTANLEY
AGAINST (0)	
NOT PRESENT (3)	CLLRS. E. DOYLE, G. DUNNE AND P. FITZGERALD

ITEM NO. 7

To consider the Chief Executive’s Monthly Management Report, December 2024.

Elected Members were circulated with the Chief Executive Monthly Management Report December 2024. The Chief Executive updated the Members in respect of the case of Cairn Homes Ltd. and Glenveagh Homes Ltd. Some of the issues raised included the following:

- Thanked gritting staff.
- Update RRDF Baltinglass.
- Extend gritting service to Ballyknockan Village.
- Flooding main roads, Enniskerry.
- Responsibility for dog parks in Greystones and within the county.
- Wastewater upgrade, Aughrim.
- Community land, Rathdrum.
- Sewage flowing into Greystones Harbour.
- Request for water sampling to be year round and results to be published.
- Judicial review.
- Charlesland Road, Greystones.
- Seating, Greystones.
- Heating, social housing.
- N11/M11 bus corridor.
- Variations in the County Development plan.
- LAPs should be adopted by solely by Municipal Districts?
- 37 on housing list, Avoca.

- Request for list of footpath upgrades.
- Progress of Arklow/Shillelagh Greenway.
- Public lighting.
- Emergency services – snow tourists.
- IPB insurance for Tidy Towns.
- Footpath upgrade – disability access.
- Increased traffic flow, Arklow.
- Blessington Gateway.
- Bus stop, Hollywood.
- Blessington park.
- Staffing levels, Baltinglass Municipal District.
- School bus service.
- Differential Rent Scheme, lack of equality.
- Cost, re-lets.
- Blessington RRDF.
- Gritting, Manor Kilbride.
- New town park, Blessington.
- Responsibility of maintenance Arklow/Baltinglass crossover.
- Ukrainian community, Blessington.
- Out of hours for homeless people.
- Footpath audit.
- Evictions, West Wicklow.
- Kippure Lodge.
- Expansion of Local Link services, West Wicklow.

Time Extension: It was proposed by Cllr. C. Winstanley, seconded by Cllr. S. Langrell and agreed by all to extend the meeting to 5.30 p.m.

Elected Members raised questions which were responded to by the Chief Executive and the relevant Director of Services.

Suspension of Standing Orders

Cllr. S. Bourke seconded by Cllr. S. Langrell and supported by Cllrs. A. Flynn Kennedy, P. Stapleton, A. Cronin, P. Mahon, M. Corrigan, L. Fenelon Gaskin and G. Richmond requested a suspension of standing orders to discuss the following motion:

“The disgraceful and dangerous state of public lighting throughout the county”

A broad discussion followed in which the Elected Members raised concerns including the following:

- Reached crisis point, a lot of complaints from the public.
- Failing in our duty. Collecting property tax to do core functions.
- Health and safety issue.

- Lighting situation in Ashford, half the village out since last September.
- Public want answers.
- No follow through, lack of communication.
- Service well below adequate.
- Contractor not delivering.
- Deadsure App – for reporting issues.
- Need to take urgent action.
- Legal liability.
- In July 369 lights out, now 617.
- How is this being measured and how are the jobs allocated to the contractor.
- Who is responsible for the contractors?
- Request that the contractor should attend a meeting to answer questions.
- Lack of progress.
- Monthly updates in Chief Executive's report, broken down by Municipal Districts.

The Chief Executive and the Director of Services responded to the queries raised by the Elected Members. It was agreed to send the link for the Deadsure App to the Elected Members and to give the presentation at the next meeting.

ITEM NO. 8

To note Circular F.01/25 deadline for reporting of political donations by Elected Members

Ms. H. Purcell, Meetings Administrator advised the Elected Members they had received a copy of Circular F10/13 Political Donations, Circular F.01/25 Reporting of Political Donations and Elected Members Guidelines and the deadline for return is 31st January.

ITEM NO. 9

To note the Ethical Framework for Local Government Service annual declaration form in accordance with Part 15 of the Local Government Act 2001, as amended.

Ms. H. Purcell advised the Elected Members they had received a copy of the Ethical Framework for Local Government Service annual declaration form and this form should be submitted on or before 28th February.

ITEM NO. 10

Correspondence

Ms. H. Purcell advised the Elected Members of the following:

- To note the circulation of CPG minutes for meetings of the 1st July, 2nd September, 7th October, 4th November and 11th November.
- The Seanad General Election papers are issuing on the 15th January and must be returned by 11.00 a.m. on the 30th January.

ITEM NO. 11

NOTICES OF MOTION

Notice of motion No. 1

Notice of motion in the name of Cllr. C. Winstanley (proposer), seconded by Cllr. M. Barry (17th October 2024)

‘That the Chief Executive write a letter on behalf of the Elected Members firstly congratulating the new government and then asking them as a matter of priority to enact the Occupied Territories Bill. We want to ask for a commitment to justice and international law through the enacting of this critical legislation by the new government’.

Following a short discussion, the motion proposed by Cllr. C. Winstanley, seconded by Cllr. D. Alvey;

‘That the Chief Executive write a letter on behalf of the Elected Members firstly congratulating the new government and then asking them as a matter of priority to enact the Occupied Territories Bill. We want to ask for a commitment to justice and international law through the enacting of this critical legislation by the new government’

was put to a vote and following a roll call was passed by a margin of 20 for, 1 against, 9 not present and 2 abstained viz:-

FOR (20)	CLLRS. D. ALVEY, A. CRONIN, M. DUDDY, L. FENELON GASKIN, A. FLYNN KENNEDY, T. FORTUNE, P. KENNEDY, S. LANGRELL, P. LEONARD, P. MAHON, J. MULHALL, M. MURPHY, I. NEARY, D. O’BRIEN, P. O’BRIEN, W. O’TOOLE, G. RICHMOND, L. SCOTT, J. SNELL AND C. WINSTANLEY
AGAINST (1)	CLLR. J. BEHAN
NOT PRESENT (9)	CLLRS. M. BARRY, S. BOURKE, M. CORRIGAN, E. DOYLE, G. DUNNE, O. FINN, P. FITZGERALD, G. O’NEILL AND S. STOKES
ABSTAINED (2)	CLLRS. P. GLENNON AND P. STAPLETON

THIS CONCLUDED THE BUSINESS OF THE MEETING

**CLLR. PAUL O'BRIEN
CATHAOIRLEACH
WICKLOW COUNTY COUNCIL**

**MS. HELEN PURCELL
SENIOR EXECUTIVE OFFICER/
MEETINGS ADMINISTRATOR**

Confirmed at meeting of Wicklow County Council held on Monday the 10th February 2025