

**MINUTES OF THE ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD ON MONDAY 14th
JUNE, 2021, COMMENCING 2.00 PM VIA ZOOM**

PRESENT:

COUNCILLORS P. KENNEDY CATHAOIRLEACH, T. ANNESLEY, J. BEHAN, V. BLAKE, S. BOURKE, M. CORRIGAN, M. CREAN, A. CRONIN, S. CULLEN, G. DUNNE, E. DOYLE, A. FERRIS, P. FITZGERALD, A. FLYNN KENNEDY, T. FORTUNE, P. GLENNON, M. KAVANAGH, P. LEONARD, G. MCMANUS, D. MITCHELL, J. MULLEN, M. MURPHY, J. NEARY, D. O'BRIEN, P. O'BRIEN, R. O'CONNOR, G. O'NEILL, L. SCOTT, J. SNELL, E. TIMMINS, G. WALSH AND I. WINTERS.

IN ATTENDANCE:

**MR. F. CURRAN, CHIEF EXECUTIVE
MR. B. GLEESON, HEAD OF FINANCE
MS. L. GALLAGHER, DIRECTOR OF SERVICES
MR. J. LANE, DIRECTOR OF SERVICES
MR. M. NICHOLSON, DIRECTOR OF SERVICES
MS. S. WALSH, A/DIRECTOR OF SERVICES
MR. C. LAVERY, DIRECTOR OF SERVICES
MS. D. KENNEDY, LAW AGENT
MR. L. FITZPATRICK, HEAD OF IS SUPPORT
MS. E. BERMINGHAM, SENIOR EXECUTIVE PLANNER
MR. B. MARTIN, COUNTY LIBRARIAN
MS. M. HARTNETT, SENIOR EXECUTIVE ENGINEER
MS. A. HUBBARD, SPORTS CO-ORDINATOR
MR. D. MARNANE, SENIOR ENGINEER
MS. H. DENNEHY, SENIOR EXECUTIVE OFFICER
MS. S. O'BRIEN, ADMINISTRATIVE OFFICER
MS. H. PURCELL, SENIOR EXECUTIVE OFFICER
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. Gay Downes, Ms. Josephine Hanley, Mr. Patrick Kavanagh, Ms. Mary Doyle, Mr. Willie Fox, Mr. Michael O'Hanlon, Mr. Peter Healy, Ms. Una Broe, Mr. Peter Keogh and Mr. John Toomey. A minutes silence was observed for the deceased.

ITEM NO. 1

To consider the disposal of property comprised in Folio No. WW2871L in the townland of Sheephouse, Arklow, Co. Wicklow being the property known as 107 St. Peter's Road, Arklow, Co. Wicklow by Transfer Order to Ms. Maureen Horan, Ms. Amy O'Reilly, Ms. Patricia Mackey, Mr. Matthew Jenkinson and Ms. Michelle Kennedy of 107 St. Peter's Road, Arklow, Co. Wicklow

(tenants-in-common of 1 undivided 1/5) and the persons entitled to the freehold interest in the property.

Item No. 1 was withdrawn.

ITEM NO. 2

To consider the disposal of 0.0171 acres (0.0069 hectares) or thereabouts comprised in Folio WW1686F (part) in the townland of Bollarney North, Wicklow Town, Co. Wicklow by way of Deed of Rectification to Lidl Ireland GmbH.

It was proposed by Cllr. P. O'Brien, seconded by Cllr. J. Snell and agreed to dispose of 0.0171 acres (0.0069 hectares) or thereabouts comprised in Folio WW1686F (part) in the townland of Bollarney North, Wicklow Town, Co. Wicklow by way of Deed of Rectification to Lidl Ireland GmbH, as set out in Statutory Notice circulated.

ITEM NO.3

To consider the disposal of 0.0038 hectares (0.0095 acres) or thereabouts in the townland of Ballinalea Td, Co. Wicklow comprised of lands acquired from Maurice & Ruth Factor as part of the Compulsory Purchase Order (Newtownmountkennedy/Ballynabarney Road Improvement Scheme) No. 2, 1999 to the current landowner Mr. Andrew Lundberg.

It was proposed by Cllr. S. Cullen, seconded by Cllr. I. Winters and agreed to dispose of 0.0038 hectares (0.0095 acres) or thereabouts in the townland of Ballinalea Td, Co. Wicklow comprised of lands acquired from Maurice & Ruth Factor as part of the Compulsory Purchase Order (Newtownmountkennedy/Ballynabarney Road Improvement Scheme) No. 2, 1999 to the current landowner Mr. Andrew Lundberg, as set out in Statutory Notice circulated.

ITEM NO. 4

To consider the disposal of 0.0082 hectares or thereabouts in the townland of Barronstown Upper, Grangecon, Co. Wicklow comprised in Folio WW4484 Co. Wicklow to Ms. Anne Byrne, Barronstown, Grangecon, Co. Wicklow.

It was proposed by Cllr. E. Timmins, seconded by Cllr. A. Cronin and agreed to dispose of 0.0082 hectares or thereabouts in the townland of Barronstown Upper, Grangecon, Co. Wicklow comprised in Folio WW4484 Co. Wicklow to Ms. Anne Byrne, Barronstown, Grangecon, Co. Wicklow, as set out in Statutory Notice circulated.

ITEM NO. 5

To consider the disposal of property held under Lease & Mortgage dated 13th February 1969 Bray U.D.C. with Mr. Thomas Messitt, being the property known as 13 Wolfe Tone Square Middle, Bray, Co. Wicklow, by Deed of Conveyance to Mr. Wayne Messitt, 13 Wolfe Tone Square Middle, Bray, Co. Wicklow.

Item No. 5 was withdrawn.

ITEM NO. 6

To consider the disposal of property comprised in Folio no. WW2874L Co. Wicklow in the townland of Sheephouse, Arklow, Co. Wicklow being the property known as 79 St. Peter's Place, Arklow, Co. Wicklow by Transfer Order to Mr. Patrick Long, 79 St. Peter's Place, Arklow, Co. Wicklow.

It was proposed by Cllr. P. Fitzgerald, seconded by Cllr. S. Bourke and agreed to dispose of property comprised in Folio no. WW2874L Co. Wicklow in the townland of Sheephouse, Arklow, Co. Wicklow being the property known as 79 St. Peter's Place, Arklow, Co. Wicklow by Transfer Order to Mr. Patrick Long, 79 St. Peter's Place, Arklow, Co. Wicklow, as set out in Statutory Notice circulated.

ITEM NO. 7

To consider the disposal of 0.0171 acres (0.0069 hectares) or thereabouts in the townland of 73 Lower Main Street, Arklow, Co. Wicklow comprised in Folio WW 15223F(part) by Deed of Rectification to Mr. John Murphy and Mr. Stephen Fitzgerald.

Prior to discussion on Item No. 7, Cllr. P. Fitzgerald disclosed to the meeting the nature of a beneficial interest and withdrew fully from the meeting by disconnecting remote connection for consideration of the item.

It was proposed by Cllr. S. Bourke, seconded by Cllr. T. Annesley and agreed to dispose of 0.0171 acres (0.0069 hectares) or thereabouts in the townland of 73 Lower Main Street, Arklow, Co. Wicklow comprised in Folio WW 15223F (part) by Deed of Rectification to Mr. John Murphy and Mr. Stephen Fitzgerald, as set out in Statutory Notice circulated.

Cllr. P. Fitzgerald was invited by telephone to rejoin the meeting which he duly did.

ITEM NO. 8

To consider the disposal of .0064 hectares (64m2) or thereabouts in the townland of Bollarney North by way of a lease for a term of 25 years with the option to extend the term of the lease for a further 10 years, to National Broadband Ireland, 3009 Lake Drive, Citywest, Dublin 24, D24 H6RR.

It was proposed by Cllr. G. Dunne, seconded by Cllr. P. O'Brien and agreed to dispose .0064 hectares (64m2) or thereabouts in the townland of Bollarney North by way of a lease for a term of 25 years with the option to extend the term of the lease for a further 10 years, to National Broadband Ireland, 3009 Lake Drive, Citywest, Dublin 24, D24 H6RR, as set out in Statutory Notice circulated.

ITEM NO. 9

To consider Chief Executive Report pursuant to Section 37E of the Planning & Development Act 2000 (as amended) for an Inert Landfill Facility to backfill the existing quarry, and a Construction and Demolition waste recovery facility at Ballinclare Quarry, Co. Wicklow.

Ms. Edel Bermingham, Senior Executive Planner gave a presentation to the Elected Members outlining the following:

- That this is a strategic infrastructure application to be decided by An Bord Pleanala.
- Application made on 20th April 2021 with a 7-week period to make submissions – 15th June 2021 for the public.

- Application relates to an existing quarry which was operating up to 2014 in Ballinclare and has been operating since before 63. It has a number of permissions on it. In 2014 permission was granted for a further 25 years of quarrying operations.
- Due to natural occurring asbestos, the quarrying operations have stopped.
- Overall infilling operation of six million tonnes of material.
- Infilled with inert material, soil and stone.
- It is proposed to rehabilitate the quarry back to grassland and keep some wetland also in the long-term.
- Plan to bring in 800,000 tonnes of material per year.
- Movement of haulage trucks will be on the L1157 connecting to the regional road, up to the Beehive Interchange on to the M11.
- Go same route down, on the regional route to the Brittas Bay Interchange where it will go south.
- Quarry void would have to be dewatered prior to commencement of the works on site i.e. treatment plant, then lagoons before discharge in Ballinclare Stream and Potters River.
- Quarry has applied for 20-year permission for the facility, if 800,000 tonnes achieved per year, estimated to be all filled in in 8 to 9 year approx.

Ms. Bermingham advised that the Chief Executive's Report has proceeded through the various stages. Also, to note, that the application will be subject of an EPA licence.

The presentation was followed by a discussion where the Elected Members expressed the following views;

- Tonnage too high
- Number of Saturdays should be reduced
- One-way system to be put in place
- Use of Ballinameasda Bends proposed – this is a dangerous road
- No consultation with landowners in relation to proposed pull-in bays
- One truck arrival estimated every 2 minutes
- Shortage of staff to monitor and oversee arrivals
- No consultation with Elected Members in either Wicklow or Arklow Municipal Districts
- Community Scheme should be included similar to Ballinagran
- Proposed development considered not right from a climate perspective, should be rejected – potential pollution of Potters River and subsequently Brittas Bay Beach
- Have An Taisce made a submission/objection to this plan proceeding as it currently stands?
- Impact on local residents quality of life
- Overall disappointment by Elected Members that the development is only being brought to their attention at this late stage
- Some Councillors advised they could not support the applications, resolutions and conditions would not alter this position.

Cllr S. Bourke proposed the following resolution which was seconded by Cllr. S. Cullen:

'that access is in by L1113 and out by the L1157, annual tonnage be halved to 50% of 800,000 and that truck movements be halved to 75 per day Monday to Friday and 45 per day on only 5 Saturdays per annum. An additional point relating to a community scheme to be included in the proposal for the duration of the permission'.

The Chief Executive responded to the issues raised and advised that a full Environmental Impact Assessment was submitted with the plan, there is a full appropriate assessment. There will be a full EPA waste licence application required prior to development commencing on site.

Ms. Edel Bermingham responded to a number of the issues raised and clarified the dates for submissions.

Cllr. M. Kavanagh proposed *'that the Council not allow the plan to continue as it currently stands'*.

Cllr. G. O'Neill proposed *'that the Council write to An Taisce and ask them why they have no submissions'*. This proposal was seconded by Cllr John Snell. Ms. Edel Bermingham advised An Bord Pleanála had referred the application to An Taisce.

Elected Members were requested to submit any proposal in writing in advance of the meeting if possible, in order to minimise errors and omissions and circulate to all members.

Following a broad discussion it was agreed to hold a special meeting to discuss the matter in more detail and to allow Elected Members more time to consider and discuss the proposal.

It was agreed that the special meeting take place on Monday next the 21st June 2021 at 2.00 p.m.

Cllr. S. Bourke subsequently withdrew his proposal as did the other Elected Members pending consideration at the special meeting.

ITEM NO. 10

To consider entering into a Section 85 Agreement with Kildare County Council –Completion of the Blessington Inner Relief Road.

Ms. M. Hartnett, Senior Executive Engineer gave a presentation outlining the following:

- There is an objective to complete the Blessington Inner Relief Road.
- Part of the intended scheme lies within the functional area of Wicklow County Council and part lies within the functional area of Kildare County Council.
- The section of road to be constructed lies between the roundabout on the R410 Naas Road and Roundabout on the L8364 Kilmalum Road.
- The proposed route alignment would bring the road through a corridor already provided for when planning was granted by Kildare County Council for Blessington Manor.
- It should be noted that this portion of land is now in the ownership of Wicklow County Council.
- The remainder of the route is located on green-field sites.
- The majority of this section of road lies within the functional area of Kildare County Council
- The proposed route of this section of road heads northwards from the existing roundabout on the Blessington Inner Relief Road just to the west of Woodleigh Estate and traverses the quarry to emerge onto the N81 in the vicinity of the existing quarry entrance.
- Wicklow County Council and Kildare County Council have agreed that it would be convenient to enter an agreement pursuant to Section 85(1) of the Local Government Act, 2001 providing for the execution of such works.
- In this agreement Wicklow County Council and Kildare County Council would be agreeing that Wicklow County Council can act as lead agency to complete the project.
- This is particularly relevant for the southern section of the project as the majority of the road is within the functional area of Kildare County Council.

- Kildare and Wicklow staff have agreed on the content of the Agreement
- The necessary resolutions approving of the entry into this agreement are now sought by Wicklow County Council and will be brought to Kildare County Council, if approved.

Following a discussion it was proposed by Cllr. G. O'Neill, seconded by Cllr. E. Timmins and agreed to enter into a Section 85 Agreement with Kildare County Council relating to the completion of the Blessington Inner Relief Road.

ITEM NO. 11

To adopt the Wicklow County Council Annual Report 2020 (Section 221 of the Local Government Act 2001)

Elected Members were circulated with the Annual Report 2020 on 9th June 2021.

It was proposed by Cllr. P. Fitzgerald, seconded by Cllr. V. Blake and agreed to adopt the Annual Report 2020.

ITEM NO. 12

To consider and adopt the Wicklow County Council Library Development Plan 2021 – 2025

Elected Members were circulated with the Wicklow County Council Library Development Plan 2021 – 2025 on 9th June 2021.

Mr. B. Martin, County Librarian gave a presentation outlining the following:

Wicklow County Council's commitment to successive Library Development Plans since the first one in 1997

- Buildings we can be proud of
- Increased staffing levels – Work Force Plan now filled
- Opening hours to the public have more than doubled – now at 400+ county wide, including almost 50 hours a week in each full time library
- Emphasis on outreach projects - in each library and virtually
- Specific projects in recent years include working with LGBTI community, online literacy aids targeting each school and a monthly visit to each nursing home (among others)
- "My Open Library" (MOL) introduced in Arklow in 2019. One of 15, nationally. Also will be part of service in new Wicklow library
- Library Development Plan 2021 – 2025 targets the remaining capital projects
- Aghrim – 180 – 200sq m on current site
- Realistic all in cost of €1.2m, including construction, professional fees, shelving, IT, furniture & stock
- Ballywaltrim – application sent to Department of Rural Community Development for grant aid towards a 650 m extension onto Ballywaltrim library. This would mean a library of 800 sq.m in total, over 2 floors. Space for 50+ students, and would become Wicklow County Council's 3rd MOL
- Realistic all in cost of €3.3m, (including possible grant aid of €1.5m)
- RRDF funding of €600,000 approved
- One of 3 projects approved for Baltinglass

- Department of Rural Community Development have advised to reapply as new RRDF project in summer 2021 – as concept has radically changed
- Positive feedback from Department of Rural Community Development on concept
- If unsuccessful, the €600k will still be available
- A commitment to foster self-directed learning
- Promote each of our libraries as a cultural space
- Promote each of our libraries as a dynamic community space
- Develop our services in line with technological developments
- Deliver coordinated services based on cooperation and partnership
- Ensure our libraries play a key role in sustainability – both in our buildings + in being providers of information to the public

The Cathaoirleach thanked Mr. B. Martin, Mr. M. Nicholson and all the Library staff for the work that they are doing.

A discussion followed in which the Elected Members praised the Library staff for the broad range of services they provide and highlighted their role keeping the county connected during Covid-19.

It was proposed by Cllr. A. Ferris and seconded by Cllr. M. Crean and agreed to adopt the Wicklow County Council Library Development Plan 2021 – 2025.

ITEM NO. 13

To consider and adopt the Wicklow Sports & Recreation Partnership Strategic Plan

Ms. A. Hubbard, Sports Co-Ordinator gave a presentation outlining the following points:

- Consultation Process – A series of public, individual and focus group meetings, 2 on-line questionnaires informed this strategic planning process
- Our Strategy – Vision; mission; goal
- Our operating principles – collaboration; co-ordination; creativity & innovation; long-term and self-sustaining initiatives; research
- Infrastructure
- Action areas
- Diverse opportunities
- Good places and great people
- Research and communication
- Standards and resources
- Wicklow Sports & Recreation Partnership Committee

The Elected Members welcomed the inclusivity of the plan.

It was proposed by Cllr. A. Flynn-Kennedy, seconded by Cllr. G. Walsh and agreed to adopt the Wicklow Sports & Recreation Partnership Strategic Plan.

Time Extension: On the proposal of the Cathaoirleach, Cllr. P. Kennedy a time extension to 6.00 p.m. was agreed.

ITEM NO. 14

To consider the Chief Executive Monthly Management Report, May 2021 and to note Chief Executive Monthly Management Report April 2021.

Elected Members were circulated with the Chief Executive Monthly Management Report May 2021 and the Chief Executive Monthly Management Report April 2021 on 9th June 2021.

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

Cllr. E Doyle submitted the following question:

‘To ask the CE if he is aware of the issue of lands for sale at Magheramore, if there are options available to Wicklow County Council to maintain managed public access to Magheramore Beach and to outline the actions required to maintain such access and to preserve the sensitive coastal location’.

The Chief Executive agreed that it was a sensitive coastal location. With regard to Covid measures, a temporary carpark is in place, agreed with the Gardaí and Coastguard. In relation to the land for sale, the Council is taking advice in terms of valuation on the land and taking legal advice in terms of public right-of-way. He said that people have been walking on that land since the regional road was built and Convent Road led down to.

ITEM NO. 15

To ratify the setting up of a Women’s Caucus

Elected members were circulated with a letter dated 2nd June 2021 advising of the establishment of the Wicklow Women Councillor’s Caucus.

A discussion took place during which the Elected Members welcomed the establishment of the Caucus.

It was proposed by Cllr. L. Scott, seconded by Cllr. A. Ferris and agreed to ratify the setting up of the Wicklow Women’s Caucus.

ITEM NO. 16

To ratify nominee to the Wicklow County Council Audit Committee for period June 2021 – June 2024

Cllr. G. Walsh to step down and Cllr. E. Timmins to join Audit Committee from June 2021, Cllr. M. Kavanagh to step down 18 months prior to June 2024 and Cllr. G. Walsh to rejoin.

It was proposed by Cllr. V. Blake, seconded by Cllr. M. Kavanagh and agreed to ratify nominee, Cllr. E. Timmins, to the Wicklow County Council Audit Committee for period June 2021 – June 2024, in place of Cllr. G. Walsh. Cllr. G. Walsh ratified to re-join the Audit Committee for period January 2023 – June 2024 in place of Cllr. M. Kavanagh.

ITEM NO. 17

To receive update on Local Property Tax 2022

Mr. B. Gleeson, Head of Finance gave a brief overview of the changes to Local Property Tax (LPT) based on information to date. He advised:

- New legislation being introduced provides for the revaluation of properties from the 1st November 2021.
- LPT base rate which is set at 0.18 will be reduced and bands will be widened for calculating LPT liabilities to ensure the majority of households will not face an increase when properties are revalued in November.
- It is estimated 64% of households will not receive an increase following revaluations in November.
- Revaluations will take place every 4 years, so new valuations will cover a period of 2022 – 2025.
- New legislation would also provide for the inclusion of new properties that have been built since 2013, will be brought into system in November.
- The legislation will be amended to allow new properties subsequent to that to be brought in on an annual basis.
- The current funding model of 20% equalisation will remain in place for 2022. It is not anticipated that Wicklow County Council baseline figure will be adjusted for 2022.

Mr. Gleeson advised that this was positive. Decision required by end of August as to whether Wicklow County Council want to increase or decrease LPT up to 15%. Previously decision needed to be made end of September. Mr. Gleeson proposed that the LPT meeting should take place at the end of July or early August.

A broad discussion followed.

THIS CONCLUDED THE BUSINESS OF THE MEETING

**CLLR. SHAY CULLEN
CATHAOIRLEACH
WICKLOW COUNTY COUNCIL**

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

Confirmed at meeting of Wicklow County Council held on Monday the 6th September 2021