

**MINUTES OF THE SPECIAL MEETING OF WICKLOW COUNTY COUNCIL HELD ON MONDAY 21ST 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, 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.

APOLOGIES

CLLR. E. DOYLE

IN ATTENDANCE:

**MR. F. CURRAN, CHIEF EXECUTIVE
MR. B. GLEESON, HEAD OF FINANCE
MS. L. GALLAGHER, DIRECTOR OF SERVICES
MR. M. NICHOLSON, DIRECTOR OF SERVICES
MS. S. WALSH, SENIOR PLANNER
MS. B. KILKENNY, DIRECTOR OF SERVICES
MR. C. LAVERY, DIRECTOR OF SERVICES
MS. D. KENNEDY, LAW AGENT
MS. E. BERMINGHAM, SENIOR EXECUTIVE PLANNER
MS. H. DENNEHY, SENIOR EXECUTIVE OFFICER
MS. T. O'BRIEN, SENIOR EXECUTIVE OFFICER
MS. J. CARROLL, SENIOR EXECUTIVE OFFICER
MS. R. DENNISON, 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.

ITEM NO. 1

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. (Deferred from Meeting of 14th June 2021)

The Cathaoirleach welcomed the Elected Members to the special meeting. It was noted that Wicklow and Arklow Municipal District Elected Members had held a meeting the previous evening and had jointly agreed the wording of a proposed resolution.

The meetings Administrator read the following resolution submitted on behalf of the Elected Members of Arklow Municipal District and Wicklow Municipal District, proposed by Cllr. J. Snell and seconded by Cllr. M. Murphy.

'DATE: 21.06.2021

Case reference: PA27.309991

309991: Ballinclare and Carrigmore townlands, Kilbride, Co. Wicklow

Wicklow County Council

Description

Development and operation of an inert landfill facility to backfill the existing quarry to original ground level; progressive restoration of the backfilled quarry to long-term grassland / scrub habitat; establishment and operation of a construction and demolition waste recovery facility; installation and operation of a soil washing plant and all associated site works.

Case type

Private Development - Application

- *Kilsaran Concrete Unlimited Company (Applicant)*
- *Kilsaran Concrete Unlimited Company (Applicant) (Active)*

We, the members of Arklow & Wicklow Municipal Districts wish to object to the above proposed development in its current form on the summary of grounds laid out below.

We wish to also recommend that a full oral hearing be facilitated by An Bord Pleanala to allow a fair and just platform for all stakeholders to engage in:

- *Lack of consultation with Arklow and Wicklow MD local area representatives*
- *Lack of consultation with WCC Climate and Biodiversity SPC*
- *Lack of consultation with local land and property owners*
- *The excessive nature of the scale of the proposed development in a rural area*
- *Negative impact on the environment*
- *Negative impact on watercourse in particular Potters River & Brittas Bay SAC*
- *Impact on local residents and wildlife of noise pollution*
- *Negative impact on surrounding resident's quality of life*
- *Negative impact on mental and physical health of the local community*
- *Health and safety concerns in relation to the local community in particular road safety.*
- *Negative impact on biodiversity*
- *Concerns in relation to future environmental & traffic management monitoring and enforcement.*
- *Concerns in relation to the potential negative impact and devaluation of local properties.*
- *Concerns in relation to the absence of any consideration towards the provision of a local community fund such as the one that's in place at a nearby landfill site*
- *Concerns in relation to the inadequacy of the surrounding road network and width of the local road to facilitate the amount of HGVs proposed*
- *Negative impact on surrounding tourism attractions i.e. Kilmacurragh Gardens, Coillte's Avondale Tree Top Walk*
- *Concerns in relation to the close proximity of local school to the proposed landfill access routes'.*

Following a broad discussion, Cllr. E. Timmins suggested adding another point to the recommendation –'Considerable flaws and inaccuracies in this planning application'. This addition was proposed by Cllr. M. Murphy, seconded by Cllr. J. Snell and agreed by all.

- ‘Considerable flaws and inaccuracies in this planning application’.

Cllr. M. Murphy proposed, seconded by Cllr. P. Leonard to change the wording on the recommendation from ‘Members of Arklow & Wicklow Municipal Districts’ to ‘Wicklow County Council’ thus agreed by all. Following a roll call the resolution was passed by a margin of 31 votes for and 1 not present viz:-

FOR 31	CLLRS. T. ANNESLEY, J. BEHAN, V. BLAKE, S. BOURKE, M. CORRIGAN, M. CREAN, A. CRONIN, S. CULLEN, G. DUNNE, A. FERRIS, P. FITZGERALD, A. FLYNN-KENNEDY, T. FORTUNE, P. GLENNON, M. KAVANAGH, P. KENNEDY, 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
NOT PRESENT 1	CLLR. E. DOYLE

Following a broad discussion in which the Elected Members voiced their upset of not being informed in due time of the proposed application, it was proposed by Cllr. I. Winters, seconded by Cllr. J. Snell to write to the relevant Minister to discuss how councillors are excluded in this process and to discuss the legislation governing Strategic Housing Developments (SHD) process and Strategic Infrastructural Developments (SID), this was agreed by all present.

It was then proposed that a delegation of members from the Municipal Districts and SPCs, the Cathaoirleach, or Chief Executive meet with senior civil servants and Minister to discuss this legislation. This was proposed by Cllr. T. Fortune, seconded by Cllr. A. Ferris and agreed by all present.

The Chief Executive responded to the concerns voiced by the Elected Members and advised he would examine the current process with a view to making it more open and inclusive for the Elected Members, while also complying with legislative requirements.

Ms. B. Kilkenny, Director of Service, Planning, Development & Environment Directorate, advised that the Planning Authority would let the relevant Municipal District Elected Members know informally of future SID and SHD applications once they came to the Planning Authority’s attention. She noted that Wicklow County Council are one notified party in this process and the decision is made by An Bord Pleanála.

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