

MINUTES OF ORDINARY MEETING (HYBRID) OF WICKLOW COUNTY COUNCIL HELD ON MONDAY 7TH APRIL 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, E. DOYLE, M. DUDDY, G. DUNNE, L. FENELON GASKIN, O. FINN, P. FITZGERALD, T. FORTUNE, P. GLENNON, P. KENNEDY, S. LANGRELL, P. LEONARD, P. MAHON, J. MULHALL, 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

CLLR. M. MURPHY (1)

IN ATTENDANCE:

**MS.E. O'GORMAN, CHIEF EXECUTIVE
MR. M. NICHOLSON, DIRECTOR OF SERVICES
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. B. GLEESON, DIRECTOR OF SERVICES
MS. D. KENNEDY, LAW AGENT
MR. M. DEVEREUX, T/DIRECTOR OF SERVICES
MS. H. PURCELL, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MS. L. HEALY, SENIOR EXECUTIVE OFFICER
MR. J. BOWES, SENIOR ENGINEER
MR. D. KEOGH, REGIONAL ENERGY SERVICES MANAGER
MR. L. ROE, SENIOR EXECUTIVE ENGINEER
MR. K. SCANLON, SENIOR EXECUTIVE ENGINEER
MR. G. CULLEN, SENIOR EXECUTIVE ENGINEER
MS. A. KLAUER, SENIOR EXECUTIVE ENGINEER
MR. P. O'CONNOR, SENIOR EXECUTIVE ENGINEER
MR. M. COSTELLO, CLIMATE ACTION CO-ORDINATOR
MS. C. FOX, SENIOR EXECUTIVE OFFICER
MR. M. CARROLL, CIVIL DEFENCE OFFICER
MR. B. DOYLE, PROJECT LIAISON OFFICER
MS. E. O'DONOVAN, HEAD OF INFORMATION SYSTEMS
MS. R. GILLESPIE, ADMINISTRATIVE OFFICER**

MS. G. FRANEY, DISTRICT ADMINISTRATOR
MS. C. CANTERBURY, SENIOR STAFF OFFICER
MR. S. DOYLE, IS PROJECT LEADER
MS. A. RUSSELL, STAFF OFFICER
MS. T. BYRNE, ASSISTANT STAFF OFFICER
MR. M. ALLEN, ARUP
MR. A. CLEARY, ARUP
MS. M. WHELAN, NATIONAL ROAD DESIGN OFFICE
MR. S. CUMMINS, NATIONAL ROAD DESIGN OFFICE
MR. C. OSBORNE, NATIONAL ROAD DESIGN OFFICE

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. Patrick Bracken, Mr. Declan Ward, Mr. Paul Madigan, Ms. Marie Dunne, Mr. Seamus Reynolds, Mr. John Ward, Mr. Teddy Dunne, Mr. Christy Devlin and Mr. Mick O'Dwyer. A minutes silence was observed for the deceased.

It was proposed by the Cathaoirleach P. O'Brien, seconded by Cllr. S. Stokes and agreed by all to move Item no. 24 to follow after Item no. 21.

Cllr. C. Winstanley extended an invitation to all the Elected Members to attend Comhairle Na nÓg National Showcase on the 15th April in Dublin Castle.

ITEM NO. 1

To confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 3rd March 2025.

It was proposed by Cllr. A. Cronin, seconded by Cllr. S. Langrell and agreed by all to confirm and sign minutes of annual budget meeting of Wicklow County Council held on Monday 3rd March 2025.

ITEM NO. 2

To consider the disposal of 0.0128Ha or thereabouts in the townland of Tiknock Td. being the property known is 8 St. Patrick's Terrace, Arklow, Co. Wicklow to Ms. Kathleen Dunne.

It was proposed by Cllr. P. Fitzgerald seconded by Cllr. W. O'Toole and agreed by all to consider the disposal of 0.0128Ha or thereabouts in the townland of Tiknock Td. being the

property known is 8 St. Patrick's Terrace, Arklow, Co. Wicklow to Ms. Kathleen Dunne as set out in statutory notice circulated.

ITEM NO. 3

To consider the disposal of 175 sq.m. or thereabouts in the townland of Kilcoole to Renaat Verbruggen.

It was proposed by Cllr. T. Fortune, seconded by Cllr. L. Fenelon Gaskin and agreed by all to consider the disposal of 175 sq.m. or thereabouts in the townland of Kilcoole to Renaat Verbruggen as set out in statutory notice circulated.

ITEM NO. 4

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, Co. Wicklow by transfer to Patrick & Barbara McLoughlin.

It was proposed by Cllr. D. O'Brien, seconded by Cllr. M. Duddy 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, Co. Wicklow by transfer to Patrick & Barbara McLoughlin as set out in statutory notice circulated.

ITEM NO. 5

To consider the disposal of 0.0278 hectares or thereabouts in the townland of Knockanrahan Lower being the property known as 6 Knockanrahan, Arklow, Co. Wicklow by transfer to Pauline & Denis Earls.

It was proposed by Cllr. P. Fitzgerald, seconded by Cllr. W. O'Toole and agreed by all to consider the disposal of 0.0278 hectares or thereabouts in the townland of Knockanrahan Lower being the property known as 6 Knockanrahan, Arklow, Co. Wicklow by transfer to Pauline & Denis Earls as set out in statutory notice circulated.

ITEM NO. 6

To consider the disposal of 0.0161Ha or thereabouts in the townland of Knockanrahan Lower being the property known as 17 Liam Mellows Avenue, Arklow, Co. Wicklow by transfer to Marion Lawlor.

It was proposed by Cllr. P. Fitzgerald, seconded by Cllr. W. O'Toole and agreed by all to consider the disposal of 0.0161Ha or thereabouts in the townland of Knockanrahan Lower being the property known as 17 Liam Mellows Avenue, Arklow, Co. Wicklow by transfer to Marion Lawlor as set out in statutory notice circulated.

ITEM NO. 7

To consider the disposal of 332 square meters or thereabouts in the townland of Newrath, Rathnew, Co. Wicklow being the property originally required from Kathleen Bourne, Mary Kate Shannon, Rosemary Alexander, Elizabeth McCormack & Rosemary Magnier to Clermont Enterprise Hub CLG by way of a 99-year lease commencing 1st May 2025.

It was proposed by Cllr. G. Dunne, seconded by Cllr. P. O'Brien and agreed by all to consider the disposal of 332 square meters or thereabouts in the townland of Newrath, Rathnew, Co. Wicklow being the property originally required from Kathleen Bourne, Mary Kate Shannon, Rosemary Alexander, Elizabeth McCormack & Rosemary Magnier to Clermont Enterprise Hub CLG by way of a 99-year lease commencing 1st May 2025 as set out in statutory notice circulated.

ITEM NO. 8

To consider the disposal of 0.8092Ha or thereabouts in the townland of Corballis Upper, Rathdrum, Co. Wicklow being the property known as Site 19 in Avondale Business Park, Corballis Upper, Rathdrum, Co. Wicklow.

It was proposed by Cllr. P. Kennedy, seconded by Cllr. S. Bourke and agreed by all to consider the disposal of 0.8092Ha or thereabouts in the townland of Corballis Upper, Rathdrum, Co. Wicklow being the property known as Site 19 in Avondale Business Park, Corballis Upper, Rathdrum, Co. Wicklow as set out in statutory notice circulated.

ITEM NO. 9

To consider the casual vacancy arising from the resignation of Cllr. A. Flynn Kennedy in accordance with Section 19 of the Local Government Act, 2001.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 10

To consider the vacancy on the Community & Social Development Strategic Policy Committee arising from the resignation of Cllr. A. Flynn Kennedy.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 11

To consider the vacancy on the Economic Development & Enterprise Support Strategic Policy Committee arising from the resignation of Cllr. A. Flynn Kennedy.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 12

To consider the vacancy on the Kildare Wicklow Education Training Board arising from the resignation of Cllr. A. Flynn Kennedy.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 13

To consider the vacancy on the Board of Mermaid County Wicklow Arts Centre CLG arising from the resignation of Cllr. A. Flynn Kennedy.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 14

To consider the vacancy to the Bray Area Partnership arising from the resignation of Cllr. A. Flynn Kennedy.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 15

To consider the vacancy to the Greystones/Bray Cliff Walk Management Plan sub-committee arising from the resignation of Cllr. A. Flynn Kennedy.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 16

To consider the vacancy to the Bray Harbour Joint Development Committee arising from the resignation of Cllr. A. Flynn Kennedy.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 17

To consider the vacancy to the Special Amenity Area Order Committee for Bray Head arising from the resignation of Cllr. A. Flynn Kennedy.

It was proposed by Cllr. S. Bourke, seconded by Cllr. P. O'Brien and agreed by all to defer this item to next month.

ITEM NO. 18

To consider taking roads in charge in accordance with the provisions of Section 11 of the Roads Act, 1993.

It was proposed by Cllr. D. O'Brien, seconded by Cllr. C. Winstanley and agreed by all to the taking in charge of the following: Station Road, Bray.

It was proposed by Cllr. L. Fenelon Gaskin, seconded by Cllr. S. Stokes and agreed by all to the taking in charge of the following: School Road, Greystones.

It was proposed by Cllr. S. Stokes, seconded by Cllr. L. Scott and agreed by all to the taking in charge of the following: Kindlestown Upper Road North, Greystones.

It was proposed by Cllr. S. Stokes, seconded by Cllr. L. Scott and agreed by all to the taking in charge of the following: Cherry Orchard Lane, Greystones.

It was proposed by Cllr. L. Fenelon Gaskin, seconded by Cllr. O. Finn and agreed by all to the taking in charge of the following: Eden Gate Road, Delgany.

It was proposed by Cllr. T. Fortune, seconded by Cllr. L. Fenelon Gaskin and agreed by all to the taking in charge of the following: Ballycrone Road, Kilcoole.

It was proposed by Cllr. T. Fortune, seconded by Cllr. S. Stokes and agreed by all to the taking in charge of the following: Holywell Road, Kilcoole.

It was proposed by Cllr. S. Langrell, seconded by Cllr. L. Fenelon Gaskin and agreed by all to the taking in charge of the following: Moneycarroll Road, Newtownmountkennedy.

It was proposed by Cllr. S. Langrell, seconded by Cllr. L. Fenelon Gaskin and agreed by all to the taking in charge of the following: Monalin Road, Newtownmountkennedy.

It was proposed by Cllr. J. Snell, seconded by Cllr. P. O'Brien and agreed by all to the taking in charge of the following: Merrymeeting- Ballybeg, Rathnew.

ITEM NO. 19

To consider and adopt Wicklow County Council Sustainable Drainage Systems (SuDS) Policy and Development.

Mr. M. Costello, Climate Action Co-Ordinator gave a presentation outlining the following:

- Sustainable urban drainage systems.
- Planning policy objectives.
- Climate action plan actions.
- Implementation of urban nature-based solutions.
- SuDS policy 7 development guidance contents.
- Riparian zone protection.
- Source control systems.
- Site control systems.
- Site/regional control system.

Following the presentation the Elected Members expressed views and raised queries which were responded to by Mr. Costello.

It was proposed by Cllr. E. Doyle, seconded by Cllr. L. Scott and agreed by all to consider and adopt Wicklow County Council Sustainable Drainage Systems (SuDS) Policy and Development.

ITEM NO. 21

To consider and adopt the draft Wicklow County Council Annual Service Delivery Plan 2025 in accordance with Section 50 of the Local Government Reform Act 2014.

Ms. H. Purcell, Meetings Administrator advised the Elected Members that the purpose of the Annual Service Delivery Plan is to set out the objectives and the performance standards for the Council's service delivery areas for 2025 having regard to the high level goals contained within the Corporate Plan and also the budget landscape as adopted in the Council's budget in November last year.

It was proposed by Cllr. P. Leonard, seconded by Cllr. T. Fortune and agreed by all to consider and adopt the draft Wicklow County Council Annual Service Delivery Plan 2025 in accordance with Section 50 of the Local Government Reform Act 2014.

ITEM NO. 24

To receive a presentation: Briefing on the publication of the Options Selection Report (Phase 2 of the TII Project Management Guidelines) that recommends the preferred option for the N11/M11 Bus Priority Interim Scheme. The preferred option will be developed further at Phase 3 (Design and Environmental Evaluation) prior to the required Statutory Approvals at Phase 4.

Mr. M. Allen, ARUP, gave a presentation outlining the following:

- N11/M11 Bus Priority Interim Scheme.
- Project overview.
- Project extents.
- Project objectives.
- Project timeline.
- Phase 2 Option selection process.
- Phase 2 option selection.
- Phase 2 revisit (2024).
- Recommendation of Preferred option.
- Publication of preferred option/next steps.

There followed a lengthy discussion in which the Elected Members raised queries which were responded to by Mr. Allen. Some of the queries and comments raised were as follows:

- Herbert Road junction.
- Mitigation measures at Junction 7 welcomed.
- Is there a way to make it work and maintain access?
- Potential for a speed limit in the area.
- Negative impact on Bray and surrounding areas.
- Proposal to put vehicles on hard shoulder – no refuge for cars travelling south or north who may be difficulty and have nowhere to pull in.
- Detrimental aspect for people further south of the county.
- Smart motorway not proposed.
- Parallel road up the N11 coming from Herbert Road.
- Preferred option – who's option?
- Engineering reasons as well as human reasons.
- Was Fire Service consulted?
- Need for a bus scheme to make public transport attractive and accessible.
- Upgrading Junction 7 will improve traffic flow – no data on how traffic will flow from closure of Herbert Road Junction.
- Value in closing off the smaller exits.
- Serious concerns relating to access of emergency vehicles if there was a major incident in Bray.
- Kilbride Church – a protected structure – potentially be made inaccessible to its congregation.
- Not paying enough attention to the people of Bray.

- Despite over 1,100 submissions local voice and knowledge of the town is being ignored.
- Possibility of signalling, traffic lights at the junction to the N11 that would activate red when buses were passing.
- Need rapid investment in public transport as a key priority.
- Works would potentially disturb an early monastic site.

Cllr. J. Behan proposed, seconded by Cllr. D. O'Brien proposed a motion 'that the Chief Executive pauses any further action on the Interim bus Priority Scheme and writes to the Minister for Transport and Tánaiste Simon Harris TD asking the Government to review the entire scheme to allow the Herbert Road access to the N11 to continue'.

The Chief Executive responded by stating she was happy to write to the Minister for Transport and the Tánaiste, however, she felt the report is a gateway to opening discussions relating to items such as the environmental impact, detailed design of the project and viable alternatives for commuters.

Motion proposed by Cllr. J. Behan, seconded by Cllr. D. O'Brien "*that the Chief Executive pauses any further action on the Interim Bus Priority Scheme and writes to the Minister for Transport and Tánaiste Simon Harris TD asking the Government to review the entire scheme to allow the Herbert Road access to the N11 to continue*" was put to a vote and following a roll call was passed by a margin of 26 votes for and 5 not present viz:-

FOR (26)	CLLRS. D. ALVEY, M. BARRY, J. BEHAN, S. BOURKE, M. CORRIGAN, A. CRONIN, E. DOYLE, M. DUDDY, G. DUNNE, L. FENELON GASKIN, O. FINN, T. FORTUNE, P. GLENNON, P. KENNEDY, S. LANGRELL, P. LEONARD, P. MAHON, J. MULHALL, I. NEARY, D. O'BRIEN, P. O'BRIEN, W. O'TOOLE, J. SNELL, P. STAPLETON, S. STOKES, AND C. WINSTANLEY
AGAINST (0)	
NOT PRESENT (5)	CLLRS. P. FITZGERALD, M. MURPHY, G. O'NEILL, G. RICHMOND AND L. SCOTT

Time Extension: It was proposed by Cllr. J. Behan, seconded by Cllr. D. Alvey and agreed by all to extend the meeting to 5.30 p.m.

ITEM NO. 20

To note Wicklow County Council 2025 Countywide Differential Rent Scheme for social housing tenants.

Mr. M. Nicholson, Director of Services advised the Elected Members of the following:

- Wicklow County Council charge rents on Council properties and the rent is based entirely on income.
- The Council are obliged to review the rent scheme and the rents being charged on a regular basis.
- The Council have two rent schemes in the county.
- Bray has had its own rent scheme historically.
- last audit report instructed the Council to have one scheme for the county.
- Wicklow County Council has made a couple of minor amendments to the scheme. Carers and maintenance payments are excluded. The minimum rent proposed is going to €30 per week.
- In order to assess the possible effect of moving the Bray rents to the County Council scheme a random sample of 150 tenants was taken and assessed based on the rent scheme of the County Council. The majority of the Bray tenants will be slightly better as a result of nuances between the Bray scheme and the County Council scheme.
- The Differential Rent Scheme is an Executive function of the Council. The role of the Elected Member is to note the scheme. While the Local Government Reform Act 2014 restates that the scheme as a reserved function, under the schedule it also refers to the grounding legislation Section 31 in the Housing (Miscellaneous Provisions) Act 2009, which has not yet commenced.

There followed a broad discussion in which the Elected Members voiced their concerns in respect of their role in relation to this matter. Cllr. J. Behan, seconded by Cllr. J. Snell proposed seeking independent legal advice to clarify if this is a reserved function as listed in the Local Government Reform Act 2014.

It was agreed by all to defer this item until a second legal opinion has been received.

ITEM NO. 22

To note the Wicklow County Council Capital Investment Programme 2025 – 2027.

Elected Members were circulated with the Wicklow County Council Capital Investment Programme 2025 – 2027 on 2nd April 2025.

Mr. B. Gleeson, Director of Service gave a summary of the Capital Investment Programme to the Elected Members.

Following a broad discussion the Elected Members raised questions which were responded to by Mr. Gleeson.

ITEM NO. 23

To note the draft Wicklow County Council Annual Report 2024.

The Elected Members were circulated with the draft Wicklow County Council Annual Report 2024 on 2nd April 2025.

Ms. H. Purcell advised the Elected Members that the draft Wicklow County Council Annual Report 2024 was just for noting. The finalised report will be on the agenda on the 2nd July 2025. The Annual Financial Statement will be included in the final draft once received and also NOAC performance indicators for 2024 which are to be submitted by the 17th April 2025.

ITEM NO. 25

To consider the Chief Executive's Monthly Management Report, March 2025.

As there was insufficient time to discuss the Chief Executive's Monthly Management Report, March 2025 it was agreed to include the Chief Executive's Monthly Management Report at the top of the May agenda.

ITEM NO. 27

Notice of Motions

Notice of motion in the name of Cllr. J. Behan (proposer), seconded by Cllr. P. Leonard (4th March 2025).

'That this Council negotiates with the HSE the purchase of the building in Enniskerry known as 'Curran'.

This building has been vacant for the past 20 years and was used in the past as sheltered accommodation for elderly Enniskerry residents. They believe it would accommodate 4 residents and a carer. They also believe that funds might be accessed through the Vacant Property Refurbishment Grant'.

Response

WCC has made contact with the HSE regarding the property Curam, Enniskerry, Co. Wicklow

WCC have studied the HSE report and have the following comments; according to the structural survey there are a number of issues regarding the property:-

- Significant structural cracking at the front and rear of the house. This is likely to involve some level of underpinning and will require extensive opening up work in

advance to ascertain the most appropriate solution. Sealed vertical joints will need to be provided externally.

- Timber decay generally throughout the house is likely to be a significant problem and will require further investigation and opening up. There will be significant costs associated with timber replacement and treatment and with temporary propping.
- At ground floor, the replacement of the timber flooring construction with an insulated damp protected ground floor slab.
- Damp protection at ground floor will be required. This is particularly the case at the lower ground floor level at the rear of the house, which will require an element of tanking.
- Significant work is required at roof level, including works to the gutter, fixing of slates and probably (at least) partial re-roofing of the building which has complex roof geometry.
- If WCC were to acquire this property it would be expected that the costs of refurbishment to this property would be significant. The building in question is also a listed structure.

The Local Authority therefore is not in a position to acquire this property. In addition if the Local Authority acquired the property it would have to go through a process to select an appropriate Approved Housing Body.

An Approved Housing Body acquiring the property would face the same issues and costs outlined above.

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 12th May 2025