

**PRESS RELEASE 5th December, 2023**

**SPECIAL COUNCIL MEETING HELD TO CONSIDER THE PROPOSED USE OF FORMER GREAT SOUTHERN HOTEL, ROSSLARE AS AN IPAS CENTRE**

A special meeting of Wexford County Council was held on Wednesday, the 29th of November to consider issues surrounding the proposed use of the former Great Southern Hotel, in Rosslare Harbour as an IPAS (International Protection Accommodation Services) temporary accommodation centre. The meeting was called at the request of five Councillors who raised three specific motions.

The hybrid meeting, held at County Hall was opened by Cathaoirleach Cllr. John Fleming, who welcomed representatives of Rosslare Harbour residents in the public gallery and online. He outlined the basis for the meeting and referred to legal advice obtained by the Cathaoirleach on behalf of the Councillors in relation to the motions raised. This advice prepared by Poe, Kiely, Hogan, Lannigan, Solicitors was read to those present. The Cathaoirleach then asked given the complexity of the matters raised that Chief Executive, Mr. Tom Enright provide the members with a statement outlining the principal issues involved.

Chief Executive, Mr. Enright addressed the meeting, welcoming the community representatives from Rosslare Harbour. He acknowledged the fantastic work of the community in welcoming displaced people from Ukraine and other parts of the world to their village. He said that people in Rosslare Harbour have every right to be concerned when plans were revealed by IPAS to place an additional large number of refugees into their community, and in particular where this may put an increased burden on local services such as doctors and schools.

He stated that the Council accepts the need to provide accommodation for refugees but that great care needs to be taken to ensure that no community is disproportionately overburdened with the number of refugees placed into it especially where local services are not available. He said that Wexford County Council has no role in placing persons seeking International Protection into accommodation in Wexford as that is a function of the Department of Children, Equality, Disability, Integration and Youth through IPAS. Likewise, Wexford County Council has no role in decisions taken by investors to offer accommodation to IPAS.

He outlined the Council’s responsibility in relation to the enforcement process and building control as a Planning Authority. Regarding building control, he advised that under the Building Control Act site inspections were carried out by the Council and a number of modifications which varied from the planning permission granted were identified. In accordance with normal practice, a warning letter had been served on the developer who has until the 8th of December to respond to the issues raised.

Mr Enright explained that in July this year, the Minister for Housing introduced a new Statutory Instrument SI 376 which provided for an exemption from planning to the temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate displaced persons or persons seeking international protection in (amongst other facilities) a hotel, health and social care accommodation. He advised that the owners of the building have sought exemption under this provision to use the building as a Temporary Accommodation Centre.

Mr Enright said that the Wexford County Council had concerns regarding the use of the planning exemption for this proposal and having considered the matter was satisfied that there were reasonable grounds to submit a Section 5 application for determination by An Bord Pleanála. He said the application was submitted on the 10th of November and that the Council has sought a determination in relation to the application of exempted status and the intensification of use. A request for further information was received from the Board on the 28th of November and a final decision is awaited.

Mr Enright said that separately the Council had received a Section 5 application from Deputy Verona Murphy on the 15th of November and that this application process should be concluded within 28 days. He added that he could not comment further on a live planning process.

Mr Enright explained the clear separation between reserved functions which are the responsibility of Councillors and executive functions which can only be undertaken by the Executive (staff) of the Council. He noted that whilst Section 140 of the Local Government Act 2001 allows the Elected Council to instruct the Chief Executive in the performance of executive functions of the local authority, Councillors cannot make decisions on planning applications. Nor can they require the Chief Executive to serve a warning notice or an enforcement notice because of failure to comply with a planning permission.

In concluding his statement Mr. Enright said that the contents of a letter dated 21st November from Minister for Children Roderic O’Gorman to Minister James Browne stated that no contract will be entered into until the planning issues that have been raised by Wexford County Council to An Bord Pleanála are fully addressed. He reiterated that Wexford County Council will meet its statutory obligations as a Planning Authority to ensure that planning legislation is complied with and will take all necessary action in accordance with the law where non-compliances are identified. He reassured the residents of Rosslare Harbour that Wexford County Council will continue to work in the best interests of their community.

The Cathaoirleach thanked the Chief Executive for his comprehensive statement which he said brought clarity to the matter. He then referred to legal advice read at the start of the meeting. The Cathaoirleach said that the legal advice stated unequivocally that the motions proposed were not lawful and as such could not be proposed by Councillors as to do so would be outside their powers under the Local Government Act 2001. The Cathaoirleach said on this basis he must declare the motions void and not open for consideration.

The matter was discussed at length culminating in all of the Councillors present giving their support to a motion put forward by Cllr. Lisa Mc Donald with an addendum proposed by Cllr. Tom Forde which said that ‘‘*This Council accepts the need for the state to provide accommodation for refugees and asylum seekers. We hereby call on the Minister for Children, Equality, Disability, Integration and Youth to ensure that no community is overburdened with the number of refugees and asylum seekers placed into it, especially where local services are either not there or under pressure. The Council will support and do all it can to assist in meeting the local demands for a nursing home in the Rosslare Municipal District’’*.

The Cathaoirleach concluded the business of the meeting and thanked everyone who attended.

The minutes of the meeting will be available on [www.wexfordcoco.ie](http://www.wexfordcoco.ie) once approved by the Council.

ENDS

**Notes to the Editor**

Motions accompanying request for a special meeting of Wexford County Council.

1. That Wexford County Council undertakes not to validate any completion certificate in respect of the permission granted on foot of planning reference number 20220711, in circumstances where the issue of the permissibility of the material change of use, of the entire development, from a nursing home to an IPASS centre has not been conclusively determined, and therefore may require a fresh planning application.

2. That Wexford County Council determine with immediate effect, the Section 5 reference submitted on behalf of the residents of Rosslare Harbour on the 14th November, 2023, in relation to the development at St. Martins Road, Rosslare Harbour. 

3. That Wexford County Council, in view of the seriousness and urgency of the situation, will immediately commence injunctive proceedings to prevent the unauthorised use of the development from continuing, in view of the material changes to the permitted use as a nursing home granted on foot of planning reference number 20220711.