

**WEXFORD COUNTY COUNCIL**

**Minutes of Meeting of Wexford County Council  
held on Monday 13<sup>th</sup> February, 2017 – 2.30 p.m.  
in the Council Chamber, County Hall, Wexford.**

**Attendance:**

**In the Chair:** Cllr. P. Kavanagh, Cathaoirleach.

**Councillors:**

M. Byrne;	K. Codd-Nolan,	A. Connick;	T. Dempsey;
A. Donohoe,	K. Doyle,	M. Farrell;	W. Fitzharris;
J. Fleming	J. Hegarty,	D. Hynes;	R. Ireton;
W. Kavanagh;	A. Kelly;	G. Lawlor;	L. McDonald;
J. Moore;	BA Murphy,	M. Murphy;	J. Mythen;
L. O'Brien;	O. O'Connell;	J. O'Rourke;	F. Ó Súilleabháin;
M. Roche;	M. Sheehan;	F. Staples;	J. Sullivan;
D. Wadding;	O. Walsh;		

**Officials:**

Mr. T. Enright, Chief Executive;  
M. T. Larkin, Director of Services;  
Mr. J. Carley, Director of Services;  
Ms. A. O'Neill, Head of Finance;  
Mr. P. Collins, County Secretary;  
Mr. G. Mackey, Administrative Officer.

**Apologies:**

Councillors P. Breen; G. Carthy; M. Whelan.  
Mr. E. Hore, Director of Services.

**Votes of Sympathy:**

The Members expressed their votes of sympathy to the following:

- The family of John Kehoe, Wexford Town, father of the late Fergie Kehoe
- The family of Hugh Leddy, Wexford Town
- The family of Jack Barry, Irish Water Safety, Bunclody and former employee of Wexford Borough Council
- The family of Mark Porter, Wexford Town
- The family of Mark Clancy, Wexford Town
- The family of Barry Ennis, Wexford Town
- The family of Thomas Power, Kilmore who was involved in the racing industry
- The family of Phoebe Lett, Enniscorthy

## **Congratulations**

The Members expressed their congratulations to the following:

- All involved in the application for Arts funding - Wexford received the highest allocation for Arts in the country.
- All involved in the development of the public park in New Ross including Eamonn Hore, Sinead Casey and Abraham Dunne for their recent success at the LAMA Awards.
- Wexford Senior Hurling Team for their performance against Limerick.
- The Rasper Players from Gorey have been selected to represent Ireland in the World Festival of Amateur Theatre.
- Fred Dinsmore for his success at nine ball pool
- Paul Boyle of Gorey who was on the Ireland U19 Rugby Team
- The organizers of the Inaugural Michael O' Hanrahan Oration at Three Bullet Gate, New Ross
- Katie Fitzhenry who represented Ireland at the Rugby 7s Competition
- Enniscorthy Rugby Team who were the beaten finalists against Birr

### **1. Confirmation of Minutes:**

1.1 County Council Meeting – 16<sup>th</sup> January, 2017.

On the proposal of Councillor M. Sheehan, seconded by Councillor M. Byrne and agreed by all, the Council approved the minutes of the County Council Meeting held on 16<sup>th</sup> January, 2017.

### **2. Proposed disposal of land under Section 183 of the Local Government Act 2001:**

2.1 Sale of site at Lingstown/Grange, Tomhaggard, Co. Wexford.

On the proposal of Councillor M. Roche seconded by Cllr. F. Staples the Members agreed to the proposed disposal of site at Lingstown/Grange, Tomhaggard, Co. Wexford in accordance with the notice circulated.

### **3. Section 85 Agreement between Wexford County Council and Carlow County Council regarding Salting of R702:**

On the proposal of Cllr. L. O'Brien seconded by Cllr. K. Codd Nolan and agreed by all the Members agreed to the Section 85 Agreement between Wexford County Council and Carlow County Council regarding Salting of R702 as outlined in Memo dated 1<sup>st</sup> February 2017.

### **Section 85 Agreement between Wexford County Council and Kilkenny County Council Proposed development by a Local Authority – New Ross, Redbridge, Mountelliot Greenway:**

On the proposal of Cllr. L. O'Brien seconded by Cllr. M. Sheehan and agreed by all the Members agreed to the Section 85 Agreement between Wexford County Council and Kilkenny County Council as outlined.

**4. Rates on Charitable Properties:**

Ms. A. O'Neill, Head of Finance & ICT, noted that it had been agreed in preparation for Budget 2017 that the Council would review its position with regards to the Rates on Charitable Properties and come back to the Members with a report. The report was circulated to the members of the Council.

The Head of Finance highlighted the various issues in the report and asked that the Council approve the recommendations as set out in the report.

Following extensive discussions it was agreed on the proposal of Cllr. G. Lawlor seconded by Cllr. D. Hynes to defer the decision on the adoption of the report to the March 2017 meeting of the County Council.

**5. Approval of new members to the Local Community Development Committee (LCDC):**

On the proposal of Cllr. B. A. Murphy seconded by Cllr. M. Byrne it was agreed by all that Mr. Brian Twomey, nominated by the County Wexford Public Participation Network (PPN) and Ms. Bridget Neville, nominated by Wexford Congress of Trade Unions (WCTU) be appointed to membership of the Local Community Development Committee (LCDC).

**6. Public Consultation on Burial Ground Maintenance & Development Strategy and Draft Bye-Laws for the management of all Open Burial Grounds within the jurisdiction of Wexford County Council:**

Following extensive discussions and questions to the Director it was agreed on the proposal of Cllr. R. Ireton seconded by Cllr. O. Walsh that both documents would now go out on public display.

The Chief Executive noted that the Council is providing grants to parish/communities to develop, manage and maintain new burial facilities.

**7. Amenity & Arts Scheme Grants 2017:**

The Members noted memo dated 8<sup>th</sup> February, 2017 from Mr. J. Carley, Director of Services. On the proposal of Cllr. M. Sheehan seconded by Cllr. L. O'Brien and agreed by all the Amenity & Arts Scheme Grants 2017 was approved.

**8. Council Tenant Handbook and Tenant Maintenance Handbook:**

Mr. J. Carley, Director of Services, presented two new handbooks produced by the Housing Department which had recently been approved by the Housing, Community & Environment SPC. These handbooks will be launched officially in the coming weeks. A number of queries raised by the Members were answered by the Director and a number of amendments were made to the document as follows –

- That housing maintenance should not be carried out where rent arrears are outstanding except in exceptional circumstances
- The inclusion of the tenants responsibility not to engage in anti social behavior
- Tenants responsibility with regard to damage or misuse of common green areas on housing estates

The handbooks with the amendments noted were then proposed by Cllr. L. O'Brien seconded by Cllr. M. Byrne and agreed by all.

At 4pm Cllr. J. O'Rourke left the meeting.

**9. Report of Corporate Policy Group:**

The report of the Corporate Policy Group was noted.

**10. Chief Executive's Report:**

The Chief Executive's Report for February 2017 was circulated to the meeting. Questions raised by Councillors present were answered by Council Officials. The issues raised included the following:

- Introduction of recycling charges
- Penalty clauses in County Council contracts - The Chief Executive noted that a clause with regard to liquidated damages is usually included in County Council contracts.
- A change in policy for people with specially adapted houses with regard to tenant purchase.
- Coastal works to deal with severe coastal erosion in Ballyconnigar which may affect the public road.
- Acquisition of houses
- Welcoming of the refugee resettlement programme
- Grants available for septic tank improvements
- Shore angling competition
- Funding for piers and harbours

## **11. List of Councillors' Conferences and Training:**

On the proposal of Cllr. A. Donohoe seconded by Cllr. K. Codd Nolan, the Members noted and approved the List of Councillors' Conferences and Training as circulated to the meeting.

## **12. Minutes of Meetings:**

On the proposal of Cllr. K. Codd Nolan, seconded by Cllr. B. A. Murphy and agreed by all the Members present the following minutes were noted and approved.

- 12.1 New Ross Municipal District Meeting 14.12.16
- 12.2 Gorey Municipal District Meeting re Local Area Plan 12.12.16
- 12.3 In-Committee Gorey Municipal District Meeting 20.12.16
- 12.4 Gorey Municipal District 20.12.16
- 12.5 Borough District of Wexford 19.12.16
- 12.6 Enniscorthy Municipal District 19.12.16
- 12.7 Housing, Community & Environment SPC 08.11.16

## **13. Notices of Motion:**

### **13.1 Cllr. D. Wadding:**

"At the request of the ISPCA, I call on this Council to ban all wild animal circuses from Council land".

Proposed by Cllr. D. Wadding, seconded by Cllr. K. Doyle and agreed by all.

***Action – Notify appropriate Departments of the Council.***

### **13.2 Cllr. D. Hynes:**

"That this Council calls on the Minister for Health to review the 'Vision for Change' to include addiction (in the absence of an adequate and accessible addiction service, especially de-tox) as this exclusion has resulted in suicides in Wexford".

Proposed by Cllr. D. Hynes, seconded by Cllr. J. Hegarty with an amendment to read as follows:

"That this Council calls on the Minister for Health to review the 'Vision for Change' to include addiction (in the absence of an adequate and accessible addiction service, especially de-tox)".

***Action – Send letter to Mr. Simon Harris, Minister for Health.***

Cllr. O. O'Connell left the meeting for the next motion due to a potential conflict of interest.

### **13.3 Cllr. J. Fleming:**

"That Wexford County Council calls on Minister Denis Naughton, Minister for Communications Climate Action and Environment, to issue guidelines in relation to planning permission for solar farms as a matter of urgency".

Proposed by Cllr. J. Fleming, seconded by Cllr. M. Sheehan and agreed by all. It was noted that the Planning SPC is currently working on guidelines and a code of practice for Wexford County Council pending the issue of national guidelines.

**Action – Send letter to Minister Denis Naughton.**

**13.4 Cllr. M. Byrne:**

“That, as part of the correspondence circulated in advance of each Council meeting, the executive of Wexford County Council shall provide a briefing document outlining what actions have been taken or are proposed to take, with projected timelines, on each motion that has been carried at the previous Council meeting”.

Proposed by Cllr. M. Byrne and seconded by Cllr. L. McDonald. The Chief Executive advised that the minutes of meetings would give an update on the actions taken with regards to motions. This approach was agreed by all.

**Action – County Secretary to implement motion**

Cllr. M. Byrne left the meeting for the next motion due to a potential conflict of interest.

**13.5 Cllr. K. Doyle:**

“We call on Wexford County Council to support any reasonable effort to secure a third level facility in the former St. Senan’s Hospital and Grounds”.

Proposed by Cllr. K. Doyle, seconded by Cllr. J. Mythen and agreed by all.

**Action - Send motion to the Minister for Education.**

**13.6 Cllr. J. Mythen:**

“That this Council asks Minister Simon Coveney to introduce an increase in the allocation to the Local Government Fund for 2017 to cover the new increases in Councillors pay and expenses expected in July 2017”.

Proposed by Cllr. J. Mythen, seconded by Cllr. D. Hynes and agreed by all.

**Action – Send letter to Minister Simon Coveney.**

**13.7 Cllr. M. Roche:**

“That this Council calls on the Minister of Health to have Libre Metres, which are mainly used for children with Type 1 Diabetes to be made available on the Long Term Illness Scheme.

These meters scan the blood and give far more information without disturbing the child. They indicate sugar levels, along with an arrow that shows the direction your glucose is heading. They hugely improve the quality of life of the children and their parents, or guardians”.

Proposed by Cllr. M. Roche, seconded by Cllr. G. Lawlor and agreed by all.

**Action – Send letter to Simon Harris, Minister for Health.**

**13.8 Cllr. F. ÓSúilleabháin:**

"Calls on Elected Members of Wexford County Council to commit their support for the retention and enhancement of the Expressway bus service, its provision of vital services between rural and urban areas, its economic and social benefits and protection of the rights of Bus Éireann and Expressway workers, and those people who depend on this vital bus service."

Proposed by Cllr. F. ÓSúilleabháin, seconded by Cllr. D. Wadding and agreed by all.

**Action – No further action required**

**13.9 Cllr. M. Sheehan:**

"That this Council affirms our support for the Free Travel Schemes and will oppose any changes or the introduction of annual charges. Furthermore, we call on the Minister for Social Protection to categorically rule out any changes to the scheme".

Proposed by Cllr. M. Sheehan, seconded by Cllr. A. Kelly and agreed by all.

**Action – Send letter to Minister for Social Protection.**

**13.10 Cllr. M. Sheehan:**

"That this Councils calls on the Minister for Health, Simon Harris TD to intervene in the proposed HSE auction of St. Senans and to offer the first right of refusal to other public bodies before releasing a key County asset into the private market for development".

Proposed by Cllr. M. Sheehan seconded by Cllr. D. Wadding and agreed by all.

The Chief Executive advised the meeting that he had been talking to various parties involved in the HSE about the sale/auction of St. Senan's and was satisfied that the HSE will not put St. Senan's on the private market if there is a public offer.

**Action – Send letter to Minister for Health Simon Harris.**

At 5pm Cllr. T. Dempsey and Cllr. F. Staples left the meeting.

**13.11 Cllr. L. McDonald:**

"That this Council believes that all children regardless of their religious denomination or none, should have access to a school in their local community and that selection rules should be based on two mandatory principles firstly siblings first rule and secondly that children living in new catchment areas would be prioritised with access to a school place in that area"

Proposed by Cllr. L. McDonald, seconded by Cllr. G. Lawlor. It was agreed by all that the motion be forwarded to the Department of Education.

**Action – Send letter to Minister for Education.**

**13.12 Cllr. L. McDonald:**

“That this Council calls for the Minister for Housing to carry out an immediate review of the HAP rules and criteria and in particular to increase the HAP rent limits for County Wexford”.

Proposed by Cllr. L. McDonald, seconded by Cllr. D. Wadding and agreed by all.

**Action – Send letter to Minister for Housing.**

**13.13 Cllr. A. Kelly:**

“I move that this Council urgently put in motion the CPO of an adequate number of 4/5 bedroom vacant houses specifically for emergency family housing unit”.

Proposed by Cllr. A. Kelly, seconded by Cllr. M. Roche and agreed by all.

**Action – Send memo to Mr. J. Carley, Director of Services.**

**13.14 Cllr. O. O’Connell:**

“This Council calls upon the Minister of Agriculture

- to recognise the increasingly complex barriers faced by emerging young farmers;

- to recognise that under Regulation 1307/2013 on Direct Payments, It is completely up to EU Member State Governments whether and how to enforce educational criteria in the Young Farmer Scheme (only 10 of 28 have done so);

- to therefore sensibly relax the formal criteria and deadlines of the Scheme, so as to not unnecessarily exclude otherwise worthy applicants”.

Proposed by Cllr. O. O’Connell, seconded by Cllr. J. Mythen and agreed by all.

**Action – Send letter to Minister for Agriculture, Food and Marine.**

**13.15 Cllr. J. Moore:**

“Wexford County Council calls on the Minister for Agriculture, Food and Marine as a matter of urgency and equity to ensure Local Authority managed Fishery Harbours are treated similar to State managed Fishery Harbours in respect of consultancy costs and Capital Expenditure projects where the Local Authority Fishery Harbour economically outperforms any of the present six State managed harbours. The established economic performance indicator includes either performance by fish landings in tonnes or in value, euro”.

Proposed by Cllr. J. Moore, seconded by Cllr. K. Codd Nolan and agreed by all.

**Action – Send letter to Minister for Agriculture, Food and Marine.**



**13.16 Cllr. K. Codd Nolan:**

“That this Council calls on the H.S.E. and Minister for Health Mr. Simon Harris T.D. to immediately find a solution with Vertex Pharmaceuticals makers of the drug Orkambi and make the necessary funding available so that this life-saving drug becomes accessible for all suitable Cystic Fibrosis sufferers in this country”.

Proposed by Cllr. K. Codd Nolan, seconded by Cllr. O. O’Connell and agreed by all.

***Action – Send letter to HSE and Minister for Health.***

**13.17 Cllr. D. Hynes:**

'I call on the Minister for Housing, Planning, Community and Local Government Simon Coveney, TD, to review the guidelines in the Social Housing Assessment (Amendment) Regulations 2016. In at least one instance, where a family that is entitled to and in receipt of FIS (only given to families that are in low paid work!) was ironically over the threshold in applying for social housing also other payments that are given as in one case a single father of an autistic son that was being cared for weekends was deemed over the limit for social houses as the young man's payment was taken into account. It must be assumed there are other similar situations. This Council requests you look at these anomalies”.

Proposed by Cllr. D. Hynes, seconded by Cllr. D. Wadding and agreed by all.

***Action – Send letter to Minister for Housing, Planning, Community & Local Government.***

**14. Sealing of Documents:**

On the proposal of Cllr. M. Sheehan, seconded by Cllr. K. Codd Nolan the Members noted and approved the sealing of documents as submitted to the meeting.

**15. Correspondence and Communications:**

Cllr. J. Moore asked that the response from the Chief Superintendent with regard to speed control programme be put on the agenda for the next meeting of the Joint Policing Committee.

The Members noted the following correspondence:

- Correspondence from the Road Safety Authority regarding speed control programme
- Email from Chief Superintendent John Roche regarding speed control programme
- Correspondence from Niamh Redmond, Private Secretary to Minister Coveney, regarding a review of the income thresholds for social housing.
- Email from Mr. Denis Naughten, TD, Minister for Communications, Climate Action and Environment, regarding solar energy planning.

- Correspondence from Mr. Paul Kehoe, TD, Minister with Responsibility for Defence, regarding the use of Lariam
- Email from National Transport regarding Rail Review Submission

**16. Any Other Business:**

Cllr. R. Ireton asked that all Councillors contribute €100 to the London/Wexford Association.

The County Secretary advised that plumbing and electrical framework documents are now in place and gave closing dates for entry onto these panels.

This concluded the business of the meeting.

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County Secretary

Daingithe ar an la de , 2017.

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Cathaoirleach