

**WEXFORD COUNTY COUNCIL**

**Minutes of Meeting of Wexford County Council  
held on Monday 8<sup>th</sup> October, 2018 – 2.30 p.m.  
in the Council Chamber, County Hall, Wexford.**

**Attendance:**

**In the Chair:** Cllr. K. Doyle, Cathaoirleach.

**Councillors:**

P. Breen;	M. Byrne;	G. Carthy;	K. Codd-Nolan;
A. Connick;	T. Dempsey;	A. Donohoe;	T. Forde;
W. Fitzharris;	J. Fleming;	J. Hegarty;	D. Hynes;
R. Ireton;	P. Kavanagh;	W. Kavanagh;	G. Lawlor;
J. Moore;	B.A. Murphy;	M. Murphy;	J. Mythen;
L. McDonald;	L. O'Brien;	O. O'Connell;	F. Ó Súilleabháin;
M. Roche;	M. Sheehan;	J. Sullivan;	O. Walsh;
T. Walsh;	M. Whelan.		

**Officials:** Mr. T. Enright, Chief Executive;  
Mr. T. Larkin, Director of Services  
Mr. E. Hore, Director of Services;  
Mr. J. Carley, Director of Services;  
Mr. E. Taaffe, Director of Services;  
Ms. A. O'Neill, Head of Finance;  
Mr. P. Collins, County Secretary.  
Mr. P. O'Gorman, SEO, Housing.

**Apologies:** Councillors M. Farrell; J. O'Rourke; F. Staples.

At the outset the Cathaoirleach proposed that the discussion on rural Ireland which had been proposed for the October 2018 Meeting would now take place at the November 2018 Meeting of the Council.

The Cathaoirleach also advised that Glenn Carr, General Manager, Rail Freight, Rosslare Europort, will attend the November 2018 County Council meeting.

**1. Confirmation of Minutes:**

- 1.1 County Council Meeting – 10<sup>th</sup> September, 2018.
- 1.2 Budget Working Group – 1<sup>st</sup> October, 2018.

On the proposal of Cllr. M. Byrne seconded by Cllr. P. Breen and agreed by all, the Council approved the minutes of the meetings as outlined above.

**Matters arising from the Minutes** – On the proposal of Cllr. K. Codd Nolan seconded by Cllr. O. Walsh, it was agreed that a civic reception be afforded to Patrick Prendergast, Provost, Trinity College, Dublin.

Members also complimented the Council Staff on the work done in organising the Market House Festival in Gorey.

### **Votes of Sympathy:**

The Members expressed their sympathy to the families of the following recently deceased:

- The family of Emma Mhic Mhathúna - it was proposed that a letter be sent to her family expressing the Council's sympathy.
- The family of Kathleen Walsh, Wexford Town, who was a Member of the London Wexford Association.
- The family of Pat O'Rourke, Glynn, Barntown.

Cllr. J. Moore advised that this year was the 100<sup>th</sup> anniversary of the loss at sea of 500 people on the R.M.S. Leinster, which was torpedoed and sank in the Irish Sea. He noted that two former Councillors – John S. Hearn and Thomas L. Esmonde perished at the tragic event.

Sympathy was also expressed for three families who lost loved ones recently - Lawless family, Stamp family and Dempsey family.

### **Vóta Comhghairdeas:**

Déan na Comhairleoirí comhghairdeas ar na ghrúpaí/dhaoine liostaithe thíos:

- Rebecca Carter, Student, who recently won her High Court case regarding her exam results – letter of support and congratulations for her honesty and courage.
- Faythe Harriers who recently won the U15 and U17 hurling championships.
- Ger Mackey and his staff in Community and the District Managers for their work in securing €1.3m for the Town and Village Renewal Programme 2018.
- The organisers of the Celtic Woman event held recently in Johnstown Castle.
- The new County Senior Camogie Champions, St. Martins – Cllr. L. McDonald proposed that a civic reception be held to celebrate the Wexford Camogie Team who won the All Ireland in 1968. The Cathaoirleach advised that preparations were underway to have a Civic Reception for the camogie team, the senior team and the minor team who all were successful in 1968.
- Naomh Eanna and Oylegate who reached the County Final.
- Paul McCloskey on his recent success in the London Contemporary Arts competition.
- Kitty Hynes who has given 50 years of service to St. Vincent de Paul – it was agreed that a letter be sent to her to congratulate her on her years of service.
- Eamon Cleary whose greyhound, Ballyanne Sim won the Irish Greyhound Derby.
- The Horseshoe Club in Bunclody who won the All-Ireland Horseshoe title.

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

2.1 Proposed disposal of a site at Clonard Litte, Wexford.

2.2 Proposed disposal of a site at Killagoley, Enniscorthy, Co. Wexford.

On the proposal of Cllr. M. Byrne seconded by Cllr. G. Carthy, the proposed disposals, as submitted to the meeting, were approved.

**3. Part XI of the Planning and Development Act, 2000 (as amended) and Part 8, of the Planning and Development Regulations, 2001 (as amended):**

3.1 LAC 1804 – Proposed development of flood attenuation works encompassing construction of a soil berm, attenuation area, replacement surface water drainage pipework and a fenced enclosure of the attenuation area at Wexford Racecourse, Newtown Road, Wexford.

Mr. J. Carley, Director of Services, advised that this was a minor flood protection measure.

On the proposal of Cllr. G. Lawlor seconded by Cllr. P. Breen, the proposed development, as submitted to the meeting, was approved.

**4. Rebuilding Ireland – WCC Social Housing Progress Report**

Mr. P. O’Gorman, SEO, Housing, advised the Members that this was a 3 monthly update on the progress of the Council’s housing programme, as agreed at a previous meeting. He advised Members that the new build is coming online and it is proposed to reduce acquisitions as the new builds ramp up. He also advised that Part V properties will be coming online.

A wide ranging discussion then took place with regard to the housing programme dealing with a number of issues including the following:

- the rent supplement,
- HAP,
- buying second hand houses and its effect on the market,
- the reliance on approved housing bodies,
- the lack of single houses in rural Ireland. It was agreed that the lack of housing in rural Ireland would be part of the review agreed earlier in the meeting to take place at the November 2018 Meeting of the Council.
- Sewerage capacity in villages,
- derelict houses and CPO’s,
- lack of emergency accommodation,
- length of time taken to allocate houses,
- refurbishment of houses,
- the measures proposed in the national budget 2018 to speed up the process of building new houses by Local Authorities,
- the percentage of people transferring from the rental scheme to HAP,
- the emphasis on the private market,
- the need to build more social housing,

Mr. T. Larkin, Director of Services, advised that the Planning Department has identified a number of derelict houses for the CPO programme and are prioritising these properties for each District at present. Councillors should email details any potential derelict houses to the Director for consideration.

Mr. P. O’Gorman, SEO, Housing, advised that an application has been made to the Department for approval for 7 units in Westlands to be used for emergency accommodation.

The Chief Executive paid tribute to Mr. J. Carley and Mr. P. O’Gorman and all the Housing Staff for meeting and exceeding their targets. He also advised that the Department had advised that there was no shortage of finance for housing and that WCC will keep on providing houses as required.

With regard to housing in rural areas, **the** Chief Executive advised that towns and villages where water and sewerage is already available, should be part of the housing programme.

## **5. Traveller Accommodation Programme 2019-2024**

Mr. P. O’Gorman, SEO, Housing, advised that the memo from the Director, as circulated, set out the timeframe and a summary of implementation of the Traveller Accommodation Programme. It is anticipated that the adoption of the Programme will take place in July 2019, followed by the implementation of the Programme itself.

A wide ranging discussion then took place with regards to a number of issues/views set out below:

- The refusal of traveller families to move into newly constructed houses in Tipperary because there were no stables or land for their horses
- Illegal encampments in Gorey and Courtown over the summer and the problems that it caused for local businesses.
- Rights and responsibilities of Council tenants and the need to deal with illegal encampments as part of the Programme.
- The need for the Council to have a balanced view with regards to the Programme, noting that all anti-social behaviour is not coming from the travelling community and the Council’s role to help integrate traveller families into the wider community.

15.27 p.m. – Cllr. T. Forde arrived.

## **6. WCC Housing Tenant Handbook**

Mr. P. O’Gorman, SEO, Housing, advised that the Tenant Handbook would be distributed to all tenants of WCC as part of the move of some of the housing services to the Customer Services Unit.

Members raised a number of concerns including the following:

- The need to strengthen the anti-social behavior provisions for tenants, including provisions re the tenant’s responsibility to dispose of household refuse and to stop the accumulation of refuse in Council houses
- The need for carbon monoxide alarms in all of the Council’s houses which had been agreed at a previous meeting. Cllr. B. A. Murphy sought a report on the current position with regard to the implementation of this initiative.
- The difficulty for elderly tenants in dealing with some of the maintenance that they are expected to carry out e.g. painting and repairs interior doors
- The inclusion of the Children and Young People’s Services website in the Contacts Section of the Handbook ([www.cypsc.ie](http://www.cypsc.ie))
- The inclusion of an appendix dealing with controlled breeds of dogs.

- Proposals that new tenants should meet for a session with MABS to discuss their finances.
- The cost of cleaning up the halting site in New Ross and the need for a full time caretaker in the halting site.

Mr. J. Carley, Director of Services, answered a number of queries raised by the Members. He advised that a carbon monoxide programme is in place and will report back to the Council at a later date regarding the current position.

The Director also advised that the anti-social behavior unit is now in place in housing. He agreed to look at the wording of the provisions and book regarding anti-social behavior with regard to tying tenancies to the new Waste Bye-laws. He advised that the new waste bye-laws are expected to be in place early in 2019.

## **7. Annual Service Delivery Plan Quarter 3 2018**

Mr. E. Taaffe, Director of Services, presented the plan and advised Members to contact him directly if there were any queries.

The Members noted the quarterly results.

Matters arising – a question arose with regard to the Council providing land for the Women's Refuge. The Chief Executive explained the current position with regard to the Women's Refuge and it was agreed that an update on the Women's Refuge should be included in the Quarter 4.

## **8. Section 183 Procedure for Sale of Repossessed/Surrendered Mortgage Properties**

A letter had been circulated to the Members setting out the issues involved in the change of procedure for Section 183's for repossessed and surrendered mortgages.

On the proposal of Cllr. J. Hegarty seconded by Cllr. K. Codd Nolan the policy was agreed following a vote in which 20 of the Members voted in favour and 8 voted against.

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

On the proposal of Cllr. M. Sheehan seconded by Cllr. L. O'Brien the Report of Corporate Policy Group of 1<sup>st</sup> October, 2018 was approved by the meeting.

Matters arising from the Corporate Policy Group Minutes – discussion took place with regards to the naming of a Minister in a motion rather than the Office of the Minister. Following discussion it was agreed on the proposal of Cllr. L. O'Brien seconded by Cllr. M. Sheehan that this issue will be sent to the Protocol Committee for discussion.

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

The Chief Executive's Report was considered by the Members. The Chief Executive and Members of the Management Team responded to Members queries arising from the report including the following:

- The Chief Executive to contact the GAA regarding parking at Wexford Park. It was agreed that this matter be dealt with by Borough District of Wexford.
- Make Way Day – it was agreed that this item be brought up at the Borough District of Wexford Meeting.
- Dangerous junction at Ballycarney
- Concern for the Gorey District with regards to the Roads budget
- Dumping on roadsides/littering
- Closing date for the New Ross Technical building
- Rosslare/Waterford Greenway
- Rapid Response Crews for litter
- Traffic problems on the Ardavan to Castlebridge road
- The upgrading of public lighting in rural areas
- Bye-laws for illegal camping
- Putting up barriers on Council properties
- Habitual complainers in planning
- New Ross Advance Factory
- Economic rejuvenation of John Street in New Ross
- Gorey Market House
- Public lighting on footpath to Ardamine
- The waiving of charges for letters for community groups
- Enniscorthy by-pass
- Funding for the roads approaching the new motorway which have been damaged during the construction of the Enniscorthy By-pass.

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

The list of Councillors' Conferences and Training were proposed by Cllr. M. Sheehan, seconded by Cllr. M. Byrne and agreed by all.

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

On the proposal of Cllr. M. Sheehan, seconded by Cllr. M. Byrne, and agreed by all the Members present, the following minutes were noted and approved:

- 12.1 Gorey Municipal District Meeting 17.07.18
- 12.2 New Ross Municipal District Meeting 11.07.18
- 12.3 Borough District of Wexford Meeting 16.07.18
- 12.4 Special Meeting of Borough District of Wexford 15.08.18
- 12.5 Protocol Committee Meeting of Borough District of Wexford 28.08.18
- 12.6 Enniscorthy Municipal District Meeting 16.07.18
- 12.7 Planning & Building Control SPC 04.04.18

#### **13. Sealing of Documents**

The Sealing of Documents as submitted to the meeting was noted.

#### **14. Correspondence and Communications**

The following correspondence was noted by the Members:

- Acknowledgment from the Private Secretary to the Minister for Housing, Planning and Local Government, in relation to letter in connection with the loan to value ration under the Rebuilding Ireland Home Loan.
- Acknowledgment from An Post.
- Correspondence from An Post.
- Acknowledgement from the Office of the Minister for Communications, Climate Action and Environment.
- Acknowledgment from the Office of the Minister for Transport, Tourism & Sport.

## **15. Deferred Notice of Motion:**

### **15.1 Cllr. Lisa McDonald**

“That this Council calls for the inclusion to the completion M11 motorway from Oylegate to Rosslare in the National Planning Framework 2040”.

The above motion was proposed by Cllr. L. McDonald seconded by Cllr. G. Lawlor and agreed by all. It was further agreed that the motion be sent to the Taoiseach, Minister for Transport and Minister for Finance.

### **15.2 Cllr. Tom Forde**

"In light of the concerns raised by the Construction Industry Federation and many unpaid sub-contractors I request that a representative of Wexford's building compliance section is present at the next meeting of Wexford County Council to explain the council's role in the process and that an invitation is also extended to Sean Downey, Director of Specialist Contracting with the CIF, to hear the very serious concerns that he has raised regarding the certification of buildings".

The above motion was proposed by Cllr. T. Forde seconded by Cllr. J. Mythen. Following discussion, Mr. T. Larkin, Director of Services, stated that he is satisfied that all procedures have been followed in this particular case and WCC is satisfied that the building has been built according to the building regulations. The Council has also written to CIF but has received no response. The Director also advised that if CIF were to organise a meeting that he would be happy to attend.

Cllr. T. Forde who had proposed the motion accepted the suggestion to attend a meeting with the CIF. Mr. T. Larkin, Director of Services, finished up by saying that the building has been certified, is now in use and is working effectively.

### **15.3 Cllr. Mick Roche**

“That this Council calls on the Minister for Justice to develop mechanisms to gather and publish data on the prosecution of discriminatory crime and to introduce bespoke hate crime legalisation. Taking into account there is no way of recording that an offender has committed a hate crime in our existing legislative jurisdiction or there is no certainty that a hate motivation crime will be presented in court”.

The above motion was proposed by Cllr. M. Roche seconded by Cllr. T. Walsh and agreed by all.

#### **15.4 Cllr. Oisín O’Connell**

“In the interests of transparency and accountability: policy documents adopted by Elected Members of this Council will be archived online permanently - in an accessible manner for the public”.

The above motion was proposed by Cllr. O. O’Connell seconded by Cllr. F. O’ Súilleabháin. Following discussion it was agreed that the motion will be held over until the next meeting to allow Council Officials to check the cost of carrying out the motion.

The Cathaoirleach then proposed, seconded by Cllr. M. Sheehan, to suspend Standing Orders to allow the meeting to continue until 6.00 p.m.

#### **15.5 Cllr. David Hynes**

“In January, Independent Senator Frances Black launched the [Control of Economic Activities \(Occupied Territories\) Bill 2018](#), and the bill returns to Seanad Éireann on Wednesday 11th July 2018.

The bill seeks to prohibit the import and sale of goods, services and natural resources originating in illegal settlements in occupied territories. Such settlements are illegal under both international humanitarian law and domestic Irish law, and result in human rights violations on the ground. Despite this, Ireland provides continued economic support through trade in settlement goods.

The legislation has been prepared with the support of [Trócaire](#), [Christian-Aid](#) and the [Irish Congress of Trade Unions \(ICTU\)](#), and applies to settlements in occupied territories where there is clear international legal consensus that they violate international law. The clearest current example is the Israeli occupation and expansion of settlements in the Palestinian ‘West Bank’, which have been repeatedly condemned as illegal by the UN, EU, the International Court of Justice and the Irish Government.

I call on this council to support this bill and lobby to have to passed when it comes before the Dail”.

The above motion was proposed by Cllr. D. Hynes seconded by Cllr. T. Forde and agreed by all.

#### **15.6 Cllr. Lisa McDonald**

“That the Executive be requested to prepare a report setting out the planning statistics, showing the comparisons of Wexford County Council against national averages to include validations, decisions (grant/ refuse), further information requests”.

The above motion was proposed by Cllr. L. McDonald seconded by Cllr. M. Sheehan. Cllr. L. McDonald withdrew the motion given that the Director has already compiled the report called for in the motion. Mr. T. Larkin, Director of Services, then distributed the report to the meeting.

### **15.7 Cllr. Oisín O'Connell**

"Any Council vehicles undergoing detailing (as newly acquired, or for rework maintenance) with council branding, will have alternating English and Irish language on either side; and/or, where practical, similar balance will be achieved front and back".

The above motion was proposed by Cllr. O. O'Connell seconded by Cllr. J. Mythen and agreed by all. The Chief Executive agreed that it would be done on a pilot basis beginning with any new vehicles acquired by the Council.

## **16. Notices of Motion:**

### **16.1 Cllr. M. Byrne**

"That, as a matter of procedure, Wexford County Council, in considering whether to nominate a candidate for the Presidency of Ireland in future contests, shall require that any person wishing to address the Council shall have been proposed and seconded by members of the Council to invite them to so do."

The above motion was proposed by Cllr. M. Byrne seconded by Cllr. B.A. Murphy and agreed by all.

Cllr. M. Byrne advised that he wished to change the Standing Orders so that persons wishing to stand for the role of President and to address the Council must have a proposer and seconder to be allowed to address the Council. Such a proposal must be made in writing in advance of the meeting.

### **16.2 Cllr. G. Lawlor**

"Following the example of Dublin City Council in recognising that period poverty is a real issue for women in low income households, Wexford Co. Council agrees to have free sanitary products available in the toilets of all Council buildings, including council offices, swimming pools and libraries".

The above motion was proposed by Cllr. G. Lawlor seconded by Cllr. L. McDonald. It was agreed that the measure in the motion would be piloted in the Libraries.

### **16.3 Cllr. T. Forde**

"I call on Wexford County Council to write to the Minister of State at the Department of Finance and the Department of Public Expenditure and Reform with special responsibility for financial services and insurance, expressing dissatisfaction with barriers preventing those who are sick or have a certified illness from obtaining some form of an affordable life insurance policy, which is a prerequisite for mortgage approval. This Council calls on the Minister to act to address existing restrictions."

The above motion was proposed by Cllr. T. Forde seconded by Cllr. D. Hynes and agreed by all. The motion is to be forwarded to Minister of State Michael D'Arcy.

**16.4 Cllr. M. Sheehan**

“That this Council agrees to invite a representative from the Health Service Executive to discuss the provision and coverage of GP services in County Wexford and to discuss the contingency plans to maintain the service replacing those retiring within the next five years”.

The above motion was proposed by Cllr. M. Sheehan seconded by Cllr. G. Carthy. Cllr. Carthy amended the motion to include the “HSE and Caredoc”, which was accepted and agreed by all.

**16.5 Cllr. M. Sheehan**

“That this Council calls on the Minister for Communications, Climate Action and Environment, to conduct a fundamental review of the Pay by Weight Regulations to ensure fairness and transparency for consumers and while this review is conducted, the mandatory introduction is postponed and more options including the returning the service under the Local Authorities is considered”.

The above motion was proposed by Cllr. M. Sheehan seconded by Cllr. D. Hynes and agreed by all.

**16.6 Referred from Members of Gorey Municipal District**

“That Wexford County Council review the Scheme of Letting Priorities and that greater priority be given to families on the Housing List in excess of 7 years”.

The above motion was proposed by the Members of Gorey Municipal District. Cllr. J. Hegarty withdrew the motion and it was agreed that Mr. P. O’Gorman, SEO, Housing, would discuss the matter with the Gorey District at their next meeting.

**19. Any Other Business**

None.

**This concluded the business of the meeting.**

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County Secretary

Daingithe ar an                      lá de Samhain, 2018.

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Cathaoirleach