

**WEXFORD COUNTY COUNCIL**

**Minutes of Meeting of Wexford County Council  
held on Monday 10 September, 2018 – 2.00 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,	M. Farrell
W. Fitzharris	J. Fleming	T. Forde	J. Hegarty
D. Hynes	L. McDonald	O. O'Connell	B.A .Murphy
M. Roche	M. Murphy	J. Mythen	L. O'Brien
F. Ó Súilleabháin	M. Sheehan	O. Walsh	F. Staples
J. Sullivan	J. O'Rourke	T. Walsh	R. Ireton
P. Kavanagh	M. Whelan	W. Kavanagh	

**Officials:** Mr. T. Enright, Chief Executive  
Mr. T. Larkin, Director of Services  
Mr. E. Hore, Director of Services;  
Mr. P. O'Gorman, A/Director of Services;  
Ms. A. O'Neill, Head of Finance;  
Mr. D. Minogue, Senior Executive Officer

**Apologies:** Councillors: George Lawlor, Jim Moore  
Officials: Pat Collins, County Secretary

**1. Attendance by Minister Damien English**

Mr. Damien English TD, Minister of State at the Department of Housing, Planning and Local Government with special responsibility for Housing and Urban Development addressed the meeting and thanked the Members and officials for the opportunity to attend.

The Minister reiterated his confidence in local authorities as the primary provider of social housing supports and congratulated Wexford County Council on consistently exceeding its targets as set out in the Housing Programme.

Minister English responded in a very frank and forthright manner to questions from the Members regarding current social housing policy and practice (as previously circulated in writing to the Minister)

Q: *Housing developments of 100 houses or more - transfer of planning application process to ABP*

R: Due to their scale and complexity, many of these applications were being appealed to ABP following the LA decision. It was therefore considered prudent to remove one of the steps from the planning process to speed up the overall planning application decision.

LA's were still involved in the planning decision through the statutory pre-planning consultation process.

This was not a permanent arrangement, and could be reversed as the delivery of housing improved

Q: *Why does it take so long for the Department to approve a LA application to construct housing?*

R: The department employs a 4-stage approval process. The entire process will take no more than 59 weeks. The Department will do its utmost to ensure all developments are approved within this time period.

Q: *Will the Department introduce an affordable housing scheme?*

R: The Department is in the process of finalising an Affordable Housing Scheme and hopes to introduce it within the next few months. The Scheme is likely to be based on the construction of houses on local authority-owned lands.

Q: *The HAP Scheme is not suitable as a long-term housing solution and the financial limits are not sufficient to meet the needs of those seeking to join the Scheme. Those on the HAP Scheme should be allowed to remain on the Housing List.*

R: Some 38,000 families have joined the HAP Scheme, indicating it is a viable option for many families. The LA is empowered to exceed the limits by up to 20%. Those on the HAP Scheme may continue to work – many families are content to remain within HAP and not seek further housing assistance.

Q: *The current Data Protection Regulations exclude the Elected Member from assisting in the housing process and need to be amended to ensure the valuable role of the Elected Member in this process can continue.*

R: The Minister is open to examining whether an alternative interpretation of the legislation is available which allows Elected Members to access key housing information. In the meantime, an amendment to the Housing Application Form to allow the applicant to indicate their specific agreement to release of information to the Elected Members could be considered.

Q: *Does the Department have any plans to introduce a First Time Buyer's Grant?*

R: The current Help to Buy system allows the applicant to reclaim up to €20,000 in tax and DIRT. The refund ensures the applicant gets the financial benefit whereas a grant has traditionally led to an increase in the cost of the house, with no financial benefit to the purchaser

Q: *Will the Minister increase the Part V obligation in respect of new developments from the current 10% level to 20%?*

R: The 10% is the minimum contribution required and represents a more achievable /workable target. In addition, the previous option of a financial contribution in lieu of land is no longer available,

Q: *Will the Minister address the current crisis in student accommodation availability?*

R: The situation is being addressed with the provision of 17,000 new student accommodation places currently under way and plans to bring in controls in respect of student accommodation rent costs.

Q: *Will the Minister consider excluding FIS (Family Income Supplement) for income assessment purposes for housing applicants?*

R: FIS is paid as a wages supplement and as such should be taken into account in the same way as other wages.

Q: *Will the Minister consider reducing the 10% deposit requirement for those seeking a Council mortgage?*

R: The 10% deposit is a requirement of the Central Bank and is in place to ensure applicants do not act recklessly when entering into a mortgage. The applicant needs only to provide evidence of savings of 3% and may be gifted the balance of 7% where circumstances allow.

Q: *Schemes such as Repair and Leaseback and Purchase and Renew are not viable housing options and are not achieving their targets*

R: The Purchase and Renew Scheme is quite successful and effective in reducing the number of derelict properties, particularly in urban areas.

There is insufficient public awareness of the Repair and Leaseback and the Members support would be very welcome in promoting the Scheme and its benefits to the wider community.

On behalf of Wexford County Council the Cathaoirleach thanked Minister English for his attendance and for the manner in which he openly and frankly addressed the questions and issues raised.

## 2. Nomination of Person to be a Candidate at a Presidential Election.

Councillor Carthy proposed *Mr. Seán Gallagher, Eden Gate, Delgany, Greystones, Co. Wicklow* to be a candidate at the forthcoming Irish Presidential Election. His proposal was seconded by Councillor Connick.

Councillor Paddy Kavanagh proposed *Senator Joan Freeman, 37 Weston Drive, Weston Park, Lucan, Dublin 20* to be a candidate at the forthcoming Irish Presidential Election. His proposal was seconded by Councillor Staples.

There followed a roll-call vote, the results of which are detailed below:

Councillor		Gallagher	Freeman	Absent	Abstain	
BREEN	PIP	1				
BYRNE	MALCOLM	1				
CARTHY	GER	1				
CODD-NOLAN	KATHLEEN		1			
CONNICK	ANTHONY	1				
DEMPSEY	TONY	1				
DONOHUE	ANTHONY		1			
DOYLE	KEITH	1				
FARRELL	MARY	1				
FITZHARRIS	WILLIE		1			
FLEMING	JOHN	1				
FORDE	TOM				1	
HEGARTY	JOHN		1			
HYNES	DAVID		1			
IRETON	ROBERT		1			
KAVANAGH	PADDY		1			
KAVANAGH	WILLIE	1				
LAWLOR	GEORGE			1		
MCDONALD	LISA	1				
MOORE	JIM			1		
MURPHY	BARBARA-ANNE	1				
MURPHY	MARTIN	1				
MYTHEN	JOHNNY				1	
O'BRIEN	LARRY				1	
O'CONNELL	OISIN				1	
O'ROURKE	JOHN	1				
O'SUILLEABHAIN	FIONNTAIN			1		
ROCHE	MICK				1	
SHEEHAN	MICHAEL	1				
STAPLES	FRANK		1			
SULLIVAN	JOE	1				
WALSH	ANTHONY		1			
WALSH	OLIVER		1			
WHELAN	MICHAEL	1				
		<b>16</b>	<b>10</b>	<b>3</b>	<b>5</b>	<b>34</b>

Following the roll-call vote, the Cathaoirleach declared Mr. Seán Gallagher of Eden Gate, Delgany, Greystones, Co. Wicklow to have been nominated by Wexford County Council to be a candidate in the forthcoming Irish Presidential Election.

**3. Confirmation of Minutes:**

**3.1 County Council Meeting – 9th July, 2018.**

**3.2 Special County Council Meeting – 3rd September, 2018.**

**3.3 Special County Council Meeting – 5th September, 2018.**

Proposed by Councillor Sheehan, seconded by Councillor O'Rourke and agreed.

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

**Proposed lease of the Community House at Cois Mara, Rosslare Strand.**

Proposed by Councillor Sheehan, seconded by Councillor Paddy Kavanagh and agreed.

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

**LAC 1803 – A proposed 3.6km long off road Greenway (Shared Cycle / Pedestrian Path along with ancillary fencing & agricultural crossings ) to follow the route of the disused New Ross Railway Line between the N25 and the N30 at Raheen, Rosbercon, Annefield, Glinn, Garranbehy Big Mountelliot in County Wexford and County Kilkenny.**

The Members welcomed progress in relation to the above project and on the proposal of Councillor Sheehan, seconded by Councillor Fleming, noted and agreed the Chief Executive's Report on the proposed development as circulated.

**6. Local Government Act 2001 - Proposed Section 85 Agreement between Wexford County Council, Kilkenny County Council, and Waterford City and County Council, for the development of the Waterford to Mountelliott Greenway (incorporating the Kilkenny Greenway), and the Waterford to Rosslare Harbour Greenway.**

The Members considered the proposed Section 85 Agreement between Waterford City and County Council, Kilkenny County Council and Wexford County Council. The Members noted that Wexford County Council will be the lead authority under the Agreement, and further noted that project costs will be apportioned between the three authorities on the basis of length of greenway in each authority area.

Proposed by Councillor O'Brien, seconded by Councillor Dempsey and agreed.

**7. N80 Bunclody Pavement Improvement Scheme – Proposed Section 85 Agreement between Carlow County Council and Wexford County Council**

Proposed by Councillor Barbara Anne Murphy, seconded by Councillor Sheehan and agreed.

**8. Budget 2019 – Proposed Meeting Dates**

The Members noted the process of preparing the 2019 Draft Budget is well under way and as part of that process the Members agreed the following meeting dates:

LPT Decision	10 September, 2018
Budget Strategy Meeting	1 <sup>st</sup> October, 2018
Agree General Municipal Allocations	at October 2018 MD meetings
Statutory Budget Meeting	26 November, 2018

**9. Local Property Tax - Local Variation Factor**

The Members debated the issue of fixing the LPT Local Variation Factor and in doing so considered the statutory Report / Discussion Paper as circulated.

Ms. Annette O'Neill, Head of Finance, advised the Members of receipt of a further two submissions in relation to the LPT and outlined the details of same.

Councillor Malcolm Byrne proposed the Council accept the recommendation as set out in the Report– namely that the LPT for 2019 be retained at the 2018 level, representing a 10% increase of the base level. This proposal was seconded by Councillor Paddy Kavanagh.

Councillor Mythen proposed a 3% reduction in the LPT from the base level. This proposal was seconded by Councillor O'Connell.

Councillor Byrne's proposal was put to a vote, with 18 members voting in favour of the proposal and 6 against.

Following the vote the Cathaoirleach declared that Wexford County Council had passed a resolution to the effect that the basic rate of local property tax should stand varied upwards by 10 per cent for the year 2019 in respect of relevant residential properties situated in the administrative area of Wexford County Council.

**10. Consideration of PPN Nominee to the LCDC – Nomination of Ms. Karen Dubsky**

Proposed by Councillor Donohoe, seconded by Councillor Sheehan and agreed

**11. Nomination of Council Representative to SERDATF (South Eastern Drugs & Alcohol Task Force)**

The Members noted correspondence from County Wexford Drugs and Alcohol Task Force inviting Wexford County Council to nominate a representative to the South Eastern Drugs and Alcohol Task Force, a statutory organisation dedicated to countering the growing problem of drugs and alcohol in the South East.

On the proposal of Malcolm Byrne, seconded by Councillor Carthy, the members agreed to nominate Councillor Davy Hynes to represent the Council on SERDATF.

**12. Draft Wexford County Council Annual Report 2016**

Mr. David Minogue, Communications Officer, presented the Draft Wexford County Council Annual Report 2016 and recommended it to the Members for adoption.

Proposed by Councillor Malcolm Byrne, seconded by Councillor Barbara Anne Murphy and agreed.

**13. Minutes of Meeting of Corporate Policy Group – 5 September 2018.**

Proposed by Councillor Sheehan, seconded by Councillor Hegarty and agreed

**14. Chief Executive's Report**

The Members raised a number of issues which were responded to by the Chief Executive and Management Team – among these issues were the following:

- Road Closure in the Bullring Wexford
- Support for Waterford Airport
- Funding for Urban and Rural Regeneration
- Planning Enforcement – difficulties in concluding court proceedings
- Opportunity to exploit more fully the economic potential of Rosslare Port
- Commercial vacancy rates in New Ross
- Gorey Market House – current position
- Enniscorthy urban regeneration projects
- Litter and Recycling – need for analysis of statistics following introduction of recycling charge
- Opportunity to brief Oireachtas Members and enlist their support of strategic projects planned for County Wexford

**15. List of Councillors' Conferences and Training**

Proposed by Councillor Mythen, seconded by Councillor Tony Walsh and agreed.

**16. Minutes of Meetings**

16.1 Gorey Municipal District Meeting 19.06.18

16.2 Annual Meeting of Gorey Municipal District 19.06.18

16.3 New Ross Municipal District Meeting 13.06.18

16.4 Borough District of Wexford Meeting 18.06.18

16.5 Annual Meeting of Borough District of Wexford 25.06.18

16.6 Enniscorthy Municipal District Meeting 18.06.18

16.7 Annual Meeting of Enniscorthy District 18.06.18

Proposed by Councillor Sheehan, seconded by Councillor Barbara Anne Murphy and agreed

**17. Sealing of Documents**

Proposed by Councillor Codd Nolan, seconded by Councillor Farrell and agreed.

**18. Correspondence and Communications**

- Acknowledgement from Private Secretary to the Minister for Employment and Social Protection regarding Community Employment Workers pension provision
- Correspondence regarding Community Employment Workers pension provision
- Acknowledgment from Private Secretary to Minister for Health regarding Mental Health services in County Wexford
- Correspondence from Private Secretary to Minister for Housing, Planning and Local Government in relation to Housing Assistance Payment (HAP) Scheme
- Acknowledgment from Private Secretary to Minister for Housing, Planning and Local Government in relation to an independent convention on the future of local government
- Acknowledgement from Private Secretary to Minister for Transport, Tourism & Sport regarding the addition of first aid training to the driving test process
- Correspondence in relation to the establishment of an independent convention on the future of local government.
- Acknowledgment from Minister for Health regarding mental health services in the South East



- Feedback on queries raised at ESB Presentation to Wexford County Council.
- Acknowledgement from Office of Minister of State for Local Government and Electoral Reform with connection with the Local Electoral Area Boundary Committee County Wexford.
- Acknowledgement from the Office of the Minister for Defence
- Acknowledgement from the Private Secretary to the Minister for Finance and Public Expenditure and Reform.
- Correspondence from the HSE regarding recruitment of Paediatric Consultant Psychiatrists

The members noted the above correspondence as circulated.

It was agreed that the recently established Council sub-committee on Mental Health would meet briefly at the end of the meeting.

It being past the hour of 5.30pm, the Members considered suspending Standing Orders for a period of 15 minutes to allow a number of Notices of Motion to be considered.

Proposed by Councillor Donohoe, seconded by Councillor Farrell and agreed.

## **19. Deferred Notices of Motion**

### **19.1 Cllr. John Fleming, Chair of Housing, Community & Environment SPC**

*“That this Council call on the Minister to review the loan to value ratio of 90% under the Rebuilding Ireland Home Loan, for construction loans where the applicant(s) owns their own unencumbered site. This Council believes, such applicants should be considered for a maximum of 100% of the construction costs subject to meeting the affordability and eligibility criteria, as the site would represent a minimum of 10% equity”.*

Proposed by Councillor Fleming, seconded by Councillor Sheehan and agreed.

### **19.2 Cllr. Fionntán Ó Súilleabháin**

*“For over twenty years now, despite the evidence of three national surveys and reports and the current Pavement Survey Condition Index (PSCI) Rating results, Wexford County Council has not received a fair allocation of non-national road funding based on the factual need and condition of non-national roads throughout the country.*

*The Department of the Taoiseach report on non-national roads in December, 1997, stated that ‘funding should be based on need and, in this context, the findings of the Pavement Condition Study should be taken into account’.*

*Wexford County Council now calls on the Minister for Transport, Tourism and Sport to address this long standing imbalance in non-national road funding for county Wexford, with immediate effect”.*

Proposed by Councillor O’Suilleabháin, seconded by Councillor Roche and agreed.

## **20. Notices of Motion**

### **20.1 Cllr. Malcolm Byrne**

*“Given the failure of the Government’s National Broadband Strategy and the inadequacy of broadband provision in parts of Co. Wexford that the County Council’s economic office prepare an options paper to ensure provision of broadband to all parts of the County, for presentation to the Council before year end.”*

Following discussion, Councillor Byrne agreed to amend the motion by replacing the word “ensure” with “assist in the”.

Proposed by Councillor Byrne, seconded by Councillor Farrell and agreed

### **20.2 Cllr. David Hynes**

*“This Council calls on the government to prevent the Central Bank from closing 'Penny Banks' and Christmas Clubs and Thrift funds etc. The news that the Clonard Thrift Fund and all other Trift Funds and 'Penny Bank' has had to tell it's members that this is the last year of running this club has shocked many users as it's has been the way many ordinary people have saved for Christmas over many decades. It will also no doubt drive vulnerable people into the hands of 'money lenders' again. Surely another attack on community spirit”.*

Proposed by Councillor Hynes, seconded by Councillor Walsh and agreed

It was agreed to take the following three Motions together:

### **20.3 Cllr. Michael Whelan**

*“That this Council calls on An Post to change its policy of closing post office following the take up of redundancy by post masters/mistresses and calls on the company in consultation with the local communities to find some way of keeping rural post offices open and calls on the government to take immediate action to prevent these closures in the interest of the survival of the commercial and community life of the rural villages affected”.*

Proposed by Councillor Whelan, seconded by Councillor Hynes and agreed.

**20.12 Cllr. Michael Whelan**

“That this Council would allot time on October agenda to discuss the closure of post offices, lack of broadband and other matters concerning rural villages around Wexford, and the impact its having on the development of rural Wexford”.

Proposed by Councillor Whelan, seconded by Councillor Hynes and agreed.

It was further agreed to invite a representative of An Post to attend the October meeting of Wexford County Council to assist the Council during the debate on this item.

**20.10 Cllr. Fionntán Ó Súilleabháin**

*“This Council calls on Government to:*

1. *Enact ‘Private Members Dáil Motion of the 11th November, 2016.’ (a call previously supported by Wexford County Council, October 2017)*
2. *Postpone the closure of Post Offices while the Kiwi Post Bank model for the Irish Post Office network is developed.*
3. *The results of this Council motion to be promptly conveyed to the Minister for Communications, Climate action and Environment and Deputy Hildegarde Naughton, Chair of Committee on Communications, Climate Action and Environment.*
4. *That this motion will be circulated to all local authorities*

Proposed by Councillor ‘Ó Súilleabháin, seconded by Councillor Hynes and agreed

**20.4 Cllr. Willie Kavanagh**

*“As the Enniscorthy by pass is due to open in the near future, I am calling on Wexford Co Council to take into consideration a traffic management plan in the village of Oylegate to accommodate local traffic that will be generated especially from secondary roads at peak times i.e School times, morning and evening rush hour”.*

Proposed by Councillor W. Kavanagh, seconded by Councillor P. Kavanagh and agreed.

**20.5 Cllr. Johnny Mythen**

*“That this Council puts into place an optional tick box on the application forms for social housing, granting permission to elected members of the County Council to access information including the names of the persons and the addresses of the housing units that are allocated to the successful applicants”.*

Proposed by Councillor Mythen, seconded by Councillor O’Connell and agreed.

**The following Motion were deferred to the October 2018 meeting of the Council**

**20.6 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”.*

**20.7 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”.*

**20.8 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.*

**20.9 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”.*

## **20.11 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”.*

## **20.13 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”.*

## **20.14 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”.*

## **21. Any Other Business**

### **21.1 Expressions of Sympathy:**

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

- Mr. Billy Byrne, former employee of Wexford County Council and father of Peter Byrne, Machinery Yard and Billy Byrne, Personnel Department
- Mr. Sean Murphy, son of Geraldine Murphy, Motor Tax Department

- Mr Peter Moore, Caretaker, St. Ibar's Cemetery, Crosstown
- Canon John Francis Forbes, father of Stephen Forbes, Environment Department
- Mrs. Eileen Doyle, mother of the Cathaoirleach, Councillor Keith Doyle
- Mr. Martin Colfer, Blackhill, Duncannon
- Ms. Tara Bishop, Ballina Upr. Ballymurn

## 21.2 Vóta Comhghairdeas

Dean na Comharleoirí comhghairdeas ar na ndhaoine as seo a leanas:

- Deirdre Duke, Member of Irish Hockey Team
- District Manager and Staff of Enniscorthy Municipal District for the management of Enniscorthy Rockin' Food Festival 2018
- John Whelan, Ballycullane, World Ploughing Silver Medal
- District Manager and Staff of New Ross Municipal District for the management of Kennedy Summer School Festival 2018
- Dr .Michael Redmond, Irish scientist and Wexford native who was among a group of seven who shared in the 2018 António Champalimaud Vision Award for their work on developing a revolutionary cure for a rare genetic form of childhood blindness.
- Members of the Wexford Handball team who competed successfully at the recent World Handball Championships.
- Patrick Prendergast, Enniscorthy-born and Provost of Trinity College Dublin.

**THIS CONCLUDED THE BUSINESS OF THE MEETING**

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County Secretary

Daingithe ar an                      lá de                      , 2018.

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Cathaoirleach