

WEXFORD COUNTY COUNCIL**Minutes of Meeting of Wexford County Council held on Monday 13th March, 2023
in the Council Chamber at 2.30pm (with some remote attendance via Microsoft Teams)****Attendance****In the Chair:** Cllr. George Lawlor, Cathaoirleach**Councillors:**

Barden	Pat	Donohoe	Anthony	McDonald	Lisa
Bell	Maura (online)	Farrell	Mary	Moore	Jim
Bolger	Andrew	Fleming	John (online)	Murphy	Barbara- Anne
Breen	Pip	Forde	Tom	O'Rourke	John (online)
Browne	Aidan	Hegarty	John	O'Suilleabháin	Fionntáin
Byrne	Cathal	Hynes	David	Owens	Jackser
Carthy	Ger	Kavanagh	Willie	Sheehan	Michael
Codd	Jim	Kelly	Leonard	Staples	Frank
Codd-Nolan	Kathleen	Kenny	Donal	Sullivan	Joe
Connick	Anthony (online)	Laffan	Garry	Walsh	Oliver
Devereux	Diarmuid (online)	Lawlor	George	Whelan	Michael

Officials:

Mr. T. Enright, Chief Executive
 Mr. E. Hore, Director of Service
 Ms. A. O'Neill, Head of Finance
 Ms. E. Hore, Director of Service
 Ms. C. Godkin, Director of Service
 Ms. A. Byrne, A/Director of Service
 Ms. S. Casey, A/Director of Service
 Ms. S. Doran , A/ County Secretary

Apologies:

Cllr. B. Murphy

Votes of Sympathy:

The Cathaoirleach offered the sympathy of the Council to:

- The family of John Thorpe, former employee of Wexford County Council, father of Jim Thorpe and father-in-law of Marie Thorpe, former employee of Wexford County Council.

- The family of Johnny Cloney, former employee of Wexford County Council (New Ross Roads Department)
- The family of Paula Carton, sister of Niamh Lennon, Planning Department.

1. Confirmation of Minutes:

1.1 County Council Meeting 13th February, 2023

On the Proposal of Cllr B.A. Murphy, seconded by Cllr O. Walsh. the Minutes of the County Council Meeting of 13.02.2023 were adopted by the Council,

1.2 Matters Arising

Cllr B.A. Murphy noted that she had previously requested figures on fire service personnel numbers which she had received shortly before the meeting and asked that they be circulated to all Elected Members. Director of Service Carolyne Godkin confirmed she would arrange circulation as requested.

Cllr T. Forde raised the issue of Housing Supports for fire service personnel.

Fire at Wexford General Hospital

The Cathaoirleach made a statement on the fire at Wexford General Hospital on the 1st of March 2023 and the tremendous effort put in by all agencies involved in the evacuation of the hospital and in particular to commend the fire service personnel involved in fighting the fire.

All Members praised the heroic actions of the fire service personnel and agreed that the Fire Service should not be taken for granted.

The Elected Members proceeded to offer heartfelt thanks to the emergency services particularly the Fire Service, the Ambulance Service, Civil Defense, An Garda Siochana, Staff of Wexford General Hospital, HSE, and Wexford County Council.

The Elected members highlighted how much the hospital meant to the Community, the County, and the South-East Region.

All Members agreed that the training that goes into Major Emergency Planning paid off and that the calm and professional manner of all involved assisting with the emergency was commendable.

The importance of getting the hospital back up and running without delay was highlighted as well as the much-needed addition of the 96-bed unit for Wexford General Hospital.

Motion for Purpose of Dealing with Urgent Business

20. Notwithstanding any other provisions of these Standing orders a motion may be proposed without the notice for the purpose of dealing with urgent business related to a function of the local authority, subject to the requirement that not less than 18 members vote in favour.

The proposed motion being submitted by the CPG is as follows;

“Members of Wexford County Council call on the Minister Stephen Donnelly to exercise the powers conferred on him by Section 181 (2)(a) of the Planning and Development Act, 2000 (as amended), to expediate the reconstruction, erection of temporary modular buildings as required and the construction of the promised 96 bed unit on the grounds of Wexford General Hospital.”

The Elected Members voiced their full support for the motion.

The motion was proposed by Cllr. J. Hegarty, seconded by Cllr. M. Whelan and carried.

Fleagh Cheoil na hÉireann 2024.

The Cathaoirleach G. Lawlor gave a brief statement on Wexford winning the bid to host the Fleadh Cheoil in 2024. He congratulated the bid team, our business and community partners in Wexford and beyond, who have supported our efforts in securing this event for Wexford.

The Elected Members were each enthusiastic in their praise for all involved in helping get the bid across the line; Mr. T. Enright, Chief Executive, Mr Paddy Berry, President of Craobh Local Garman, Paudie Berry, Ms. C. Godkin, Mr. N. McGuigan, Barbara Walsh, Chairperson of Craobh Loch Garman Comhaltas amongst others.

Mr T. Enright, Chief Executive thanked the Cathaoirleach and the bid team and said it was the fruition of several years of hard work. He gave thanks to Ms. C. Godkin, Director of Service for all the effort put in and also former Director of Service Mr. J. Carley, Comhaltas and Mr. Paddy Berry for his influence and assistance. Mr. Enright went on to give particular thanks to the Elected Members, who voted unanimously to provide budgetary support from the Council towards this event which will generate €50m in the local economy each year. The event will have a huge legacy in terms of repeat visitors to the County, an increase in Irish music and culture.

Those present fondly remembered former Councillor Leo Carthy who would have been beyond proud to see the event come to Wexford.

2. Local Authority Home Loan (LAHL)

(a) 2023 Allocation and Borrowing Requirement

(b) Information note of changes to the LAHL Scheme.

Ms. A.O' Neill, Head of Finance and ICT gave details on the Rebuilding Ireland Home Loan and Local Authority Home Loan borrowing requirement.

In accordance with Section 106 of the Local Government Act 2001, approval of the Council was sought to the borrowing of €8,440,000 to fund the 2023 Rebuilding Ireland Home Loan and Local Authority Home Loan Scheme. Approval was also sought for borrowing of €1,688,000 for the 2024 as outlined in memo circulated.

Ms. O'Neill answered questions from the Elected Members.

On the proposal of Cllr. G. Carty, seconded by Cllr. P. Breen, the Council resolved to approve borrowing to meet requirement.

3. Housing Allocation Scheme 2023

Revised Housing Allocation Scheme 2023, made in accordance with Section 22 of the Housing (Miscellaneous Provisions) Act 2009 and the Social Housing Allocation Regulations 2011 (S.I. NO.198 OF 2011).

On the proposal of Cllr. C. Byrne, seconded by Cllr. K. Codd- Nolan, the Council resolved to approve the motion to suspend Standing Orders to allow discussion of the Revised Housing Allocation Scheme 2023.

The Housing Allocation Scheme 2023 (the Scheme) was approved by the Elected Members at the November meeting of the Council. At the January 2023 meeting of the Council, the Elected Members requested that the Housing SPC would further review the Scheme.

Following consideration by the SPC, the Scheme was submitted to the Department whereby a number of changes were requested.

Director of Service Ms. C. Godkin recommended the changes to the scheme as outlined be considered in accordance with Section 22 of the Housing (Miscellaneous Provisions) Act 2009 and the Social Housing Allocation Regulations 2011 (S.I. No. 198 of 2011) and adopted by the Members as presented.

A discussion followed where Ms. Godkin replied to questions from the Elected Members who voiced concerns in regard to allocating smaller units to individuals which didn't allow for a change in circumstances, flexibility when making assessments and the status of those on the housing list prior to 1st January 2023.

The Director acknowledged the concerns of the elected members in moving to a new scheme where a portion of families expectations would be impacted. The Director proposed that in the circumstance where families were approved for the 3 bed list prior to 1st Jan 2023, that they would continue to be considered for this list going forward. Any changes to circumstances of these families or new applicants would be bound by the new allocation scheme.

Mr. T. Enright, Chief Executive added that all present realised there is no perfect Housing Allocation Scheme but that the Director for Housing is trying to make improvements to reflect the type of housing family unit on our housing list.

He stated that if this proposed scheme needed changing the Elected Members could revisit again but it was important to adopt the amended Scheme and review in a few months' time, but the Council is trying to help people on our Housing List and that is what the Revised Housing Allocation Scheme 2023 does.

On the proposal of Cllr. J. Sullivan to adopt with a degree of flexibility and review in six months' time, seconded by Cllr. Michael Whelan, the Council resolved to approve the adoption of the Revised Housing Allocation Scheme 2023.

The following Elected Members wanted it noted that they were against the proposal, Cllr. D. Hynes, Cllr. M. Sheehan, Cllr. J. Codd, Cllr J. Owens and Cllr. T. Forde.

At this stage of the meeting returned to Standing Orders.

4. Invitation to London Wexford Association 67th Annual Dinner Dance on 22nd April, 2023.

On the proposal of Cllr. M. Sheehan, seconded by Cllr. J. Owens, the Council resolved to accept the invitation.

5. Invitation for delegation of three to travel to Fleurus in April for the annual easter cavalcade 7th April, 2023 to 10th April, 2023.

On the proposal of Cllr. J. Moore, seconded by Cllr. P. Breen, the Council resolved to accept the invite to send a delegation to Fleurus.

The Members decided to forego a comfort break.

6. Chief Executive's Report

The Chief Executive and members of the Management Team responded to a wide range of queries from the Elected Members regarding the following:

- When will the Council appoint a Biodiversity Officer and who will be compiling a biodiversity plan?
- Life on the Edge- grass cutting ongoing and signage not in place.
- How many houses does the Housing Department intend to purchase with tenants in situ?
- CCTV Update on Redmond Park, Wexford Town.
- Is the Council planning at providing modular housing?
- Designated Marine Areas and funding for Rosslare Europort.
- IW- power outages in Gorey causing stoppage of water.
- Delays in getting water outages resolved.

Cllr. J. Owens left the meeting at this point.

- Query on route selection for motorway.
- Possibility of an European Innovation Project for the Bannow Bay area.
- Does the Housing Department use external valuations on houses where there are notices to quit?
- Issue of houses in Rosslare waiting on an IW connection.
- Update sought on concerns raised previously on the use of a particular planning condition.
- Is Part V practically impossible to comply with?
- Progress in relation to Murphy Floods Purchase.
- Active Travel and the possibility of obtaining additional funding.
- What happens to tenants in situ with a notice to quit before house is purchased by local authority?
- End of Eviction Ban.
- Outstanding levies on vacant and derelict sites.
- Issues with house at Fearach Cnoic are a matter for the Approved Housing Body.
- False narrative used by some regarding housing Ukrainian Refugees?

Cllr. L. McDonald left the meeting at this point.

- Is modular housing planned for Gorey?
- Can modular housing used for Ukrainian Refugees be repurposed for the housing list once the war is over?
- Fleadh Cheoil venues.
- Lighting in Min Ryan Skate Park.

Cllr. M. Whelan and Cllr. F. Stables left the meeting at this point.

- Expressions of Interest for Advance Tech Buildings for Butlerstown, New Ross.

Cllr. M. Whelan rejoined the meeting online.

- URDF Applications for vacant properties.

Cllr. A. Donohoe left the meeting at this point.

- Homeless Hostel Conditions
- Hollow in ditch on Newline Road

Cllr. C. Byrne left the meeting at this point.

- Ongoing issue with smell in Ballyminaun, Gorey.
- Update on the Report on alleged defective blocks sought.
- Inactivity on St. Josephs and Tobar Mhuire Sites
- Can housing stock in need of repair be sold to enable someone needing housing to avail of the Croi Conaithe Grant?
- Tenant Purchase Scheme.

On the proposal of Cllr. J. Codd, seconded by Cllr. O. Walsh and agreed by all, the Council agreed to suspend Standing Orders to allow the meeting to continue past 5.30 pm.

7. Minutes of CPG

7.1 Minutes of CPG Meeting 6th March, 2023.

On the proposal of Cllr. P. Breen, seconded by Cllr. D. Kenny, the Council resolved to adopt the Minutes of the meeting of the CPG of 6th March, 2023.

8. Minutes of Meetings (For Noting):

- 8.1 New Ross Municipal District Meeting-11th January, 2023
- 8.2 Rosslare Municipal District Meeting- 18th January, 2023.
- 8.3 Borough District of Wexford Meeting- 16th January, 2023
- 8.4 Enniscorthy Municipal District Meeting- 16th January, 2023
- 8.5 Gorey- Kilmuckridge Municipal District Meeting- 17th January, 2023
- 8.6 Protocol Committee Meeting Borough District of Wexford- 19th December, 2022.

The Members noted the above correspondence.

9. Correspondence and Communications

- 9.1 Letter from Wicklow County Council re motion Irish Forestry dated 14th February, 2023
- 9.2 Email from Niamh Redmond, Private Secretary, Minister O'Brien's Office re: Defective Concrete Blocks Scheme dated 15th February, 2023
- 9.3 Email from Niamh Redmond, Private Secretary, Minister O'Brien's Office re: Rent Pressure Zones dated 15th February, 2023
- 9.4 Letter from Sligo County Council re: resolution dated 22nd February, 2023
- 9.5 Letter from Cavan County Council re: resolutions dated 24th February, 2023
- 9.6 Letter from Westmeath County Council re: resolution dated 3rd March, 2023

The Members noted the above correspondence.

10. Councillor's Conferences and Training

10.1 List of Conferences/ Training- List Attached.

On the proposal of Cllr. P. Breen, seconded by Cllr. D. Hynes, the Council approved attendance for the following training and conferences:

Training:

AILG Elected Members Training Programme-Module 2 to Module 6 Training- dates and venues as per attached list.

Conferences:

21st to 23rd April Celtic Conferences "Protecting your mental health as a Public Presentative".
O'Donovan's Hotel, Clonakilty, Co.Cork. Fee €100

10.2 Councillor's Conference Reports:

- **Conference Report- Cllr. J. O'Rourke, Modular Housing, Carlingford, Co. Louth- 3rd to 5th February, 2023.**

The Members noted the report above, as circulated.

11. Notices of Motion

11.1 Cllr. Michael Sheehan

"That this Council reaffirms and recognises the contribution of women who remained out of the workforce as homemakers for many years and calls on the government to consider some of the Budgetary Surplus to restore all of the pensions who are reduced in value because of the Average Contribution Rule introduced in 2012 that punished those who were out of the workforce during their working careers. Furthermore, this Council calls on the Government to ensure that any Automatic Pension enrolment programme treats every worker fairly regardless of employment status. "

Response of the Executive:

If passed, this Motion will be forwarded to the Minister for Social Protection, for consideration.

The motion was proposed by Cllr. M. Sheehan, seconded by Cllr. D. Hynes and carried.

11.2 Cllr. John Hegarty

“Wexford County Council has previously expressed its full support for the Healthy County Committees "Not around us" campaign to discourage smoking or vaping in any outdoor area used by children and young people.

In support of the next phase of the "Not around us" campaign, I propose that any event organised by, funded by, supported by or on Wexford County Council property which engages children or young people would be designated a "Not around us" supporting event and would display the "Not around us" logo and signage in promotion of the event and at the event itself. This requirement will then be included in any event support or funding agreements, as standard. Soft copy graphics will be included on WCC website and the signage and banners available for events through WCC MD offices. “

Response of the Executive:

The Executive believes that this motion is a natural progression from the following motion which was passed in November 2021:

“Wexford County Council commits to include all Council playgrounds, parks, beaches and areas designed for children and young people as part of the initial phase of the Healthy County Committee "Not around us" campaign. This will establish a series of places and spaces all over County Wexford where children and young people can enjoy themselves in a smoke and vape free environment”.

Currently there are 32 playgrounds, 5 libraries and 8 beaches with Not Around Us signage, in addition to the Community sign ups. The Community Department will work with the Healthy County Committee and other relevant stakeholders to embed this practice within the organisation.

The motion was proposed by Cllr. J. Hegarty, seconded Cllr. L. Kelly and carried.

11.3 Cllr. Tom Forde, Cllr. Davy Hynes and Cllr. F. O Súilleabháin.

"We call on Wexford County Council to initiate a full and independent review of our fire service which would include an independent feasibility study for a potential full time fire service in Wexford."

Response of the Executive:

Once the census 2022 report is published it is intended to undertake a review of the Area Risk Categorisation (ARC) for County Wexford. This will form the basis of ascertaining if any full-time or additional fire station(s) is required in the county. It should be noted that this will be independently reviewed and verified by the National Directorate of Fire and Emergency Management.

The motion was proposed by Cllr. T. Forde, seconded by Cllr. D. Hynes and carried.

Cllr. J. Hegarty left the meeting at this point.

11.4 Motion from Women's coalition

“That this council calls on the government to incentivize sports clubs and community-based sporting facilities through sports capital grants and other funding streams to prioritize improving the physical and social barriers to young female participation in sports.”

Response of the Executive:

If passed, this Motion will be forwarded to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, for consideration.

The motion was proposed by Cllr. M. Bell, seconded by Cllr. M. Farrell and carried.

11.5 Cllr. Davy Hynes

“This council calls on the Minister of State for Law Reform James Browne TD to introduce legislation to call on Supermarkets and other retail outlets to ensure that National Lottery tickets and scratch cards be displayed at a separated designate area (similar to the alcoholic drinks area) and end the present situation where they are displayed at check outs. As, there are many people who have a gambling problem who find these a trigger and encourages these vulnerable people to buy these in the hope, often in vain hope of winning. “

Response of the Executive:

If passed, this Motion will be forwarded to the Minister of State with responsibility for Law Reform and Youth Justice, for consideration.

The motion was proposed by Cllr. D. Hynes, seconded by Cllr. T. Forde and carried.

11.6 Cllr. Michael Whelan

For context, submissions, or observations in relation to planning applications are governed by Article 29 of the Planning and Development Regulations 2001, as amended. Article 29 states:

“(a) Any person or body, on payment of the prescribed fee, may make a submission or observation in writing to a planning authority in relation to a planning application within the period of 5 weeks beginning on the date of receipt by the authority of the application.

b) Any submission or observation received

Shall—

(i) State the name of the person or body making the submission or observation, and

(ii) Indicate the address to which any correspondence relating to the application should be sent.

(2) *Subject to article 26, the planning authority shall acknowledge any submissions or observations as soon as may be after receipt in the form set out at Form No. 3 of Schedule 3, or a form substantially to the like effect.*

(3) *Where a submission or observation, under this article, is received by the planning authority after the period of 5 weeks beginning on the date of receipt of the application, the planning authority shall return to the person or body concerned the submission or observation received and the fee and notify the person or body that their submission or observation cannot be considered by the planning authority.*

(4) *Where the planning authority so consents, a submission or observation under sub-article (1) may be made in electronic form.”*

“This council asks the Minister to strengthen section 29/b/ sub sections (1) and (2) of the Planning and Development Act, (submissions or observations in relation to planning application) to put an end to bogus submissions or objections and that the SPC would look to see if this local authority could change our own policies to avoid this.

If this motion is passed that it would be circulated to all local authorities.”

Response of the Executive:

The Planning Authority must follow the procedures as set out in the Planning and Development Regulations 2001 (as amended) and the Planning and Development Act 2000 (as amended) with regard to submissions on a planning application. It would not be possible to add additional local processes. The process does not allow for checks on the bona fides of those making submissions but focuses on the provision of the name and the address of the person making the submission. All acknowledgements, receipts and notifications are sent to the stated address.

The Council notes the concerns and if passed, this Motion will be forwarded to the to the Minister for Housing, Local Government and Heritage and all local authorities, for consideration.

The motion was proposed by Cllr. M. Whelan, seconded by Cllr. W. Kavanagh and carried.

11.7 Cllr. Tom Forde

"We ask that the Minister for Education modernise payroll systems for staff so that online payslips are facilitated, and the current spend of approximately €2 million per year on posting payslips is significantly reduced and could be used to better resource disadvantaged children or children with additional needs."

Response of the Executive:

If passed, this Motion will be forwarded to the Minister for Education, for consideration.

The motion was proposed by Cllr. T. Forde, seconded by Cllr. L. Kelly and carried.

Any Other Business.

- The Elected Members were advised that the Protocol Committee approved a Civic

Reception for Dr. Patrick Prendergast, former President and Provost of Trinity College Dublin and Chair of the new Southeast Technological University (SETU).

It is a requirement that it is noted in the Minutes of a full Council Meeting.
On the proposal of Cllr. B. A. Murphy, seconded by Cllr. K. Codd Nolan, the Council resolved to approve the Civic Reception.

- Cllr. J. Sullivan asked when the training requested on the Vouched Expenses System would be delivered. A/ County Secretary Ms. S. Doran explained that a survey will be circulated to Elected Members to assist with tailoring the training to be provided in March/ April.
- Cllr. T. Forde called for minute of silence to mark the 100th anniversary of the execution of James Parle, Patrick Hogan and John Creane in the Old Wexford Gaol. All those present stood and observed a minute's silence in memory of the three men.

Daingithe ar an lá de Aibreán, 2023

Cllr. George Lawlor
Cathaoirleach

Michael Drea
County Secretary