

WEXFORD COUNTY COUNCIL

**Minutes of Meeting of Wexford County Council
held on Monday 11th June, 2018 – 2.30 p.m.
in the Council Chamber, County Hall, Wexford.**

Attendance:

In the Chair: Cllr. J. Hegarty, Cathaoirleach.

Councillors:

P. Breen;	M. Byrne;	G. Carthy;	K. Codd-Nolan;
A. Connick;	T. Dempsey;	A. Donohoe;	K. Doyle;
M. Farrell;	T. Forde;	W. Fitzharris;	J. Fleming;
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;	F. Staples;
J. O'Rourke;	J. Sullivan;	O. Walsh;	T. Walsh;
M. Whelan.			

Officials: Mr. T. Enright, Chief Executive;
Mr. T. Larkin, Director of Services;
Mr. J. Carley, Director of Services;
Mr. E. Taaffe, Director of Services;
Ms. A. O'Neill, Head of Finance;
Mr. N. O'Driscoll, Senior Engineer, Roads;
Mr. P. Collins, County Secretary.

Apologies: Mr. E. Hore, Director of Services.

1. Presentation by ESB Networks:

The presentation was made by Carmel O'Connor, Divisional Manager, and Dan Mernagh, Area Manager of ESB Networks. The presentation concentrated on the upgrade and supply of electricity in County Wexford and the capacity of existing ESB supplies to deal with future demand including business demand.

Part of the presentation also dealt with the emergency response to Storm Ophelia and Storm Emma and the role played by the ESB. The presentation also highlighted the close working relationship between the ESB and Wexford County Council in dealing with emergency situations on the ground.

Members asked a number of questions including the following:

- The upgrade and supply for Ashfield Cross
- The supply of electricity to south east Wexford
- Long term energy security and the need to have a mix of supply sources
- Broadband to rural areas and the assistance of local providers in providing broadband to those areas.

- Regard for design of steel ESB poles.
- Capacity in the New Ross area.
- The upgrading of poles and pylons.
- The lack of services in New Ross.
- Additional lights on the N25.
- The need for adequate electricity to service Templeshannon regeneration project.
- Proposal for a supply of electricity from Normandy to south east Ireland to make use of surplus nuclear energy in Normandy.
- The switching off of electricity supplies from windmills.
- Guidelines for solar energy and non use at present of water energy to supply electricity.

The representatives from ESB Networks answered the questions put by the Councillors and advised that any major project in the pipeline should be notified to the ESB to ensure that there would be a supply available to service such projects. The earlier such information is given to the ESB the more able it will be to include extra developments in its planning process.

The Chief Executive thanked the ESB Networks for their update and advised that the Council has an ambitious economic programme which will require power supply. He gave special thanks to Dan Mernagh for the excellent relationship between the ESB crews and WCC crews on the ground. He noted that the ESB had worked very hard to deal with power outages during the recent storms and this was much appreciated by the people of County Wexford.

Finally the Cathaoirleach thanked the ESB Networks for their presentation.

The Cathaoirleach then welcomed a number of visitors to the Council Chamber.

2. Confirmation of Minutes:

2.1 County Council Meeting – 14th May, 2018.

On the proposal of Cllr. B. A. Murphy seconded by Cllr. M. Sheehan and agreed by all the Council approved the minutes of the meeting as outlined above.

Cllr. J. Fleming asked that a query with regard to a report on solar farms which he raised during the Chief Executive's Report in the May 2018 Meeting should be included in the minutes and this was agreed.

Cllr. M. Sheehan asked that the options regarding solar farms should be included in the report. T. Larkin, Director of Services, advised that there is no legal authority to refuse planning applications but he will address the options available with regard to planning in his report.

Mr. T. Larkin, Director of Services, advised that his department is working on the report and will have it finalised for the July 2018 County Council Meeting.

Cllr. A. Connick left the meeting.

Cllr. D. Hynes brought up the issue of deferred motions and noted that there was little time to discuss motions under the current set-up and this needs to be reviewed.

Cllr. P. Breen asked if the bill for Storm Emma in the sum of €2.89m for roads had been paid to date. N. O'Driscoll, Senior Engineer advised that the bill has not been paid and that there is no indication yet from the Department of the amount to be paid.

Expressions of Sympathy:

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

- The family of George Williams, father of Laura Williams (retired) and father in law of Anthony Nolan, Water Services and Paula Shortall, Finance Dept
- The family of Peter Molloy, husband of Josephine Molloy, Insurance Risk Management and brother in law Shirley Berry, Credit Control.
- The family of Ned Dempsey, father of Lillie O'Brien, Environment Dept

Vóta Comhghairdeas:

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

- The Kilrush Camogie U14 team who shared the honours in the recent John West Feile na nGael Final
- 2500 women who took part in the strip and dip charity event in Co. Wicklow and also broke the Guinness World Record.
- Those involved in the recent official launch of The Hatch Lab in Gorey. The Cathaoirleach thanked the Members of the Council who attended the launch.
- The organisers and participants of the Wexford Food Festival
- The organisers and participants of the Wexford Marathon.
- Ballycogley Players on their second time winning a National Drama award.
- The Cathaoirleach thanked the Planning Department of Wexford County Council for the launch of Pool Pad at Ferrybank Swimming Pool. Pool Pad is a pool lift which allows easy access and egress to the pool for persons with mobility issues.
- The recent launch of E-Parking by the Roads Department of Wexford County Council.
- The launching of tri bikes in JFK Arboretum which will be used for access by those with disabilities.
- The induction of the latest batch of Wexford Ambassadors – Tadhg Furlong, Dr. David Dempsey, James O'Connor, Mark Redmond, Ryan Quigley and Eamonn Sinnott.

3. Section 85 Agreement between Kildare County Council and Wexford County Council regarding rehabilitation works on Ferrycarrig Bridge (WX-N11-002.00) and Glebe Bridge (WX-N11-003.00):

On the proposal of Cllr. M. Byrne seconded by Cllr. P. Breen the Section 85 Agreement as submitted to the meeting was agreed.

4. County Wexford Road Traffic Special Speed Limit Bye-Laws 2018:

They County Wexford Road Traffic Special Speed Limit Bye-Laws 2018 were proposed by Cllr. P. Kavanagh seconded by Cllr. B.A. Murphy and agreed by all.

The Cathaoirleach noted that there is an in built review of 12 to 18 months contained in the bye-laws. Noel O'Driscoll, Senior Engineer, advised that the bye-laws will come into operation in September 2018 and that the review will then be carried on over the coming months.

A number of issues were then discussed including whether speed limit signage in housing estates will apply to all housing estates in the county.

Concerns regarding the speed limit increase on Ferrycarrig Bridge and the moving of speed limits in Tagoat were also raised. The need for speed limits for some of the narrow streets in Wexford Town was also mentioned.

Noel O'Driscoll, Senior Engineer, advised that the Roads Department are looking at all housing estates in the county: there are over 1000 estates and speed limits will be applied to these estates on an ongoing basis. 250 of these housing estates have been included in the first tranche of the project.

The Cathaoirleach noted that much of the discussion was in respect of items that will be included in the review.

5. Local Authority Funding (Baseline) Review Group:

The Head of Finance circulated a draft response to the call from the Department regarding a new methodology for the allocation of funding to local authorities. She asked that the Members read the document and come back to her with any changes they propose prior to 25th June 2018. This will allow for the document to be amended and sent onto the Department by the due date.

Cllr. F. O' Súilleabháin arrived.

A number of issues were raised regarding what could be raised in the draft response including the following:

- A method to include online shopping in the payment of rates to counter the effect of online retail shopping
- Using turnover rather than property values to assess rates due by businesses. The Head of Finance noted that this was being factored into the review of valuation.
- The use of AIRO and the reports that have been published recently as part of the assessment. The Head of Finance advised that she intends to send the indexes of each of the six AIRO reports to the Department for consideration.

6. The River Basin Management Plan for Ireland 2018-2021 Update:

Mr. J. Carley, Director of Services, advised that the report and presentation had been circulated to the Members of the Council to update them on the River Basin Management Plan. He advised that the full report is available for Members if they require it and that an Executive Summary is also available.

The Director noted that following the consultation phase, the River Basin Management Plan for Ireland 2018-2021 has now been published. Local Authorities are currently finalising a recruitment drive for 35 scientists to action the objectives of the Plan. Questions raised by the Members with regard to the detail of the Plan included the following, which were answered by the Director.

- Fluoride in drinking water
- Community monitoring by citizen scientists in Duncannon
- The power of the recently appointed scientist to bring in policy.

7. Chimney Fires in Council's Housing Stock:

Reports prepared by the Chief Fire Officer and Housing Maintenance Engineer in respect of chimney fires in Council houses, were circulated to the Members. Arising from these reports, the Director made a number of recommendations, including the Council cleaning chimneys in estates where there is a high incidence of fires.

The Director also noted that the maintenance of chimneys is an item contained in the Housing Handbook for tenants. He proposed that a pilot education programme be introduced in Enniscorthy to educate communities how to properly dispose of plastics.

The Director advised that there will be quarterly review meetings to assess the effectiveness of the chimney cleaning programme.

Members then raised a number of questions which were responded to by the Director.

It was noted that a recent report on major fires in London stated that many fires are caused by appliances supplied by a particular company. The Director agreed to check with the Chief Fire Officer if Wexford County Council was using those appliances.

The Director also advised that the Safety Leaflets were provided to all tenants of Local Authority Houses. It was noted that fire incidents in County Wexford are higher than the norm for the rest of the country and there was higher incidence in particular areas in County Wexford.

Discussion then took place on whether Council tenants should be charged where two or more chimney fires take place at the one premises, as is the case for private houses.

Discussion also took place with regard to Carbon Monoxide Alarms with a suggestion that the provision of carbon monoxide alarms for Council houses should be included for funding in the 2019 budget. The number of fires in Bunclody was also discussed.

The Director agreed that Fire Services and the Housing Department will look at the concerns raised by the Members and advise on appropriate action.

The matter of Fire Reports and whether they put forward the reason for the fire was also discussed. Cllr. L. O'Brien asked that the matter of charging local authority tenants where two chimney fires take place be referred back to the Housing SPC for further consideration and revert to the full Council.

8. Traveller Accommodation Programme 2014-2018 Wexford Local Authorities Proposed Amendment:

Mr. J. Carley, Director of Services, advised that as decided at the previous Council meeting he had gone back to the Borough District of Wexford to discuss the proposed amendment to the Traveller Accommodation Programme 2014-2018. Following a review of the case it was noted that the housing needs of two of the applicants have now changed and the amendment is no longer a suitable housing solution for the family and the amendment is now withdrawn.

This was agreed on the proposal of Cllr. J. Moore seconded by Cllr. R. Ireton and agreed by all.

Discussion then took place on anti-social behaviour in Local Authority Estates. It was noted in one particular instance in Wexford Town that a trailer load of rubbish had been left outside a house and that when the Council cleaned the area up another trailer load then arrived.

The matter of dealing with anti-social behaviour cases on a legal basis was then discussed. The Director advised that under the Council's ASB Policy a number of cases are going through the process and that he would check the particular case brought up by the Members.

The Chief Executive then advised that he can understand the frustration of the Members and he confirmed that staff are dealing with these issues, which involve criminal elements in some cases. He also noted that the Council is going in to clean up waste and that it would be hoped that they could charge the tenants for the clean-ups, where appropriate.

Further discussion then took place regarding the appropriate legislation to use in anti-social behaviour and waste problems. A number of cases in New Ross were also highlighted and the Members generally sought a stronger and tougher approach to anti-social behaviour in Council housing estates.

9. Healthy Ireland Programme Draft Wexford Healthy County Plan 2018-2020:

The Healthy Ireland Programme Draft Wexford County Plan 2018-2020 was circulated to the meeting.

The Plan was proposed for adoption by Cllr. M. Sheehan seconded by Cllr. M. Whelan and agreed by all.

10. Representative from Wexford Chamber of Commerce to the LCDC:

Mr. J. Carley, Director of Services, advised that it was proposed that Madeleine Quirke's seat on the LCDC be taken by the new Chief Executive of Wexford Chamber of Commerce Enda Kavanagh.

This was approved by the CPG at their meeting on 5th June 2018. On the proposal of Cllr. M. Byrne seconded by Cllr. M. Farrell it was agreed that Enda Kavanagh be formally approved for membership of the LCDC.

11. Report of Corporate Policy Group:

The Report of Corporate Policy Group of 5th June, 2018 was noted by the meeting.

12. 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 Town and Village Renewal Scheme
- The time limit of 59 weeks for turnaround of Capital housing applications to the Department of Environment
- The Rosslare to Waterford Greenway
- The coming into effect of litter bye-laws. The Director noted that the draft waste bye-laws have been presented to the Municipal Districts and will be included on the agenda for the July 2018 County Council meeting.
- Conservation of heritage buildings in particular Rams House in the outskirts of Gorey
- Housing at Marconi Park
- Better communication with witnesses in court cases giving evidence on behalf of the Council
- Bus shelter in Oylegate
- AIRO Report based on 2016 Census

13. List of Councillors' Conferences and Training

- **Invitation to New Ross Town Council to attend the O'Neill Festival, Danville, California**

The list of Councillors' Conferences and Training and the invitation to attend the O'Neill Festival, Danville, California were proposed by Cllr. M. Byrne seconded by Cllr. J. O'Rourke and agreed by all.

- **Report of Cllr. B.A. Murphy, Leas Cathaoirleach of WCC following attendance at the 16th Venice Architectural Biennale 2018**

The Members noted the report.

14. Minutes of Meetings:

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

- 14.1 Gorey Municipal District Meeting 17.04.18

- 14.2 New Ross Municipal District Meeting 11.04.18
- 14.3 Borough District of Wexford Meeting 16.04.18
- 14.4 Enniscorthy Municipal District Meeting 16.04.18

15. Sealing of Documents

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

16. Correspondence and Communications

- Correspondence from Private Secretary to the Minister for Justice and Equality in relation to the Criminal Justice Act 2016
- Acknowledgement from Private Secretary to the Minister for Housing, Planning & Local Government in relation to the Housing Assistance Payment and the housing list.
- Email from Kevin Sharkey regarding Irish Presidential race.
- Email regarding Make Way Day – Wednesday 26th September 2018.

The correspondence outlined above was noted by the Members.

It was agreed that Kevin Sharkey, Irish Presidential candidate be invited to address the Council.

On the proposal of Cllr. M. Farrell seconded by Cllr. M. Byrne it was agreed that the Council would take part in the Make Way Day on Wednesday 26th September 2018.

17. Deferred Notices of Motion:

17.1 Cllr. Malcolm Byrne

“Given the continued efforts of the Department of Local Government to undermine local authorities and the increased centralisation of power in Ireland, this Council calls on the government to establish an independent convention on the future of local government, that will examine powers, autonomy and funding.

In the event of the failure of government to act, this Council calls on LAMA and the AILG to establish such a convention and to seek cross party support.

This motion to be circulated to all other local authorities in the State and to request that a similar motion be adopted.”

The above motion was proposed by Cllr. M. Byrne seconded by Cllr. P. Kavanagh and agreed by all.

17.2 Cllr. Martin Murphy

“That this Council calls on the Government to ban the erection of election posters during our tourist season "April through September" in order to avoid damaging the appearance of our Cities, Towns, Villages and countryside during the main tourist season”.

The above motion was proposed by Cllr. M. Murphy seconded by Cllr. D. Hynes and this motion was defeated.

17.3 Cllr. David Hynes

“I call on the Council to look again the method adopted by this Council regarding rates on properties uses by charities whereby the charities in question have to go to the Valuation Office to get a waiver to exempt them for the proposes of paying rates. This is causing major concern to the bona fide charities in Wexford as many of the charities are being told they still have to pay”.

The Cathaoirleach advised that a report from the Head of Finance had been presented to the CPG and he felt that this should be reported to the Members of the Council in respect of this motion.

The Head of Finance proposed that, following concerns raised by Cllr. Hynes in his deferred the motion regarding the fee payable by charities to have their properties revalued, Wexford County Council will make application on behalf of the charities and pay the appropriate fee to have them assessed for valuation. She pointed out that the retail element of charities is liable for rating or part rating depending on the scale of their retail activities. Cllr. D. Hynes withdrew his motion.

17.4 Cllr. Ger Carthy

“I call on this Council to immediately reverse the decision of the executive not to gift a small area of land to the Irish Coastguard for the purpose of the construction of a new purpose built station in Kilmore Quay. This decision has put the entire project in jeopardy”.

Cllr. G. Carthy withdrew this motion.

17.5 Cllr. Lisa McDonald

“That this Council is disappointed with the withdrawal of the offer on an agreed site in Kilmore Quay to the OPW for our Coast Guard (one of our 4 primary response agencies) and hereby directs Wexford County Council to re-engage with the Coast Guard and the OPW with the view to making the transfer of land as soon as practicable”.

Cllr. L. McDonald withdrew this motion.

18. Notices of Motion:

18.1 Cllr. Jim Moore

“That Wexford County Council submits the following proposals for consideration by the Department of Environment and the Minister as part of the current review of the Litter Act that

- (a) where littering from a vehicle is committed the owner is subject to the penalty points system, and
- (b) where illegal dumping is committed that the vehicle is impounded under the customs office regulations”.

The above motion was proposed by Cllr. J. Moore seconded by Cllr. M. Byrne and agreed by all.

Mr. J. Carley, Director of Services agreed to bring a report to the July 2018 meeting of the Council regarding CCTV and littering.

18.2 Cllr. Jim Moore

“WCC embarks on a programme of using electrically powered vehicles as part of its fleet upgrade activity. Also to carry out an audit of Council vehicles to determine how many could be electrically powered”.

The above motion was proposed by Cllr. J. Moore seconded by Cllr. P. Breen and agreed by all.

18.3 Cllr. Tony Walsh

“That this Council calls on the Government to immediately support the plight of Community Employment Scheme Workers who have been denied the prospect of receiving a pension on retirement in spite of a Labour Court recommendation in 2008 that they be granted same”.

The above motion was proposed by Cllr. T. Walsh seconded by Cllr. J. Mythen and agreed by all.

18.4 Cllr. Tom Forde

“I call on this Council to write to Minister of State for Defence, Paul Kehoe, to express disappointment and frustration regarding the purchase and upgrade of UVA's (drones) from an Israeli company. And to request that the Department stop purchasing these weapons systems and all forms of military equipment from Israeli companies as they are live tested on civilians by a state that has killed many unarmed protesters, including children, journalists and doctors”.

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

Following discussion, Cllr. Forde agreed to defer the motion to the next meeting to allow for further consideration of the wording of the motion.

19. Any Other Business

The Cathaoirleach advised that the presentation of certificates to previous Cathaoirligh of Wexford County Council will take place at 5.30 p.m. in the Street.

This concluded the business of the meeting.

County Secretary

Daingithe ar an lá de Iúil, 2018.

Cathaoirleach