

WEXFORD COUNTY COUNCIL

**Minutes of Meeting of Wexford County Council
held on Monday 13th May, 2019 – 2.30 p.m.
in the Council Chamber, County Hall, Wexford.**

Attendance:

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

Councillors:

P. Breen;	G. Carthy;	K. Codd Nolan;	A. Connick;
T. Dempsey;	M. Doyle	A. Donohoe;	M. Farrell;
W. Fitzharris;	J. Fleming;	T. Forde;	J. Hegarty;
D. Hynes;	R. Ireton;	P. Kavanagh;	W. Kavanagh;
G. Lawlor;	L. McDonald;	J. Moore;	B.A. Murphy;
M. Murphy;	J. Mythen;	L. O'Brien;	J. O'Rourke;
F. Ó Súilleabháin;	M. Roche;	M. Sheehan;	F. Staples;
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. E. Taaffe, Director of Services;
Mr. J. Carley, Director of Services;
Ms. A. O'Neill, Head of Finance & ICT;
Mr. P. Collins, County Secretary;
Mr. P. O'Gorman, SEO, Housing

Apologies: Councillor M. Byrne;

At the outset, the Cathaoirleach advised the meeting that a Civic Reception was to be held in the Council Chamber at 5.30 p.m. and that he expected that the meeting would be finished in time for the Civic Reception.

1. Confirmation of Minutes

1.1 County Council Meeting – 8th April, 2019

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

Votes of Sympathy:

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

- The family of Denis Collins, brother of Pat Collins, County Secretary
- The family of David Spencer, brother of Andy Spencer, Planning Dept.
- The family of John Jordon, former General Operative and brother in law of Cllr. Willie Kavanagh

- The family of Billy Courtney, The Ballagh, Co. Wexford, former employee of Wexford Co. Council
- The family of Ciaran Cave, Mulrankin, Co. Wexford.
- The family of Billy O'Connor, Lr. Southknock, New Ross
- The family of Jason O'Leary, Wexford
- The family of David Kirwan, Enniscorthy
- The family of Nancy Walsh, Bishopswater, Wexford
- The family of Colin Fleming, Gorey

Vóta Comhghairdeas:

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

- The All Blacks who won the "Billy Browne" Cup.
- Michael Dunbar of Kilrush Drama Group, who won the "Best Actor" award at the RTE All-Ireland Drama Finals.
- Civic Award Winners in New Ross
- The Executive Team and Members who helped various groups in New Ross
- The Enniscorthy Rugby Club who won the Provincial Towns Cup and promotion to Division 1B
- Naoise Hennessey, Craanford, who won the Texaco Children's Art Competition
- Mayglass National School who won a 5 a side final for the second year in a row
- Staff of LEO for their Young Entrepreneurial Event
- Cllr. B.A. Murphy advised that May 2019 is designated as "Green Ribbon" month - the objective of Green Ribbon is to remove the stigma around mental health and to promote people to have positive views with mental health issues. She asked the Members to wear the green ribbon which had been circulated earlier. Cllr. D. Hynes supported this initiative.

2. Annual Financial Statement 2018 and Annual Financial Report

The AFS 2018 and the Annual Financial Report were presented by Ms. A. O'Neill, Head of Finance. Both documents had been circulated and the Head of Finance highlighted the main points in each of the reports under the following headings:

1. Income and Expenditure Account
2. Performance against Budget
3. Capital Account
4. Fixed Assets
5. Indebtedness
6. Income
7. Other Matters

In particular, she referred to the Revenue Account surplus for 2018 of €1,003,563 - this is the fifth year in a row that the Council has had a surplus at the end of the financial year, ending 2018 with an overall Revenue Account deficit of €3.770m.

She also advised that in 2018 the Council had received €1.2m in funding from the Department in respect of works carried out during Storm Emma.

Under the accounting Code of Practice for Local Authorities and in accordance with FRS 102, the Council is obliged to report contingent liabilities – in this regard, the Head of Finance referred in her report to the potential liability associated with the agreement entered into in respect of a road development at Ballynagee, Killeens.

This matter had been included in the 2017 AFS and will remain in the accounts until the matter has been resolved. In 2018, an additional note has been added to recognise the potential liabilities that may fall to Wexford County Council as a result of the transfer of the state company “New Ross Port” to the Council.

The Head of Finance informed members that there was overspend in a number of areas and that this required the approval of the Members.

On the proposal of Cllr. M. Sheehan seconded by Cllr. J. O’Rourke the Council approved the overspend shown on Page 9 of the Report in accordance with Section 104 of the Local Government Act 2001, as amended; the Council also considered and approved the Annual Financial Statement 2018.

3. Rebuilding Ireland Home Loan Borrowing Requirement

Ms. A. O’Neill, Head of Finance, presented a short report with regard to the Rebuilding Ireland Home Loan Borrowing Requirement. She sought the approval of the Council to borrow €7.5m to fund the 2019 Housing Mortgage Programme.

On the proposal of Cllr. A. Donohoe seconded by Cllr. K. Codd Nolan it was agreed to approve the borrowing of €7.5m.

4. Scheme of Priority for Affordable Dwelling Purchase Arrangements

The Scheme of Priority was presented by Mr. P. O’Gorman, SEO, Housing. He sought approval for the Draft Letting Scheme by the County Council and advised that matters of detail to be included in the scheme will be a matter for the new Council.

Following discussion and a number of questions which were answered by the Housing Officer, the scheme was proposed by Cllr. M. Sheehan seconded by Cllr. J. Hegarty and agreed by all.

5. Analysis of Performance Indicators 2017

The report had been circulated to the Members of the Council. Mr. E. Taaffe, Director of Services, advised that if Members had any individual queries they could forward them onto him for response.

On the proposal of Cllr. M. Sheehan seconded by Cllr. A. Donohoe the report was adopted.

6. Local Elections Update

Mr. E. Taaffe, Director of Services, advised that he would be the Returning Officer for the forthcoming Local Elections which would take place in St. Joseph's Club in Wexford. He also notified the Members that notice had been sent to all election candidates regarding the Count Centre.

He notified the meeting of an error which had occurred in the postal votes in the ballot for New Ross LEA with regard to the order of candidates on the original ballot paper. He advised the Members over 50% of the incorrect ballot papers had been retrieved at this stage. He further advised that the Council will be reissuing the correct ballot papers over the next few days and that arrangements would be made for the retrieval of any other papers outstanding.

Finally he advised that the Annual Meeting of the Council will take place on 14th June 2019.

The Director advised the meeting that the issuing of tickets for the opening of the boxes in County Hall is a matter for the European Returning Officer. A number of Members expressed concerns about the non-ticketing of the opening of the boxes in County Hall and Mr. E. Taaffe, Director of Services advised that he would bring their concerns to the European Returning Officer, Marie Garahy.

On the proposal of Cllr. P. Kavanagh seconded by Cllr. J. Sullivan it was agreed that the Councillors access card for the County Hall could be used to allow Councillors access to the Count Centre in St. Joseph's.

7. Report of Corporate Policy Group.

The Report of the Corporate Policy Group of 13th May 2019 was proposed by Cllr. M. Sheehan seconded by Cllr. L. O'Brien and noted by the meeting.

8. 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 Ratable Valuation System
- An update on Terrerath Castle
- Sewerage Scheme for Fethard on Sea
- Parking facilities for motor homes
- Special Needs Car Parking
- Vacant Houses in Ballycullane
- Update on recent funding for Waterford Airport
- Change of bye-laws to deal with dog fouling
- Access to bank buildings for disabled persons
- Draft Strategic Regional Plan

- Use of Courtown Hotel as a direct provision centre
- Online petition regarding the Market House in Gorey
- The resurfacing of the N80 from Bunclody to Clohamon
- The extension of the River Walk in Enniscorthy
- Road Safety review for Kilrane National School
- The climbing lane at Ferrycarrig Bridge to Kyle Cross
- The updating of the derelict sites register

9. List of Councillors' Conferences and Training

The list of Councillors Conferences and Training was proposed by Cllr. D. Hynes seconded by Cllr. J. Mythen and agreed by all.

The Members also noted the following reports:

- Report of Cllr. G. Lawlor on delegation to Fleures, Belgium.
- Report on visit to London Wexford Association Annual Dinner Dance.

10. Minutes of Meetings:

On the proposal of Cllr. D. Hynes, seconded by Cllr. W. Kavanagh, and agreed by all the Members present, the following minutes were noted and approved:

- 10.1 Borough District of Wexford 19.03.19
- 10.2 Gorey Municipal District 19.03.19
- 10.3 Enniscorthy Municipal District 25.03.19
- 10.4 New Ross Municipal District 13.03.19
- 10.5 Economic Development SPC 04.03.19
- 10.6 Economic Development SPC 23.01.19

11. Sealing of Documents

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

12. Correspondence and Communications

The correspondence outlined below was noted by the Members:

- Correspondence from Private Secretary to Minister Katherine Zappone concerning Adoptee Identity Rights
- Acknowledgement from Minister Simon Harris concerning HSE recruitment ban
- Acknowledgement from Minister Simon Harris concerning the National Children's Hospital
- Acknowledgement from Minister Simon Harris concerning GP's FEMPI legislation
- Acknowledgment from Private Secretary to Minister Ross regarding the use of penalty points for illegal parking

- Correspondence from the Pension Policy Unit in relation to the State pension provision

13. Deferred Notices of Motion:

13.1 Cllr. David Hynes:

“That this Council considers in view of the many housing applicants, that the Council is not in a position to provide a social house for at present, would therefore develop a more direct link with letting agencies to find out what accommodations are available to rent within the HAP income guidelines and as far as possible which landlords will accept HAP. As many applicants are under severe pressure and are often stressed trying to find a suitable place to rent”.

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

13.2 Cllr. Malcolm Byrne:

“That Wexford County Council amends our County Development Plan to permit the construction of log cabins or other structures for housing for a defined period and that the appropriate amendment and regulations be presented at the April meeting of the Council”.

The above motion was withdrawn as Cllr. M. Byrne was not in attendance.

13.3 Cllr. David Hynes:

“That this Council calls on the government to reverse the decision by revenue to impose VAT at 23% on Food supplements from health stores”.

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

13.4 Cllr. Michael Sheehan:

“That Wexford County Council Housing section will review its transfer policy of current tenants and consider accepting transfer applications on the grounds of unresolved antisocial behaviour as legitimate reasons for requesting a move”.

The above motion was proposed by Cllr. M. Sheehan but not seconded so therefore the motion fell.

13.5 Cllr. Fiontán ÓSúilleabháin

"In the event of a no-deal Brexit, Wexford County Council will back the growing calls for an All-Ireland Border Poll, as enshrined under the terms of the Good Friday Agreement”.

The above motion was proposed by Cllr. F. ÓSúilleabháin seconded by Cllr. J. Mythen and agreed by all.

13.6 Cllr. David Hynes:

“This Council calls on the relevant Minister or administrators of the HAP scheme to cover the 4 weeks rent in advance that some landlords are demanding from new tenants along with the deposit”.

The above motion was withdrawn by Cllr. Hynes.

13.7 Cllrs: George Lawlor; Malcolm Byrne; John Hegarty

“That Wexford County Council, in view of the damage that spiraling insurance costs are causing to community groups, voluntary organisations, charities and small business, calls on the Government to accelerate its insurance reform programme. In particular, Wexford County Council calls on the Government to urgently recalibrate the Book of Quantum to reflect international norms, immediately establish a distinct Insurance Fraud Unit within an Garda Síochána and quantify the benefits to policyholders of the reforms currently being implemented.”

The above motion was proposed by Cllr. G. Lawlor seconded by Cllr. J. Hegarty and agreed by all.

13.8 Cllr. Tony Dempsey

“Due to the loss of jobs and the probability of further job losses in the Leisure and Play-activity centres in Wexford, that representatives of Wexford Co Co and the Leisure/Play activity centres seek an immediate Meeting with Minister Darcy.

The purpose of this Meeting

1. To discuss with Minister Darcy the problems faced by the Leisure/Play activity industry resulting from cost of Insurance and unavailability of Insurance.
2. To ask Minister Darcy to arrange a Meeting with Minister Charles Flanagan with same reps to discuss their concerns re current legislation and impact of same on the Industry”.

The above motion was proposed by Cllr. T. Dempsey seconded by Cllr. T. Walsh. It was agreed that only Part 2 of the motion refers.

13.9 Cllr. John Fleming

“That Wexford County Council calls on the minister for employment affairs and social protection not to link pensions to an inflation index. A lot of County Wexford pensioners who receive the state pension struggle at or below the poverty line and these measures if introduced would lock these pensioners in to poverty”.

The above motion was proposed by Cllr. J. Fleming seconded by Cllr. D. Hynes and agreed by all.

13.10 Cllr. Pip Breen

“That Wexford County Council calls on the Minister for Health Simon Harris and the HSE to fast track the provision of a second cat lab for Waterford University Hospital and stop using outdated figures and discredited reports to deprive the people of Southeastern region of this badly needed second cat lab”.

The above motion was proposed by Cllr. P. Breen seconded by Cllr. M. Farrell and agreed by all.

13.11 Cllr. John Fleming

“That Wexford County Council:

- calls on the Minister to amend current legislation in order to increase the minimum litter fine to €500
- brings in a “name and shame” policy in relation to detected litter offences”.

The above motion was proposed by Cllr. J. Fleming seconded by Cllr. M. Whelan and agreed by all. It was noted that a change of legislation would be required to bring in a name and shame policy.

14. Notices of Motion

14.1 Cllr. Lisa McDonald

“That Wexford County Council calls on the Government to incentivise both the set up and the continuance of small businesses in the villages of rural Ireland”.

The above motion was proposed by Cllr. L. McDonald seconded by Cllr. G. Carthy and agreed by all.

14.2 Cllr. Lisa McDonald

“That Wexford County Council calls on the Government and Irish Water to transfer back to Local Government in its totality the management and completion of water services connections”.

The above motion was proposed by Cllr. L. McDonald seconded by Cllr. G. Carthy and agreed by all.

14.3 Cllr. Marie Doyle

“That this Council noting the recent Cervical Check Scandal, calls upon the Minister for Health, the Taoiseach to acknowledge, support and respond in detail to the demands of the Standing 4 Women* Campaign. These include Legislation and policy on mandatory open disclosure independent of the patient safety bill, provision of a start and end date and full disclosure on the 1800 smears yet to be audited, breakdown of the new packages being negotiated laboratories carrying out smear slide analysis including mandatory site audits”.

The above motion was proposed by Cllr. M. Doyle seconded by Cllr. M. Farrell and agreed by all.

14.4 Cllr. John Hegarty

“While recognising the many responsible dog owners, in our county, there remains an ongoing problem of dog fouling on certain stretches of footpath, public parks and other community facilities. In light of the significant difficulties for our wardens trying to prosecute those responsible, WCC now proposes that it is an offence for anyone to be found in a public place without a plastic bag to clean up after their dog”.

The above motion was proposed by Cllr. J. Hegarty seconded by Cllr. G. Lawlor and agreed by all.

14.5 Cllr. Martin Murphy

“Call on the Government to deliver on a 2008 Labour Court ruling to provide pension entitlement to supervisors on Community Employment schemes in the state. The Government's inaction on the 2008 decision is totally undermining the Labour Court and causing hardship to supervisors that made no alternative arrangements on foot of this historical Court decision”.

The above motion was proposed by Cllr. M. Murphy seconded by Cllr. J. Mythen and agreed by all.

15. Any Other Business

The Cathaoirleach then invited the three Councillors, who had announced that they were retiring, to address the Council.

Firstly, Cllr. T. Dempsey congratulated the Council on its work over the last 5 years and stated that his experience working with colleagues was inspirational. The Council members put the welfare of Wexford ahead of their own political agenda and he highlighted the closeness of the executive and members of the Council. He praised the Chief Executive Tom Enright as a great leader and the staff of Wexford County Council as providing services above the call of duty.

Cllr. M. Murphy said it was a great honour to be elected by his peers to the Council. He felt that he was the representative of the local people and the link between the members of the community and local government. He enjoyed the experience and enjoyed representing people and dealing with the issues facing them in their communities. He had tried to do something about the issues to help both individuals and the wider community.

He thanked the top table and the urgency and integrity of the Chief Executive and the Directors and former Directors. He hoped all the Members running in the upcoming local elections would be re-elected. Finally, he thanked Cllr. K. Doyle, Chairman and previous Chairmen for the way they had carried out their duties - no meeting ended in disarray and that was all thanks to the Chairman.

Cllr. L. O'Brien noted that he was the longest serving Member of the Council. He had served for 28 years and had worked with a large number of Councillors over that time. He thanked the Chief Executive, Tom Enright, calling him a "bright light" for County Wexford. He also thanked Eamonn Hore, Director in New Ross and the staff of Wexford County Council who had been most helpful to him over the years.

To all the elected members, he noted that he had got on well with most of them and he hoped that they would all get re-elected. He wished Oisín O'Connell who had retired earlier in the year well in his retirement and he noted that he had served with many great people over the years. His one wish on retirement was that when elected the new Councillors would work together as a group for the good of the County.

On behalf of the Fine Gael party Cllr. P. Kavanagh gave a sincere thanks to each of the three retiring Councillors; he noted that it was the end of their distinguished careers and that they were going out with their heads held high and going out at the top. They had all contributed a lot to the Council and County Wexford. He wished all three health and happiness in their retirement.

On behalf of the Fianna Fail party Cllr. B.A. Murphy wished the retiring members good luck in their retirement; they will miss the company and the banter, but they should all be proud of their contribution to the Council. She also noted the importance of support among the members for each other.

Cllr. J. Mythen, on behalf of the Sinn Féin party, wished the three retiring members all the best and praised each of them for the qualities they had brought to the Council.

Cllr. T. Walsh, on behalf of the Solidarity-People Before Profit, emphasised the human element of each of the retirees. He enjoyed working with them and wished them well in their retirement.

Cllr. G. Lawlor, on behalf of the Labour Party, highlighted the decades of service the three retiring members had given to the Council. They were all men of the community and he wished them well in their retirement. He looked forward to meeting them socially in the future.

The Cathaoirleach, Cllr. K. Doyle then extended his best wishes to the three retiring members, noting that year of experience and level-headedness will be lost to the Council. He thanked them for their years of service to the Council. Finally, he wished all of the other members the best of luck in the forthcoming elections.

The Chief Executive, Tom Enright, then addressed the meeting, stating that today's meeting was the end of a chapter of the Wexford County Council history book. He thanked the Cathaoirleach on his term as chair of the Council, a role which he filled with great dignity.

He paid tribute to the three retiring Councillors. He noted that Cllr. Larry O'Brien is the longest serving member of the Council – he has been a member of Wexford County Council since 1991. The Chief Executive referred to Cllr. O'Brien as the "hero of Zeebrugge" recalling his actions on board the Herald of the Free Enterprise ferry where he aided the rescue of many passengers.

Cllr. O' Brien served as Chairman of Wexford County Council and New Ross Municipal District; he also served as Chairman of the South Eastern Regional Authority and as Chairman of the Hook Heritage Lighthouse Committee for the last 10 years when we took over the running of the building and turned it into a tourism hotspot for the New Ross area.

He is also Chairman of Horeswood GAA Club for the last 5 years. He served on the county board for eight years.

The Chief Executive then paid tribute to outgoing Fianna Fail Councillor, Tony Dempsey. Having previously served as a T.D. for Wexford, he was elected to the Council in 2009 and served with distinction since that time, holding the offices of Cathaoirleach and Mayor of Wexford.

The Chief Executive also highlighted Cllr. Dempsey's involvement and love of the G.A.A He had been appointed chairman of Wexford County Board in 1976 and he had been involved with inter-county hurling and Gaelic football teams in Wexford either as a trainer, selector or manager and served as manager of the Wexford Senior Hurling team.

Finally, the Chief Executive paid tribute to Independent Councillor, Martin Murphy, who was co-opted to the Council in 2007 and subsequently elected in the 2009 and 2014 Local Elections. Cllr. Murphy served as a member of the Board of Management of Hook Lighthouse and was a very popular and hardworking councillor for the people of Fethard and Saltmills. He had worked in the lighthouse services for many years.

To conclude, the Chief Executive thanked the outgoing members for all of their hard work, commitment and support over the past five years and wished them well in the forthcoming local elections.

This concluded the business of the meeting.

County Secretary

Daingithe ar an lá de Iúil, 2019.

Cathaoirleach