

WEXFORD COUNTY COUNCIL

**Minutes of Meeting of Wexford County Council
held on Monday 14th October, 2019 – 2.30 p.m.
in the Council Chamber, County Hall, Wexford.**

Attendance:

In The Chair: Councillor M. Sheehan

Councillors: P. Barden; M. Bell; P. Breen; A. Browne;
C. Byrne; M. Byrne; G. Carthy; J. Codd;
K. Codd Nolan; A. Connick; D. Devereux; A. Donohoe;
M. Farrell; J. Fleming; T. Forde; J. Hegarty;
W. Kavanagh; L. Kelly; G. Laffan; G. Lawlor;
L. McDonald; J. Moore; B.A. Murphy; B. Murphy;
J. O'Rourke; F. O' Súilleabháin; J. Owens;
F. Staples; J. Sullivan; O. Walsh; M. Whelan.

Officials: Mr. T. Enright, Chief Executive.
T. Larkin; E. Hore, J. Carley, E. Taaffe, Directors of Services;
Ms. A. O'Neill, Head of Finance;
Mr. P. Collins, Meetings Administrator;
Mr. G. Forde, Senior Engineer, Environment;
Mr. B. Cooney, Senior Executive Scientist;
Ms. C. Kelly, Assistant Scientist

Apologies: Cllr D. Kenny; Cllr D. Hynes.

At the outset the Cathaoirleach welcomed the Members of the public sitting in the public gallery and advised them of the procedures for members of the public at Council Meetings. In particular, he emphasised that members of the public should not interact with Members of the Council nor should the Council Meeting itself be interrupted.

Expressions of Sympathy:

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

- The family of George Lawlor, father of Cllr. George Lawlor and uncle of Eric Lawlor, GP.
- The family of Martina Shalloe, wife of Martin Shalloe, General Services Supervisor, New Ross District
- The family of Philip Rooney, father of Tara Gray, Finance Department
- The family of Josie Lacey, The Dirr, Bridgetown
- The family of Bridie Ryan, St. Mullins

Vóta Comhghairdeas:

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

- The Castletown team who won the County Senior Football Final 2019
- Marfield House who won the Irish Hotel of the Year at the 2020 Georgina Campbell Awards
- St. Martin's Senior Camogie Team who won the County Final 2019

- Oylegate Glenbrien Camogie team who won the 2019 Intermediate County Final
- Geraldine O' Harahan's camogie team
- The Little Saltee Chipper in Kilmore Quay who won an award for the Best Fish and Chips in Ireland.
- Blackwater who secured the highest Tidy Towns score in County Wexford in 2019
- 3 boxers, Ryan, Sinnott and Tom Murphy who won national championship matches recently
- The Irish Women's Soccer Team
- Mark Doyle, U17 singles All-Ireland handball winner
- April & Emily Moran, Ballymitty who reached the final of the All-Ireland Juvenile Softball Finals 2019
- Tadhg Furlong for his part in the Irish Rugby Team playing in the World Cup in Japan

1. Confirmation of Minutes

1.1 County Council Meeting – 9th September, 2019.

On the proposal of Cllr. M. Byrne seconded by Cllr. J. Fleming and agreed by all, the Council approved the minutes of the meeting as outlined above.

Cllr. J. Owens advised that he was not present for the vote on the LPT and that the record should be amended.

Cllr. M. Farrell asked for an update on the Anne Street site as did Cllr. J. Codd. The Chief Executive advised that the matter had been forwarded to the Council's law agent and there was no response as yet. He is awaiting a response and it is difficult to say when the response will be received.

1.2 Special County Council Meeting – 9th September, 2019.

On the proposal of Cllr. A. Connick seconded by Cllr. J. O'Rourke and agreed by all, the Council approved the minutes of the meeting as outlined above.

1.3 Special Housing Meeting – 30th September, 2019.

On the proposal of Cllr. J. O'Rourke seconded by Cllr. D. Devereux and agreed by all, the Council approved the minutes of the meeting as outlined above.

1.4 Budget Working Group – 7th October, 2019.

On the proposal of Cllr. J. Hegarty seconded by Cllr. G. Lawlor and agreed by all, the Council approved the minutes of the meeting as outlined above.

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

2.1 Proposed disposal of property at Spawell Road and 1798 Street, Wexford.

On the proposal of Cllr. A. Donohoe seconded by Cllr. M. Byrne, the proposed disposal was agreed by the Council.

Cllr. L. Kelly raised a query regarding this sale and the Chief Executive advised that the sale of the house is agreed and that the shed would be incorporated into the house sale. Mr. T. Larkin

advised that there were two different lines of ownership - the Section 183 permits the sale of the house and the sale of the shed to the occupier of the house.

2.2 Proposed disposal of property at Coolcotts, Wexford.

On the proposal of Cllr. G. Carthy seconded by Cllr. L. Kelly, the proposed disposal was agreed by the Council.

2.3 Proposed disposal of a property at Courteencurragh, Gorey, Co. Wexford

On the proposal of Cllr. M. Byrne seconded by Cllr. A. Donohoe, the proposed disposal was agreed by the Council.

2.4 Proposed lease of lands at Newtown and Cullentra (ED Carrick) Co. Wexford.

On the proposal of Cllr. M. Whelan seconded by Cllr. M. Byrne, the proposed disposal was agreed by the Council.

3. Section 85 Agreement between Kildare County Council and Wexford County Council for rehabilitation works on O' Hanrahan Bridge (WX-N25-027.00), Scarawalsh Bridge (WX-N11-008.00), Island Bridge (WX-N30-010.00) and Mount Elliott Bridge (WX-N30-011.00)

On the proposal of Cllr. B. A. Murphy seconded by Cllr. M. Byrne the Section 85 Agreement as submitted to the meeting was agreed by all.

4. Proposed Amendments to Standing Orders

The proposed amendments to Standing Orders as circulated to the meeting were proposed by Cllr. P. Breen seconded by Cllr. M. Byrne and agreed by all.

5. Nomination to the Model County Enterprise Board

On the proposal of Cllr. M. Byrne seconded by Cllr. M. Whelan and agreed by all Cllr. B. A. Murphy was nominated to the Model County Enterprise Board.

6. Nomination to the board of 3 Counties Energy Agency

On the proposal of Cllr. M. Whelan seconded by Cllr. J. Sullivan and agreed by all Cllr. J. Fleming was nominated to the board of the 3 Counties Energy Agency.

7. Nomination to Sub-Committees:

Nominations were then sought for the following Sub-Committees:

- Revitalising Rural Wexford Sub-Committee which will be administered by the Housing & Community SPC
- Healthy County Committee which will be administered by the Housing & Community SPC
- Rosslare Port Committee which will be administered by the Transportation SPC
- Future Skills Forum which will be administered by the Economic SPC

Following discussion it was agreed that all Members would submit forms to the County Secretary outlining which sub-committee they wished to serve on - the Cathaoirleach pointed out that he was anxious that the SPC's and the Sub-Committees would be up and running as quickly as possible.

It was also agreed that 8/9 Members would be the maximum per sub-committee.

8. Nomination to the Joint Policing Committee (following the resignation of Cllr. J. O'Rourke):

This matter was dealt with later in the meeting when on the proposal of Cllr. G. Carthy seconded by Cllr. L. Kelly and agreed by all, Cllr. M. Farrell was nominated to the Joint Policing Committee.

9. Bank Overdraft Accommodation 2020:

Ms. A. O'Neill, Head of Finance had circulated a report with regard to the Council's overdraft requirements for 2020 and advised that approval was being sought for borrowing by way of temporary overdraft accommodation of €13m for the period 1st January, 2020 to 31st December, 2020.

On the proposal of Cllr. A. Donohoe, seconded by Cllr. P. Breen, the Members approved borrowing by way of temporary overdraft of €13m to 31st December 2020 in accordance with the provisions of Section 106 of the Local Government Act 2001.

10. Climate Change Adaptation Strategy 2019-2024 (Presentation):

Mr. J. Carley, Director of Services, advised that this was a statutory process arising from the Climate Action and Low Carbon Development Act 2015. The presentation was made by Mr G. Forde, Senior Engineer and had been circulated earlier to the Members.

Following the presentation Members of the Council thanked the Director and his staff for preparing the Strategy and asked a number of questions which were answered by Council Officials in attendance.

The items raised included the following:

- Concerns about the various aspects of the plan, in particular the detail of the plan. Areas such as aerobic digestion, green procurement, Council policy generally, planning policy and underpinning of all Council services from an environmental point of view.
- Banning smoky fuels in the county and challenging the Department on those matters.
- It was noted that more detailed measures should be included in the strategy.
- Concerns about how to implement the strategy and how to finance it.
- The issues of climate change was noted as being one of the biggest issues of concern to young people in the county
- The submission by the Department of Agriculture on page 21 of the report not being fully considered.
- The biodiversity crisis
- Are the actions in the plan dramatic enough?
- Biodiversity - green procurement
- It was proposed by Cllr. J. Codd and seconded by Cllr. J. Owens and agreed by all that deputations from the IFA and Fisheries meet the Members of the Council regarding climate change on an annual basis.

- The cost of implementing the strategy with the particular note taken of increased rates for wind farms announced recently. Wind farms are facing closure as a result of their new rates bills.
- Agenda being too big – should focus on areas that they can improve on for example clean air, telling people what the air quality is like in towns via Map Alerter.

The strategy was proposed by Cllr. M. Farrell seconded by Cllr. M. Byrne and agreed by all.

11.Noise Action Plan 2019-2023:

Mr. J. Carley, Director of Services, introduced the plan which deals primarily with noise on roads and railways.

Mr. B. Cooney, Senior Executive Scientist then made a presentation which had previously been circulated to the Members. The presentation dealt with mitigation measures proposed by Wexford County Council to help reduce noise from roads and railways but in particular roads.

Following the presentation Members of the Council asked a number of questions which were answered by Council Officials in attendance.

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

12.Strategic Policy Committees:

Mr. E. Taaffe, Director of Services, advised that changes had been made to the membership of the SPC's following agreement by the Members at the September 2019 meeting to change the numbers of seats in the different SPC's.

On the proposal of Cllr. C. Byrne seconded by Cllr. O. Walsh the changes circulated to the Members were agreed as the final composition of the SPC's.

13.Ratification of PPN Representatives to committees of Wexford County Council:

The PPN Representatives nominated to sit on the various Strategic Policy Committees and the Joint Policing Committee had been submitted to the Council and on the proposal of Cllr. M. Byrne seconded by Cllr. B. A. Murphy the PPN Representatives submitted were ratified by the Council.

14.Annual Service Delivery Plan Q3 2019:

Mr. E. Taaffe, Director of Services, advised that the Annual Service Delivery Plan for Quarter 3 had been circulated to the Members. He advised that, if any Member had queries relating to the Plan, they could direct those queries to his office. The Annual Service Delivery Plan for Q3 2019 was noted by the meeting.

15.Report of Corporate Policy Group

The report of the Corporate Policy Group held on 7th October, 2019 was proposed by Cllr. A. Donohoe seconded by Cllr. K. Codd Nolan and agreed by all. A number of issues arose from the minutes as follows:

- Cllr. J. Moore asked about the position of the Council with regard to being covered by insurance in respect of GDPR. He noted that this cover had been refused by IPB.

The Head of Finance noted that, following discussed at the CPG Meeting, she undertook to make contact with IPB to investigate whether or not cover could be sought. She noted that all of the Members of the Council are Data Controllers in their own right and she advised that she will come back to the Members when she has a response from IPB.

The Chief Executive advised that he will be meeting the insurers this week and will raise this issue with them. He also pointed out that this is a national issue

16. 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:

- Update on Templeshannon Regeneration
- The Rates Revaluation and the length of time for appeals and the multiplier for the 2020 budget
- Update on the Curracloe Greenway
- House in Ballycullane
- The likely level of the ARV for County Wexford in comparison to the eight other counties who had their revaluation done recently
- Cut in local government funding in the 2020 budget
- Update on Biodiversity in County Wexford
- The use of Hotel Rosslare for Direct Provision
- Waiting time for pre-planning meetings
- The number of derelict sites identified which had been issued a notice
- Rates on commercial properties which are not for rent or lease
- Urban Adventure hub in Bunclody
- Rosslare Europort
- Update on Brexit contingency plans
- Vacant properties
- Derelict sites
- District court cases in Ballinaboola with regard to sewerage
- The numbers of properties affected by building control in New Ross

17. List of Councillors' Conferences and Training

The list of Councillors Conferences and Training was proposed by Cllr. B. A. Murphy seconded by Cllr. G. Carthy and agreed by all.

18. Minutes of Meetings:

- 18.1 Gorey-Kilmuckridge Municipal District 16.07.19
- 18.2 Enniscorthy Municipal District 15.07.19
- 18.3 New Ross Municipal District 10.07.19
- 18.4 Borough District of Wexford 22.07.19
- 18.5 Rosslare Municipal District 15.07.19
- 18.6 Protocol Meeting 23.09.19

On the proposal of Cllr. K. Codd Nolan seconded by Cllr. B. A. Murphy and agreed by Members present the Minutes outlined above were noted and approved.

Cllr. J. Hegarty raised an issue arising from the Protocol Meeting with regard to the Ambassador Programme and asked that it be reviewed in order to find a permanent home for this programme.

19. Sealing of Documents

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

20. Correspondence and Communications

- Correspondence from Richard Bruton TD, regarding dog related litter offences
- Acknowledgement from Dept of Housing, Planning & Local Government in connection with removing responsibility for traveler accommodation from local authorities query.
- Acknowledgement from the office of the Minister for Agriculture, Food and the Marine.
- Acknowledgement from the office of the Minister for Transport regarding a traffic survey on the N11.
- Acknowledgment from Brendan Howlin, TD, Leader of the Labour Party.
- Correspondence from Shane Ross, Minister for Transport, Tourism and Sport in relation to the National Roads Programme.
- Correspondence from the TII regarding a traffic survey on the N11 from Oylegate to Rosslare Europort.

The correspondence outlined above was noted by the Members.

On the proposal of Cllr. J. Hegarty seconded by Cllr. B.A. Murphy, Cllr. Hegarty asked that the Council writes back to the Department to clarify if a change in law for dog fouling is possible or is in train.

Cllr. M. Byrne accused Minister Ross of passing the buck by forwarding correspondence from the Council regarding the upgrade/seeking a traffic survey of the N11 to TII.

21. Notices of Motion

21.1 Cllr. Leonard Kelly

“The Council recognise the key role of public participation in local government as outlined by the 2013 report of the Working Group on Public Participation in Local Government, and also in the Council of Europe’s Code of Good Practice for Civil Participation in the decision making process, adopted in October 2009, and to which Ireland is a subscriber; the Council (Wexford County) therefore resolves to implement the webcasting of public meetings of the full council in order to meet the Code’s principle of participation, trust, accountability and transparency.”

The above motion was proposed by Cllr. L. Kelly seconded by Cllr. M. Byrne and agreed. The Director of Services E. Taaffe advised that the financial impact needed to be assessed and also looking at the experience of other Councils.

It was then proposed by Cllr. G. Carthy seconded by Cllr. J. Moore and agreed that the Director would look at the costs and refer the matter back to the Protocol Committee for consideration.

21.2 Cllr. Tom Forde

“This Council believes that when in need children deserve to have palliative care in their final moments. We call on Minister for Health, Simon Harris, and the HSE to take immediate action to extend and allow palliative care to children in the South East Region”.

The above motion was proposed by Cllr. T. Forde seconded by Cllr. B.A. Murphy and agreed by all.

21.3 Cllr. Malcolm Byrne

“That Wexford County Council would initiate a programme of reverse vending machines to encourage recycling.”

21.4 Cllr. Fionntán OSúilleabháin

"I call on this Council to seek to work with Tidy Towns and local supermarket groups to pilot a reverse vending machine in County Wexford"

Motion 21.3 and 21.4 were taken together by agreement of the two proposers. On the proposal by Cllr. M. Byrne and Cllr. F. OSúilleabháin it was agreed that the Environment SPC would look at this motion on a pilot basis and this was agreed by all.

21.5 Cllr. Leonard Kelly

“As part of the Government’s climate action plan they propose 8,000 hectares of new forestry every year in a bid to capture carbon emissions. The target is for 70 per cent conifers and 30 per cent broad leaves, an approximate total of 22 million trees. Except more than 15 million of these trees may be non native short lived (felled within 30 years) Sitka Spruce. I propose that Wexford County Council only support the planting of Native Irish Broad Leaf Trees (Oak, Ash, Alder and Birch)”.

The above motion was proposed by Cllr. L. Kelly seconded by Cllr. F. OSúilleabháin and agreed by all.

21.6 Cllr. Tom Forde

“This Council supports the Border Communities against Brexit and opposes any infrastructure or checkpoints at or near the border that would make it more difficult for businesses to operate on an all-Ireland basis. We ask the Irish government to ensure that previous commitments given by European, UK and Irish governments that there will be no hard physical Border are honoured so that the spirit and text of the Good Friday Agreement is upheld in full”.

The above motion was proposed by Cllr. T. Forde seconded by Cllr. F. OSúilleabháin and agreed by all.

21.7 Cllr. Malcolm Byrne

“That Wexford County Council amends our Allocation Scheme for Social Housing to provide that, as and from January 1st, 2020, that each month, at least one in ten houses be offered to applicants who have been on our housing lists for at least seven years.”

The above motion was proposed by Cllr. M. Byrne seconded by Cllr. J. Hegarty and it was agreed that this matter should be referred to the Housing SPC to set a clear target - nobody should be on the housing list for 7 years.

22. Any Other Business

The meeting then went "In Committee" on the proposal of Cllr. M. Byrne seconded by Cllr. J. Hegarty to discuss Civic Receptions.

The County Secretary advised that the Protocol Committee had recommended that one event take place to honour the people of Wexford who had done well on a national or international stage over the previous year.

This will take place in the Spring of 2020 and it was agreed that the Members should submit any persons or teams who might be included in this group for consideration by the Protocol Committee. It is envisaged that the Protocol Committee will come back with a short list for the Members approval.

Cllr. J. Codd asked that the report on Anne Street be distributed to the Members of the Council. The Chief Executive agreed that the report of the Council carried out in 2016 be distributed to Members of the Council.

This concluded the business of the meeting.

County Secretary

Daingithe ar an 11ú la de Samhain, 2019.

Cathaoirleach