

Climate Change, Biodiversity & Environment Strategic Policy Committee

Minutes of Meeting - Thursday 10/3/2022 in Council Chamber & Remotely

Present: Cathaoirleach: Cllr. Mary Farrell, Cllr. Donal Kenny, Cllr. Jim Moore, Cllr. Oliver Walsh, Cllr. Maura Bell, Cllr. Leonard Kelly, Mr. Danny Forde (PPN Member), Carolyne Godkin, A/Director of Services Gerry Forde Senior Engineer, Brendan Cooney Senior Executive Scientist, Rory O'Mahony Senior Executive Engineer, Hugh Maguire Administrative Officer, Melissa Goff Senior Staff Officer, Lillie O'Brien Assistant Staff Officer.

Apologies: Cllr. Tom Forde, Mr. Joe Ryan (Trade Union), Ms. Mary Walsh (Business & Commercial), Mr. James Brennan (Agriculture), Mr. Billy Murphy (PPN Member), Mr. John Somers (Construction Industry Federation),

Cllr. Mary Farrell welcomed everyone to the Special SPC meeting for the consideration of the public submissions received on the Draft Beach Bye-Laws and amendments to the Bye-Laws for adoption and referral on to the full County Council.

1. Draft Beach Bye Laws – H. Maguire

Hugh Maguire gave a presentation to the Committee on the amendments made to the Draft Beach Bye-Laws after the public consultation phase. The presentation on the Draft Beach Bye Laws covered the following matters;

- The main legislative provisions in relation to Beach Bye-Laws.
- Main reasons for the Beach Bye-Laws-
 - Protect the safety of Beach users.
 - Compliment other legislation with more specific provisions.
 - Preserve and conserve sensitive areas – e.g. sand dunes.
 - Blue Flag Requirements– restrictions on dogs.
- Wexford Co. Council last adopted Beach Bye Laws in 2005 – review needed.
- The Draft Beach Bye Laws included 5 new Beaches – **Baginbun, Booley Bay, Rosslare Harbour, Rostoonstown and St. Helen's**
- Problem issues – illegal camping, parking, trading, jet skis, horses/dog control etc
- Proposed changes to the Draft Beach Bye Laws
 - Increase in number of Beaches covered.
 - Control of Dogs – dogs must be on a lead passing through Blue Flag Areas of Beach to get to other Beach areas during period 1st June to 15th September between 11am to 6pm
- Sample signage shown.
- Expected schedule – if passed Bye-Laws will go to full Council in March/April and are expected to be in place for May/June.

H. Maguire referred to Carolyn Godkin's report that had previously been circulated to the Committee that summarised the 153 submissions (136 in relation to dogs) received. The main issues raised in those submissions were;

- Horses – submissions evenly split so no changes in the Bye Laws on restrictions so horses between 10am and 8pm during summer and Bank Holiday Weekends.
- Licencing and permitting for trading/water sports and community & voluntary groups
- Concerns about the possible banning kayaking and paddle boards – Bye Laws do not propose to ban these but advise not to go too close to bathers - safety issue.
- In relation to jet-skis, these will be dealt with under the Harbour & Pier Bye-Laws. Launching from the Beach is prohibited under the amended Beach Bye-Laws 2022.

- Overnight camping – Some submissions suggested that the Bye-Laws were too restrictive – the main problem was campers overstaying their welcome and taking advantage of car parks to use as free camping places. Camping and fires have caused significant difficulties at Beaches in recent years, so new provisions have been included in the Bye-Laws.
- Damage to the dunes – reflected in the new provisions in the Bye Laws.
- The main recommendations are in relation to dogs. There are a few definition changes in relation to Blue Flags and Section 18 has been changed to allow dog owners to cross the Blue Flag Area to access other areas of Beaches outside Blue Flag Area with the dog on a lead. The Beach Bye-Laws will be enforced by Environment Wardens and the Gardai. Beach patrols will be increased.
- The revised text of Section 18 of the Draft Beach Bye-Laws was outlined;

“Between the hours of 11 a.m. and 6 p.m. during the Summer Season, it shall be prohibited to bring any dog onto a Blue Flag Beach except to gain access through the Blue Flag Area to that part of a Beach outside the Blue Flag Area. A dog may be brought onto Blue Flag Beaches outside of the prohibited period and other Beaches covered by these Bye-Laws on condition that:

- *The dog is under effectual control. Dogs must be on a lead while traversing the Blue Flag Area of any such Beach during the restricted times of the Summer Season.*
- The restriction on dogs on Blue Flag Beaches is required by An Taisce and all other coastal counties are faced with this issue. Failure to have restrictions on dogs on these beaches will risk losing the Blue Flag status which is important for tourism.

Carolyn Godkin further advised that the amendment was agreed with An Taisce that dogs can traverse Blue Flag to get to the rest of the Beach and then can be taken off lead and kept under effectual control. The restricted area is only 2 km of a total 260km coastline for dogs and for a period 1st June to 15th September.

Gerry Forde stated that the recommendation is fair and balanced and that a full-time warden would in place for most Blue Flag Beaches. He strongly recommended it. The following points were made, queries were raised and responses given to in the ensuing discussion on the Draft Beach Bye-Laws.

- It was agreed that amendments represent a reasonable compromise as only 2km of the coastline would be restricted for a few months and a few hours a day each summer season.
- Some of the Committee Members highlighted the need for positive communication with regard to Beach signage. It was suggested that good signage can influence a positive reaction in Beach visitors.
- A question was asked regarding how long since the Bye Laws were last reviewed? The response that the Bye-Laws were brought in 2005 and the Beaches included reflected the most popular Beaches that attract larger volumes of visitors.
- A query was raised to check if there was an allowance for the RNLi and other search & rescue agencies to use jet-skis at Beaches. It was advised that an exemption is provided in Section 27 of the Bye-Laws.
- Beaches that are not on the list – who can the general public contact if there is a problem on those beaches? At the members request the Bye Laws can be reviewed every few years with a view to add more Beaches to be covered by Bye-Laws.
- A question was asked about the rules for horses on Blue Flag beaches? Restrictions on horses apply to all Beaches in the Bye-Laws between 10am to 8pm during summer season and Bank Holiday weekends.

- A query was raised regarding horse issues on Beaches not covered by Bye-Laws as sea swimming is now popular. It was noted that most bathing beaches are covered by Bye-Law but the Litter Pollution act 1997 (as amended) can deal with some the horse problems on Beaches.
- It was noted that the Dog Warden and Environment Wardens can deal with some issues on Beaches under the Control of Dogs Act 1996 and the Litter Pollution Act.
- Gerry Forde and George Colfer are reviewing beach signage over the County and will bear the request for positive message on signage in mind.
- Significant concern was expressed by some of the Members about dogs not being required to be on a lead outside of Blue Flag Areas on Beaches. Many people both dog owners and non-dog owners assumed that dogs would need to be on a lead on all Beaches as this was in the Draft Bye-Laws so they didn't make submissions during the public consultation phase. There was some discussion on the matter before a compromise was reached. Concern was also expressed about the need for more enforcement in relation to the Beach Bye-Laws
- It was highlighted that Jet skis are a serious concern in Cahore. The matter of enforcement was noted as being unclear if it's the Gardai or Wexford Co. Council. The response to the query was that a barrier system has been put in place at Courtown and Cahore.
- Carolyne Godkin stated that outside Blue Flag Beaches the dogs should still be under control. No one wants to see more restrictions and it is up to the Members to consider and decide on the measure in the Beach Bye-Laws.
- G. Forde suggested that this new restriction with the combination of additional wardens could be adopted as presented with a commitment to review after summer season to see how the implementation works in practice.

Cllr. Jim Moore proposed to adopt the Draft Beach Bye Laws and refer the Bye Laws to the full Council and to review it after the Summer Season and this was seconded by Cllr. Maura Bell.

Further queries were raised and answered as follows.

- A query was raised concerning the legislation that covered the removal of material from Beaches. Response that the Council has now provision for that under Section 7 of Bye Laws. It is also provided for under the Foreshore Acts which is within the Department's responsibility.
- A query was raised about the opening of public toilets at Beaches for the winter. The Response was that some toilets are opened all the time such as Curraclloe, Rosslare Strand, Kilmore and Duncannon. The matter will be reviewed and a further report made to the Committee.

THIS CONCLUDED THE BUSINESS OF THE MEETING.

Signed: _____

Mary Fenrell
Cathaoirleach

Date: _____

21/4/2022