# ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD AT COUNTY BUILDINGS, WHITEGATES, WICKLOW TOWN AND VIA TEAMS <br> ON <br> MONDAY, $1^{\text {st }}$ JULY 2024 AT 2:00 PM 

STENOGRAPHER: Niamh Kelly-Leahy, RMR, MBIVR

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CATHAOIRLEACH: So we are going to start the County Council meeting. Just bear with us one second while we make sure we admit everyone. So I want to welcome you all here to this, our first County Council meeting of this term. I want to welcome in particular the new members again. I got to meet some of you on the induction course last week, so you are more than welcome here today.

So, Helen, roll call there, please.
MS PURCELL: I just want to welcome everybody to the chamber, and to the members online, and press and the public. If anybody has any issues with their technology, can you please contact me, and we will try and get it sorted as much as we can. Can I everybody who is remote to keep their microphones off unless they are speaking. Thanks very much.

Councillor Danny Alvey?
COUNCILLOR ALVEY: Present.
MS PURCELL: Councillor Mark Barry? COUNCILLOR BARRY: Present.

MS PURCELL: Councillor Joe Behan? Councillor Sylvester Bourke?
COUNCILLOR BOURKE: Present.
MS PURCELL: Present. Councillor Melanie Corrigan?
COUNCILLOR CORRIGAN: Present.
MS PURCELL: Present. Councillor Avril Cronin? Councillor Erika Doyle? COUNCILLOR DOYLE: Here.

MS PURCELL: Councillor Malachaí Duddy? Councillor Gail Dunne?
I know Councillor Dunne was trying to join us remotely. Councillor Louise Fenelon Gaskin?

COUNCILLOR FENELON GASKIN: Present.
MS PURCELL: Present. Councillor Orla Finn?
COUNCILLOR FINN: Here.
MS PURCELL: Present. Councillor Pat Fitzgerald?
COUNCILLOR FITZGERALD: Present.
MS PURCELL: Present. Councillor Aoife Flynn Kennedy?

COUNCILLOR FLYNN KENNEDY: Present.
MS PURCELL: Present. Councillor Tom Fortune?
COUNCILLOR FORTUNE: Present.
MS PURCELL: Present. Councillor Patsy Glennon?
COUNCILLOR GLENNON: Present.
MS PURCELL: Present. Councillor Pat Kennedy?
COUNCILLOR KENNEDY: Present.
MS PURCELL: Present. Councillor Shane Langrell?
COUNCILLOR LANGRELL: Present.
MS PURCELL: Present. Councillor Peir Leonard?
COUNCILLOR LEONARD: Present.
MS PURCELL: Present. Councillor Jason Mulhall?
COUNCILLOR MULHALL: Present.
MS PURCELL: Present. Councillor Miriam Murphy? Councillor Ian Neary? COUNCILLOR NEARY: Here.

MS PURCELL: Present. Councillor Dermot O'Brien?
COUNCILLOR DERMOT O'BRIEN: Anseo.
MS PURCELL: Present. Councillor Paul O'Brien?
COUNCILLOR PAUL O'BRIEN: Present.
MS PURCELL: Present. Councillor Paul O'Brien?
COUNCILLOR PAUL O'BRIEN: Present.
MS PURCELL: Present. Councillor Gerry O'Neill?
COUNCILLOR O'NEILL: Present.
MS PURCELL: Present. Councillor Warren O'Toole?
COUNCILLOR O'TOOLE: Present.
MS PURCELL: Present. Councillor Graham Richardson?
COUNCILLOR RICHMOND: Present.
MS PURCELL: Present. Councillor Lourda Scott?
COUNCILLOR SCOTT: Present.
MS PURCELL: Councillor John Snell?
COUNCILLOR SNELL: Present.
MS PURCELL: Present. Councillor Peter Stapleton?
COUNCILLOR STAPLETON: Present.
MS PURCELL: Councillor Stephen Stokes?

COUNCILLOR STOKES: Present.
MS PURCELL: Councillor Edward Timmins?
COUNCILLOR TIMMINS: Here.
MS PURCELL: Thank you. Councillor Caroline Winstanley?
COUNCILLOR WINSTANLEY: Present.
MS PURCELL: Councillor Joe Behan?
COUNCILLOR BEHAN: Present.
MS PURCELL: Councillor Avril Cronin?
COUNCILLOR CRONIN: Present.
MS PURCELL: Councillor Malachaí Duddy? Councillor Gail Dunne? And, Councillor Miriam Murphy? No. Thank you.

CATHAOIRLEACH: Thank you. Votes of sympathy, please. Councillor Stephen Stokes.

COUNCILLOR STOKES: Go raibh maith agat. It is not actually a vote of sympathy. Firstly, congratulations to you and the other Councillors that attended the launch of the Fleadh Cheoil. The Leinster Fleadh is going to be very exciting in July. I wish all the organisers well. But what I am really looking to mention is to congratulate Newcastle GAA --
CATHAOIRLEACH: Councillor, we will stick with votes of sympathy. COUNCILLOR STOKES: Okay.

CATHAOIRLEACH: Because there's other people who want to come in. COUNCILLOR STOKES: It is very brief.

CATHAOIRLEACH: This time.
COUNCILLOR STOKES: Just congratulate Newcastle on their very fine Division 4
League Final victory. Thank you.
CATHAOIRLEACH: We will stick to the vote of sympathy first.
Councillor Shane Langrell?
COUNCILLOR LANGRELL: Cathaoirleach, myself and my Fine Gael comrades here would like to pass on our sympathy to Geoff Seymour. Geoff passed away suddenly last week after a short illness, and he done trojan work for me, Andrew Coyle, Shay Cullen, and since March drove me around the roads, canvassing in all the rural areas. So yes, I would like to pass on my sympathy, please.

CATHAOIRLEACH: Thank you, Councillor. Do we have anyone else? Can I offer my sincere condolences to the family of Garrett Farrelly. I think most of us would
have known Garrett throughout the years working in the newsroom in East Coast Radio. So my sincere sympathy to Garrett's partner, his family, and I am sure his East Coast family as well.

MS PURCELL: We extend our sympathies to the families of our former colleague, Michael Kinsella, brother of our colleague Siobhán Jameson; our former colleague Kevin Carroll, brother of our former colleagues Jacqui and Ashlynn Carroll; Adeline Brophy, mother of our colleague Paul Brophy; Ger Byrne, brother of our colleague Miles Byrne; Philomena Eanna Nolan, mother of our colleagues Tom Nolan and Betty Kavanagh; Mary Heffernan, mother of our colleague Clive Heffernan; Nora Ruane, mother of our colleague Ciara Ruane; and Orla McGrath, sister of our colleague Sharon Foristell.
(Moment's silence.)
CATHAOIRLEACH: Before I go to the agenda, we see that it is slightly marked wrong, just bear with us. Number 2 is missing. So we will just bring it back one.

Just before we go on, I want to congratulate the Councillors that have been elected in the respective MDs for the Cathaoirleach. So in Baltinglass we have Patsy Glennon; in Bray we have Dermot O'Brien; Greystones, Tom Fortune; Wicklow, Gail Dunne; and Arklow, Pat Kennedy. So my sincere congratulations to you all and I wish you best of luck in your new roles for the coming term.

We now have Councillor Aoife Flynn Kennedy.
COUNCILLOR FLYNN KENNEDY: Thank you, Cathaoirleach. And thank you for the opportunity to come in before we start the meeting. I just want to take the chance to wish Wicklow Pride the very best. They're holding the second ever Pride Parade this weekend. I had the pleasure of attending the Pride Parade last year, the first ever in the county, a really historic moment. I am sure many in this chamber are aware of the recent actions by a number people in the Newtownmountkennedy area that has led to the cancelling of one of the events, and this is extremely disappointing. I suppose from my own opinion it highlights the need for Pride and for the public expression that everybody has the right to be treated equally.

I would also like to highlight the fact that recent objections are not reflective of the whole community of Newtownmountkennedy; a location that has suffered from
significant negative reporting. It has covered from negative reporting recently. A recent report on Twitter feeds indicated that $80 \%$ of all comments related to the area actually originated from the United States, which is extremely worrying. I want to commend the work of Newtown Welcomes and the work that they undertake there. So I look forward to the Pride Parade on Saturday and walking in solidarity with the community and wish them the very best of luck. Thank you.

CATHAOIRLEACH: Thank you, Councillor. I share those sentiments. Councillor Melanie Corrigan.

COUNCILLOR CORRIGAN: Thank you, Cathaoirleach. Thanks for the opportunity to come in. I just want to acknowledge and wish the best of luck to two young women in County Wicklow that are representing the district of Bray, Wicklow and Ireland. Daina Marie Moorehouse from Bray who also boxes for Enniskerry Boxing Club. She will be representing Ireland in the Olympics in the boxing. And also to Lara Gillespie, a cyclist from Enniskerry who will also be representing Ireland in the velodrome events. And I just I want to acknowledge that and wish them both very well. It is an amazing achievement and wonderful for women's sport as well. Thank you.
CATHAOIRLEACH: Thank you, Councillor. And I am sure you will express all our best wishes to them on behalf of the entire Council. Councillor John Snell. COUNCILLOR SNELL: Thanks, Cathaoirleach. I would like to join with you in commending and just saying well done to the public representatives who've been inducted into the chairs of their own municipal district councils. It is a great honour for those people but as I pointed out at our AGM at Wicklow, we seem to have dispensed with tradition, we seam have dispensed with certainly standards in public office. It can be slipping. And while we don't want to cast a dark cloud over the people who are elected - some people would say that's democracy - I'm four terms in Wicklow County Council and it's always been the tradition that people who would top the poll would indeed be the Cathaoirleach for the incoming year. Unfortunately it seems that that didn't happen in two of our districts. It's a sad day for democracy, is what I would say. And I think that, you know, at the end of the day, people still will have their principles, their values, irrespective of what the groups in those municipal districts would gang up and feel they are doing a just for themselves, but they are not doing it for what the electorate wanted.

I want to commend the people who have the chain of office, wish them well for the year ahead. Not all change is good. That is why I pointed out there is a board in the town hall in Wicklow with 120 years of people's names on it. I certainly don't need my name on the board to respect the 1,218 people that gave me a first preference vote. Thanks, Cathaoirleach.

CATHAOIRLEACH: Thank you. Councillor Graham Richmond. COUNCILLOR RICHMOND: Thank you, Cathaoirleach. I would like to recognise the achievement Vickie Kinlan who is a member of the Wicklow Rugby Club and resides in Rathnew, who has been selected to represent Ireland in the Olympics in the seven a side rugby this year.
CATHAOIRLEACH: Thank you. I am sure you will pass on our congratulations and best wishes as well. Councillor Peter Stapleton COUNCILLOR STAPLETON: I would like to pass on my best wishes to Lucy Mulhall, a Tinahely native, who is leading out the Irish Women's Seven team at the Olympics.

CATHAOIRLEACH: It is a great day for the county in sport. Thanks for sure. Councillor Gerry O'Neill.

COUNCILLOR O'NEILL: Thanks, Cathaoirleach. I just want to concur with my colleague, Councillor Snell, as regards the method of electing the chairs of the municipal district. I thought I was treated unfairly and cornered and bullied to a certain extent. None of the other councillors spoke to me before the meeting about this, which we usually would have the courtesy. We have been there ten year and we've rotated the position. And I was due to take that position as chair, having not only topped the poll. That could maybe be beside the point. But to rotate it, it's broken the spirit I think of the area. And it would have been nice to get my chance of chairing there for the 12 months.

Not alone that, but there was a -- both the chair and the vice chair have been in the past couple of years, and it looks as if I have been completely cornered, you know. The chair was proposed by Avril, which is Patsy, and I wish him the best of look, and then the vice chair was proposed by Edward Timmins, which would be Avril. And Patsy's one was seconded by the independent candidate. So I just think it is maybe something we could look at, that there should be more harmony in areas, and
maybe the CEO might have an input in to that, in ensuring that it is run smoothly, and that people shouldn't be cornered like that, you know.

We're all in it where we should be working together. That's the way I have looked at it for the last ten year; that we should be able to work together, and by picking out someone and skipping a position and pushing him or her back, it's not the right way to do it. It's not a nice way to do it. Go raibh míle maith agat.

CATHAOIRLEACH: Thank you, Councillor. For the record, I want to congratulate everyone that got elected. From my own point of view, in terms of fairness, whether you're a poll-topper or came in on the tenth vote, I will be treating everyone equal in this chamber. Congratulations to them all.

We have a couple online there. Councillor Lourda Scott. COUNCILLOR SCOTT: Thanks, Cathaoirleach. I just wanted to lend my name and support to Aoife Flynn Kennedy. It is really sad that Pride had to postpone their events. I fully support them. I was at the parade last year. It was a fantastic occasion. I really encourage all the elected members to go and show their support and support the wider community this Saturday. I just wanted to put that on the record. Thank you.

CATHAOIRLEACH: Thank you, Councillor. Councillor Edward Timmins, I think you had your hand up, did you?

COUNCILLOR TIMMINS: Yes, thanks, chairman. I wasn't going to contribute here, but when I see false statements made I have to step in to correct them, especially for new members who may not be aware of historic precedent.

In 2014 the first time we ever had a municipal district in the west and southwest of the county, Councillor Tony Cullen topped the poll, and the first chairman of the district was the late Councillor Pat Doran. Okay. So the poll-topper didn't. In the last Local Elections, after last Local Elections 2019, I actually topped the poll, and I wasn't made chairman of the district. So just to correct that. Thank you.

CATHAOIRLEACH: Councillor Erika Doyle.
COUNCILLOR DOYLE: Thank you, Cathaoirleach. Much like Councillor Timmins I would like to correct the record. In Bray there's never been a history of electing - and the operative word here is "electing" - the poll-topper as the chair. In
fact, often times the poll-topper doesn't want to be chair. It is a simple election, and a simple majority wins. Thank you, chair.

CATHAOIRLEACH: Thank you. We are having a little technical issue. So it is hard to see who is coming up online. There's no -- sorry, Councillor Patsy Glennon. COUNCILLOR GLENNON: I suppose Councillor Timmins has really said what I was going to say. Obviously we all respect Gerry's great mandate that he got from the people, but Councillor Timmins topped the poll the last occasion and I had the pleasure of nominating Gerry as Cathaoirleach on the last occasion and Councillor Timmins, as far as I recall, was the one who seconded him. So just to correct the record, it is not true that the poll-topper gets the first crack of the whip. There's five years, and I'm sure we can all work together towards resolving these issues.

CATHAOIRLEACH: Councillor Snell.
COUNCILLOR SNELL: Yes, thanks, Cathaoirleach. Just to clarify the point. In regards to East Wicklow, it has been the way for four terms. Unfortunately it didn't proceed this time for whatever decision that the elected members decided. Yes, there is five terms and there's six councillors, and unfortunately we have seen people being side lined in the past, such as Councillor Mary Kavanagh, who was in there for eight years and never got a term in the chair. And then in other districts, we do know that people like Councillor Edward Timmins and Pat Doran were chairs of the County Council. So it was always deemed that if they were going to become a chair of the County Council that they would forego the chair in their own municipal district and allow the other five councillors to have a year each. It is just unfortunate, but I am speaking in regards to my own district, and, as I say, this is my fourth term, so hopefully I'll be here to see out the 20 years, it may not be enjoyable in regards to sitting, if people want to change and tamper with tradition. I am a traditionalist, so I will stick with what I believe.

CATHAOIRLEACH: Thank you. Councillor O'Neill.
COUNCILLOR O'NEILL: Thanks, Cathaoirleach. I don't want to dwell on this, but could I clearly say, I don't know whether they can't hear me or if there is a problem understanding my West Wicklow accent or whatever it is. I want to make it clear again, that I am not talking about topping the poll and bringing you all in with me. I topped the poll; my surplus brought you in and my -- but I'm not talking about that anyway. I'm talking about the rotation of the chair. And I have asked the five councillors last week, last Monday, what was the issue that we couldn't continue that.

Forget about me topping the poll. No issue there at all. Leave that to one side. I did find out that in some parts of the country poll-toppers do automatically get the chair, but, look, leave that. Forget about that bit altogether. I am just asking again why I wasn't proposed for the chair. It's nothing to do with poll topping. Forget about that bit. I am making that very clear. Forgot that bit. All I'm saying is why I wasn't. I haven't had an answer why I was skipped. And I don't presume I will get an answer here. I will get the same answer as I did, Cathaoirleach, last Monday, and that was they looked at their shoes again.

CATHAOIRLEACH: Okay. Can I move on, because we have the people's work to do, and I don't think squabbling over chairs is the right way to go about it. Councillor Timmins.

COUNCILLOR TIMMINS: Sorry, again, just to answer Councillor O'Neill. I can't let that go either. Last Monday we had a vote for the chairperson in year one, and the vice chairperson in year one. We only dealt with year one. There's still four more years to go.

CATHAOIRLEACH: Thank you for clarifying that. Can we move on? If everyone is happy to move on? (Yes.)

So we will go to the agenda proper now, and we will go to: "Confirm and assign the minutes --" Beg your pardon. Again my apologies. Suspension of standing orders. We have a request in from Councillor Behan.

MS PURCELL: The Cathaoirleach is being advised by two females up here as to the order. I apologise for that. It is a suspension of standing orders. It has been proposed by Councillor Behan, seconded by Councillor Peir Leonard and supported Councillor Tom Fortune.
"We propose the suspension of standing orders at the Council meeting on Monday to discuss the following motion: That this Council requests the chief executive to contact Taoiseach, Simon Harris TD and the Minister for Health, Stephen Donnelly TD to seek Government support for Wicklow County Council to purchase 400 acres of land at Old Fassaroe, Bray. Land is currently for sale and zoned for mixed use development, including residential, education, recreation and employment, and has the capacity to provide thousands of affordable, social and private homes as well as many other essential facilities. It is also the original location for an extension of the

Green LUAS line and has the capacity to provide a park and ride facility which would relieve some of the traffic delays on the N11 currently being experienced by thousands of commuters from Greystones, Wicklow and Arklow Municipal Districts. This Council believes that this is a once in a lifetime opportunity for a publicly-led initiative to design and develop the newest town in County Wicklow which has the capacity to make life better for countless thousands of residents from all over County Wicklow."

COUNCILLOR BEHAN: Well, the wording speaks for itself, Cathaoirleach. If people are generally in agreement with it we don't even have to have a discussion but if we want to have a discussion now, then we have to do it at half past four.

CATHAOIRLEACH: I was going to say that.
COUNCILLOR BEHAN: I want to formally propose that, Cathaoirleach.
CATHAOIRLEACH: It has been seconded. If everybody is in agreement we discuss that at half four.

COUNCILLOR FORTUNE: I second it.
CATHAOIRLEACH: Councillor Leonard has seconded it in writing.
COUNCILLOR FORTUNE: That is fine.
CATHAOIRLEACH: Any dissent? We will discuss it at half four. Okay we will go to half four. Thank you.

So now I can move onto the agenda proper, so I can.
"To confirm and sign the minutes of the ordinary meeting of Wicklow County Council held on Monday, 13th May 2024." Obviously the copies have been attached. So anyone that was here. Proposer, please. Councillor Leonard. Thank you. So item number 2 on the agenda.

COUNCILLOR SNELL: Have you a seconder for the stenographer to pick up on?
CATHAOIRLEACH: I said Councillor Aoife Flynn Kennedy.
COUNCILLOR SNELL: You didn't say it out loud.
CATHAOIRLEACH: I beg your pardon. I must get the microphone tested again.
COUNCILLOR SNELL: I didn't hear it. That girl didn't hear it either.
CATHAOIRLEACH: We have now anyway. Thank you. Okay.
"To consider the disposal of 0.43 acres of land or thereabouts in the townland of Rathdrum, County Wicklow, by way of 18-month lease for the period of 9th July 2024 to the 8th January 2026, and the right to pass and repass thereto, to Mr Noel Jacob and Ms Helen Jacob, Jacob's Well, Rathdrum, County Wicklow (as per notice previously circulated)." Proposer, Councillor Kennedy. Councillor Fitzgerald.

Item number 3 --
COUNCILLOR DUDDY: Can I declare a conflict of interest on that matter and withdraw interest? Is that all right?

MS PURCELL: Which issue?
COUNCILLOR DUDDY: Number 3.
MS PURCELL: Yes. If you want to leave the room and we will call you back in when we are finished. Thank you. Sorry, Councillor Duddy, I am getting the numbers mixed up. That was the one in Rathdrum that you have the conflict with? COUNCILLOR DUDDY: That's right, yes.

MS PURCELL: In future, you need to advise us in advance and leave the meeting before we go ahead.

COUNCILLOR DUDDY: Should I leave now?
MS PURCELL: No, no, it is done.
CATHAOIRLEACH: It is done.
COUNCILLOR DUDDY: I beg your pardon.
CATHAOIRLEACH: Item number 3, which is down as number 4: "To consider the disposal of 0.0139 hectares or thereabouts in the townland of Knockanrahan Lower, County Wicklow, comprised in the Folio WW383L, 4 St Kevin's Terrace, Arklow, County Wicklow, by transfer order to Ms Alice Breen (as legal personal representative of John Breen, deceased) of 4 St Kevin's Terrace, Arklow, County Wicklow, the person entitled to the freehold interest in the property (as per previously circulated)."

Proposed by Councillor Fitzgerald and seconded by Councillor Kennedy. All agreed? (Agreed.)

Number 4, which counts as number 5 on your agenda: "To consider disposal of 0.0412 hectares or thereabouts in the townland of Ballinglen comprised within part
of Folio WW4484 being the property known as Ballinglen, Tinahely, County Wicklow by Deed of Transfer and Rectification to Mr Edward Walker as LPR of Charles Walker (deceased) (as per notice previously circulated)." Councillor Jason Mulhall, and seconded by Councillor Peter Stapleton. All agreed? (Agreed.)

Okay. Number 5 on the agenda: "To consider and adopt the following resolution and copy explanation document has been attached." You all got that. MS PURCELL: I will read out the resolution.
"That the chief executive has the express authorisation of the elected council within the meaning of section 153(2) of the Local Act Government 2001, as amended, to act in any action and/or other proceeding now in existence and/or in the future relating to the exercise or performance of a local authority of a reserve function, including but not limited to the exercise of reserved functions in the context of a development plan. Such authorisation is given to all such acts, matters and things as the chief executive considers necessary and/or appropriate. The chief executive shall inform the elected members of any future action or other proceedings within the scope of this resolution at the first monthly meeting of the elected members after any such action or proceedings are served on the Council where practicable or, if not practicable, at the next appropriate meeting thereafter."
CATHAOIRLEACH: Thank you, Helen. I will open it up there. Councillor Fortune.

COUNCILLOR FORTUNE: I apologise, CE, I sound like a broken record at this stage. Obviously this is our official meeting, so I have to repeat my sentiment to you.

I am not in favour of this resolution. Basically handing over to the CE for now and forever the response to any legal action taken by a third party with regard to our reserved functions, I don't think as members we should be doing that. I don't see the big issue with it. I think it's more a reaction from, what I believe is the County Manager's Association, because there's a number of counties obviously on top of this now. I think this is an opportunity for public representatives to have proper input, because I'd like to get some examples of decisions that's been made in the past where
we were priorly explained, and I would also like to know how is it protecting the powers that we already have.

The key role of public representatives is to represent the public and have oversight and accountability in what happens in local government, and I don't believe this happens properly. My views, as I have said earlier, are very well-known, they're in the public domain. I think councillors have been treated absolutely disrespectfully for a good number of years now, and it's growing at a pace of knots. Our powers are being eroded, they are going back centrally, in a by-product I believe of the local authority turning into an administration hub rather than drive stuff the way it needs to be driven.

I cited this earlier, it's also part of the Planning Act our position, and so, it's very important that we don't hand that kind of power away.

I have been looking for a file from this local authority since last August on a matter and I was being told that I couldn't have it because of a Garda investigation. We were never told about the Garda investigation, what was going on there. But that's also not factually correct, because there's no court case going on and the file is a public file and I am a public representative, and I should see that file if that file exists. And we're now into June of 2024, so I am nearly a year, and I have sent in correspondence and some of my correspondence has not even been responded to.

So to say that this is kind of watching out for the members, I don't accept and in the context that my views expressed previously I think it is disingenuous to say that to us.

We will all recall at the local area -- the County Development Plan last year there was a big issue about zoning and dezoning, and there was an issue over the numbers in the plan. The numbers were out of date and certain areas already had exceeded the numbers that were going into the plan, and it was obvious that the plan would need to be reviewed in some fashion. The end result of it is that we know there is a court case going on at the moment falling out of that. And the members would have expressed loads of things at that County Development Plan which would be a matter
of public record, as the public record is here today. And really and truly, you know, I don't think the members are -- and then we're told that this is our -- it was our report and our this and our that. I mean, you'll recall the County Development Plan. There was various threats from various sections of Government, telling us if we didn't do $\mathrm{X}, \mathrm{Y}$ and Z this and that would happen, and the plan would be ignored and have to be done differently and all that kind of stuff. So it might be our plan, but it is only our plan under certain conditions and under certain direction.

So I feel really passionately and strongly about this, and I am going to continue to make this an issue once the man above spares me over the next five years. Because the powers of councillors are being absolutely eroded, and for us as councillors to nod the head back to the CE on this, just my personal view, I think is a massive mistake. I may not get the support on my approach to this today, but I think in time I will be proved correct. As true as night follows day, issues will come up in this chamber as a direct result of this.

For example, if you read the proposed solution, I won't read it all, you've read it, but it says, like, for example, "including but not limited to the exercise of reserved functions in the context of a development plan. Such authorisation is given to do all such acts, matters and things as the chief executive considers necessary and/or appropriate."

Now, I think, as a basic manner, or manners to us, this has obviously been discussed legally from the executive's point of view as a local authority, we as public representatives, democratically elected by the public, have been given no legal opinion. We should get proper legal opinion on this before any decision is made on it. I think to approve this here today in this chamber on the 1st of July 2024 is a massive, massive mistake, and I will not be supporting it and I hope I will get enough people around the table to see the rationale from where I am coming from. CATHAOIRLEACH: Thank you, Councillor. Councillor Joe Behan. COUNCILLOR BEHAN: Thanks, Cathaoirleach. Just to follow on from what Councillor Fortune has said, I want to make a few points if I could.

Point number 1: I waited outside the door until the behind-closed-doors-briefing was given by the chief executive to those members who decided to attend it. We are elected by the people of this county to do their business in public. It is unprecedented, in my experience, for a chief executive, first of all, to come up with a wording of a motion and, secondly, to invite the publicly -- the elected members into a private briefing to talk about the ifs, buts, ands and maybes about this resolution, answer questions they may have and then roll it on into the public section of the meeting. I am not saying that was the chief executive's intention but that is how I am regarding it. This was a behind-the-closed-doors-briefing of elected members where you are being asked, and I am speaking to all of the members, including you, Cathaoirleach, you are being asked to give away forever a power that a previous legislature in 2001 gave you, which is that you have the right as an elected member representing the people of this county to be consulted if somebody takes a legal action in court regarding a decision you have made under your powers as public representatives.

The simplest sample would be a development plan. It's one of the few areas where we, as councillors, have the right to decide how the county is going to be developed. As has happened in this county and in others, certain parties have decided to contest parts of that development plan. And what basically chief executives are looking for is for us to say to the chief executive, listen, we don't really want to know what the problem is, we want you to take care of it. We trust you to take care of it. And you can come back and tell us afterwards what happened, or you can tell us you're going into court next week, but basically we want hands off. That's not the way I operate. And I am quite sure that's not the way any of the 32 members what to operate.

It is quite significant that in the case of some of the challenges that have been made -- and I am not going to refer specifically to Wicklow, it's in relation to development plan and zoning for housing, and whether zonings are sufficient to provide the housing that are needed in the counties in which these development plans were made. Every single one of the 32 of us knows that housing is the number one issue facing our people. And in the case of the development plan, we were constrained by Council officials, chief executive leading them, by the planning regulator, by the Minister for the Environment or the Minister for Local

Government. Basically we were told we could only zone a certain amount of land, we have to dezone a certain amount of land because it was too much, despite our knowledge as local public representatives we were told there were certain things we could do.

So now we move on. It goes into court. We made a decision based on what we felt was important as public reps within the constraints we were given. So a developer - for example, this is a for instance - comes into court and says, look, we don't think there's enough land zoned for housing, just as we said around this table when we did the development plan, well, what is the chief executive going to do? The chief executive is going to say to the judge the members have given me the authority to say this, I am saying the development plan is fine. Well, maybe the development plan wasn't fine, but we were basically hamstrung in how we developed it.

So in that case I would think it is far safer for us to be consulted by the chief executive and asked our opinion about how she should fight a case like this, because times change, things move on, people's circumstances change, and our views may change as well. But this motion is effectively a trap. A huge, monumental elephant trap has been set for every public representative in this country who has to face this motion. Because, as Councillor Fortune, rightly has said, it is not just about the development plan, it is about everything else. So if we strike a rate at the budget, or if we strike a rate for the property tax, and somebody challenges, we're going to say to the chief executive today at half two or three o'clock, ah, look it, you go ahead, you handle it, even though we might have a different view when that time would come.

So I am appealing to members, three weeks after you were picked by the people of this county, whether you were the top of the poll, the bottom of the poll, whether you got in on the first, second, third, or last count, you have been given a responsibility by the people of this county to represent them, their needs. Not the chief executive's needs. Their needs. As far as I am concerned, handing this power over here would basically be handing over the last little bit of power we have and function that we
have left over our decisions. And I appeal to members, please don't do it. Please vote against this motion. Thank you

CATHAOIRLEACH: Thank you, Councillor. Councillor John Snell. COUNCILLOR SNELL: Thanks, Cathaoirleach. Yeah, look it, I think it is unfortunate that it is on the agenda at all here today. And I understand time constraints and I understand the chief executive's urgency, because, as you said, the courts work at a different rate in regards to local authorities, but the reality is that we've a new Council chamber here with 32 elected members sitting nine days in their new role and this appears on the agenda. And I certainly haven't seen the legal opinion that was given to us, and I would be seeking, through the chair here today, that we get second legal opinion, and second legal opinion and third legal opinion. And while the second legal opinion that the officials are looking at is probably within your remit to go looking for, but what I am looking for is, we are represented by two organisations, LAMA and AILG, and both have representatives of this Council chambers here on their boards of directors. And while I have to accept that it would be very unfair to me to point out here that some of the people sitting in this chamber represent us on those boards, because I'm sure they haven't had an opportunity to meet, but certainly when Vincent Blake was representing us at LAMA, through protocol, any issues that was raised he was able to go to LAMA, find out what their opinion on it was and come back here and relay it to us as 32 elected members. Through the AILG, through people like Joe Behan who represent us on the AILG, he was able to go and come back and relay to all 32 members. We have three members sitting in AILG, and we are in a unique position where the current president of the AILG is a member of this Council chambers. And that's the idea of those organisations. They represent all 949 publicly elected representatives. And while none of us have the knowledge here now or have the information available, that's what those groups are there for. I would urge Councillor Shane Langrell, a representative on LAMA, to go to the LAMA organisation and to seek the legal opinion that we need through that group. Sorry, Shane, I was just talking about you. I didn't realise you were out of the chambers.

Just in regards to Councillor Langrell, I am urging you to LAMA and seek legal opinion for this Council of 32 members in regards to this issue that is in front of us, section 153 resolution.

I am also asking Councillor Joe Behan, Councillor Gail Dunne, I am not sure who the other elected members --

CATHAOIRLEACH: Councillor Kennedy.
COUNCILLOR SNELL: Councillor Pat Kennedy, and Councillor Avril Cronin. It is vitally important that we have legal opinion for people who are looking after our best interests. Vitally important. And while I will accept a second opinion -- and also I'm looking for a copy of the legal that you have to hand, whether that come through the chief executive's organisation or whether it's just legal opinion to us as a local authority, but if we could have a copy of that. And if you want to seek a second legal opinion as you insinuated prior to the meeting starting that you would do.

I trust our current chief executive wholeheartedly, I can say that to you sitting there, but this is not about me, and it is not about you. I can trust all 32 councillors sitting here. But the truth is that if we give up these powers, willingly give up these powers $t$ affects the next group of councillors. It affects the next chief executive that sits in that chair. And while you might sit there in good faith and I sit here in good faith, and we can get on and work together, we don't know who is going to sit in that chair in time. We don't know who is going to sit in this chambers in time. Phil Hogan eradicated the powers to public representative pre-2014, and councils have not recovered from the powers that were taken from us at that time.

So I would say, I won't be supporting this today. I think it's premature. I think it should be taken off the clar, and I think it should be brought back here for next month's meeting.

I also would say to every member of a political party that is in Government, go and get your own advice, because we spent two and a half years going through a County Development Plan of which the Minister came back and said that there was four to five sites that he didn't agree with, and he wanted them taken out of our County Development Plan. We're now seeking that protection from the Ministers, from the planning regulator, to say stick up for what we have agreed and what went through this chamber for two and a half years. And you, as a public representative, will have
to do the same in time. You will have to go through another two and a half years of a County Development Plan. But don't give up the little powers that you have, irrespective of who you think you're pleasing. Because it's not about us. It's not about this chambers. It's about the next generation who will sit here. And don't eradicate their powers, because it certainly won't be worth their while becoming an elected member until such time as the power is forced on you. That is what I would say.

I seek that legal opinion. It is a proposal that we get a second opinion through our chief executive, we get a copy of the first legal opinion that you have to hand, and I am proposing that both a representative of LAMA and AILG come back to this chamber, all 32, with legal opinion. Thanks, Cathaoirleach.
COUNCILLOR FORTUNE: I second that Cathaoirleach.
CATHAOIRLEACH: Thank you. Councillor Aoife Flynn Kennedy. COUNCILLOR FLYNN KENNEDY: Thank you, Cathaoirleach, for the opportunity to speak on this. Can I just say that in the last five-year term I have been invited into many, many sessions to discuss things that weren't as part of the Council meeting, that were an agenda item that was on the Council meeting and the chief executive or other officials gave us the opportunity to come in and to learn a little bit more about it. So I think the insinuation that there was a private meeting about this item that was totally out of the ordinary is unfair, and I think it is plain to the meeting and I think it is unnecessary.

I also spent the last five years having members in this chamber telling me what I should and shouldn't do, and I hope that is being done in good faith and not being done in a way to try and scare those of us who may be less experienced into making a decision that those individuals want.

I attended the session before this meeting. I very much appreciate the opportunity to have had that and the opportunity to learn more. There was also a CPG meeting earlier on today where the matter was discussed at that as well. There was never an insinuation that we couldn't discuss this here, which is exactly what we are doing. And I think it's really unfair to suggest that.

I will be supporting this. The chief executive has been very, very clear. The legislation states the chief executive shall represent us and shall represent the decisions we've made. A High Court judge has made a decision that he wants a resolution that makes that same statement. The chief executive, in my view, is protecting us by getting that resolution put in place, so that should a court case appear, and a decision is made on it, that we don't have to follow the decision of some other local authority because something has been made as a standing or as precedent. We had the opportunity of hearing from some of our colleagues here who have a legal background on it, earlier on as well, so I be supporting it and I do propose it, Cathaoirleach. And again, I would ask those in the chamber, I know there's an election coming up, I respect that, but we have a lot of work to do here for people and I really would appreciate if people would focus on that. Thank you CATHAOIRLEACH: Thank you. I am going to go online here. Councillor Edward Timmins.

COUNCILLOR TIMMINS: Thanks, chairman. Yes, I unfortunately wasn't able to attend the briefing that was on earlier, I wasn't in the chamber, so I have to start with that qualification. And my general feeling on it was that this was foisted too quickly on the members. I am thinking especially of the new members who are suddenly asked to make a decision in a very, very short space of time. I completely appreciate and recognise the difficult position the chief executive has been put in, and I fully respect the move she's made to move this process on given the various court cases in I think, it is, Dun Laoghaire-Rathdown Council. But, however, my general kind of feeling on these things is that when decisions are made quickly and people haven't maybe had time to reflect and get the full picture, I appreciate there's been various opinions given on that, but I just feel it is premature without us getting maybe some other angles that we're not aware of. I have read documentation, I have read the Irish Times article, et cetera. As I say, I haven't been privy to the briefing. Although I haven't heard anything here this afternoon that gives me extra information that would make me wiser in the decision. I just feel when you make decisions quickly they're not as good as decisions that are made with reflection and full knowledge, so I respect everyone's position here and it is not an easy matter to make a judgment on. But I would suggest that (inaudible). Thank you.

CATHAOIRLEACH: Thank you, Councillor. Councillor Dermot O'Brien.

COUNCILLOR DERMOT O'BRIEN: Thanks very much, Cathaoirleach. I don't want to repeat a lot of the stuff that's been said by colleagues, and nor what I said earlier on, but I think moving a little bit on what Councillor Timmins just said, that when a decision has to be made there's things to consider, and we are the people who must make the decision. So that's clear. And then, usually after that, it's: Do we have enough to make the decision? Do we know enough to make the decision? Is there any gaps? Is there anything missing? Would anything else inform us or help us make the right decision, or at least be accountable for the decision, Cathaoirleach? Because I think accountability is a big word here. The decision we make; accountability is accepting the consequences from the choices that you make. So the choice that we make today is fully wrapped up in accountability, as has been mentioned, both for us and our term and future terms and future councillors. So that's very important to consider I think.

And as I said earlier, that for me, it's a red flag when the judge initiates something. So the source of this issue is the whim of a High Court judge who is compelling us to do something which is at face value above and beyond what we would consider enough, which is the Act. And I will speak for myself, as far as I am concerned the Act is enough for our chief executive to defend us as needs be and to defend us in all the ways that we would expect a chief executive to defend the elected members. And think when we're presented with a scenario like this then we must consider the risk assessment. If we don't do this then what's the risk? If we don't do this, what's the impact? And the flip side is also important for us to consider. If we refuse to do this then another scenario plays out, and that will test the judge and that will test a process that has been imposed on us, and that also may bring its own risks.

So I think I would be very strong on the need for more legal opinion, as has been expressed by colleagues, and for me, that would inform a good decision that we can own to the degree that we are able to own it, whether that is through a vote or through a consensus. But at this point I feel it is quite difficult to make a fully informed decision that we can stand over. Thanks, Cathaoirleach CATHAOIRLEACH: Thank you, Councillor. Councillor Peir Leonard. COUNCILLOR LEONARD: Thank you. Yes, no, look it, I would feel way more comfortable in making a more informed decision if it was deferred also, and just to
give everybody a chance to maybe submit some of their concerns and questions so that we can kind of have more discussion around this. I think Dermot -- like, it is a risk assessment on both the legal end of things and the erosion of democracy, you know, so I think we need to weigh up the pros and cons and look at the overall picture of it.

I know in the briefing before this meeting I had asked could it be done on a case-by-case basis and the chief executive said it could. I think we need to explore that and without committing to an indefinite hand over of power that we could speak about this case in particular coming up that is needed for and then revisit it and have a wider conversation around it.

Looking at the development plan, as a first-time councillor last time round, what I found in the development plan is that a lot of language can be used and interpreted very differently. So what the chief executive might read or the people representing us in a court case mightn't necessarily always be exactly what we want the outcome to be, you know, sort of I am talking about environmentally and, you know, developments and stuff like that. So I think, you know, the more -- knowledge is power. And the more we're informed as public representatives about decisions that are being made, rather than having to fight something at the end, if we erode this power here now, like the energy that goes into fighting against developments that are the wrong kind of developments, you know, environmentally or whatever at the end. You know, we're getting rid of the power that we have to do it before the fact than after the fact. We are competing with developers that have a hell of a lot of money. Our development plan is supposed to reflect our people and communities want. By eroding that power that we have we are just handing it away.

CATHAOIRLEACH: Thank you, Councillor. Councillor Miriam Murphy. COUNCILLOR MURPHY: Sorry, thank you. Thank you, Cathaoirleach. Yes. I mean, you know, you can listen to both sides, and I know previous councillors spoke about the reps on the LAMA and the AILG and maybe it is not fair to ask this, but on either of the previous years for people that sat on the committees, can they comment on anything about this situation? Did it come up as a discussion or their views or whatever? It might give us a bit more, I suppose, idea of where the organisations who are supporting us as councillors are coming from.

CATHAOIRLEACH: Thank you, Councillor Murphy. Councillor Malachaí Duddy. COUNCILLOR DUDDY: Go raibh míle maith agat, Cathaoirleach. I suppose the first step, I can understand why the executive is attempting to amend the difficulty they find themselves in, particularly with regard to existing cases. I would have hoped rather than this motion that maybe a list of live cases could have been brought before the Council for us to grant express authorisation to those proceedings rather than the adoption of this global-style resolution.

This is a power that Ms Justice Farrell has identified, a power that the court has identified that councillors have. It's set out in legislation. That legislation has been voted on by the Oireachtas, and it vests that responsibility in Council members. And what I would hope to see is that, in addition to maybe seeking our express authorisation as regards existing cases, and I presume with the agreement of fellow councillors that could be done on a global basis, but that future cases would be brought before the Council where our express authorisation would be sought on a case-by-case basis, because that's the responsibility that the Oireachtas has placed on us as councillors. This resolution seems to remove that power or that responsibility from us as councillors, and I am not sure that that is a good place to be as councillors. In fact, I'd rather not see a resolution of that nature pass.

So I wonder if the executive could answer any of those questions. Would it be possible to enumerate the number of cases that are live? How many would need our -- that are ongoing and would need our express authorisation, and then I suppose we could deal with future cases as they arise. Go raibh míle maith agat. CATHAOIRLEACH: Thank you, Councillor. Councillor Silvester Bourke. COUNCILLOR BOURKE: Thank you, Cathaoirleach. I think that there is an anomalous spin going out that this is a dissolution of our powers. I am not really certain of that it is diluting our powers. It is meant to strengthen our powers according to what we heard earlier from the chief executive.

I was wondering could we propose an amendment to it there at the sentence there, before it says, "the chief executive shall inform the elected members," could we not insert "that such authorisation given to do acts, matters and things as the chief executive considers necessary and/or appropriate in consultation with the members",
so that we're kept informed at all stages and we would have a veto on any particular direction that the chief executive would want to go? I would like to propose that as an amendment.

CATHAOIRLEACH: Thank you, Councillor. Do I need a seconder? Can I have a seconder? Councillor, do you want to come in there?
COUNCILLOR FENELON GASKIN: I second it.
CATHAOIRLEACH: Councillor Louise Fenelon Gaskin. You are finished, are you, Councillor Bourke?

COUNCILLOR BOURKE: I am finished.
CATHAOIRLEACH: Thank you. Councillor Tom Fortune.
COUNCILLOR FORTUNE: I would propose what Councillor Duddy has put forward.

CATHAOIRLEACH: You second it?
COUNCILLOR FORTUNE: Second it, yes. I think that's a rational approach. CATHAOIRLEACH: Councillor Duddy, could you give us your wording again so we can take a note?

COUNCILLOR DUDDY: In actual fact I wasn't aware I was proposing a motion. The proposal that I think would be best in relation to the decision of Ms Justice Farrell would be that the existing cases that are live, that the Council is involved with, that they could be brought to the attention of councillors, and because they've already -- they're already in being, maybe we could give a global express authorisation to those, but that for future cases that they would have to be brought on an individual basis. Because that is effectively what is required under section 153, subsection (2). So it's really, I suppose -- yes, I needn't say anymore.
CATHAOIRLEACH: Thank you, Councillor. You can switch off your microphone. Councillor Joe Behan.

COUNCILLOR BEHAN: I am conscious I spoke already, but just to answer Councillor Murphy's question about has it come up at AILG meetings, the whole questions of the powers of councillors. I can guarantee you at absolutely every meeting that I attended it is foremost on the agenda. Because councillors all around the country have had the same experience we have in County Wicklow, which is a gradual erosion of our powers. In fact, while I was on the AILG executive we met a delegation from the Council of Europe who were examining how this country performs in terms of the Charter of European Local Self Government, and we were I
think third last in terms of the league table, in terms of the amount of power that has been taken into the centre and removed from the local area and the local politicians and the local councillors. In fact, a seminar was held, which a number of members here attended, on the whole question of local powers and returning local powers to councillors, and one of the big issues that we were dealing with over the last year and a half, and I was on an advisory committee on this, was there's a new Planning and Development Act which has been rammed through the Dáil, two days after the Local Elections by the Government - parties represented here: Fine Gael, Fianna Fáil and the Greens - where effectively the powers that we already have with regard to development plans, for example, having a six-year development plan is now going out to a ten-year development plan. Powers that we would have in terms of how we would actually deal with planning matters generally removed again from us to the centre and giving the Minister the power to basically decide our development plan for us.

So to answer Councillor Murphy's point, yes, it has come up at absolutely every meeting. I don't want to sound like a recorded message here but, in fact, it is an issue for members right around the county -- right around the country.

Specifically with regard to what Councillor Snell has proposed and what Councillor Duddy has proposed. First of all, with regard to what Councillor Snell has said, I would agree that we should get legal advice, but I don't agree the chief executive should be picking the legal adviser. We have, under the powers of the Local Government Act we have the power to nominate a senior counsel ourselves, paid for by the Council, to advise us on our needs, and we have two eminent barristers here, luckily we have two barristers here in the chamber now, who I am sure could easily advise us, or the Protocol Committee or representatives of the different bodies on the Council, as to what senior counsel would be a person who would give us objective advice from the point of view of the elected members. So with that caveat I would certainly support what Councillor Snell has said.

I don't -- I understand where Councillor Duddy is coming from, but I don't agree with him fundamentally, because what he's effectively saying is that whatever is going on at the moment let it on. Well, in fact, one of the things that's going on at
the moment is the challenge to our development plan that hasn't been heard yet. And this motion is a way of counteracting any question that might arise in that case, as to whether we were informed about this. So what the other side will be, or what the judge will be told, oh, the councillors agreed, they handed me the power at the meeting on the 1st July. So that's too late as far as I'm concerned. So I understand why Councillor Duddy is being very constructive and how he is being constructive, but I don't agree. I think we should not pass this motion for the sake of the people we represent. And again, I would urge people not to vote for it. Thank you. CATHAOIRLEACH: Thank you, Councillor. I don't think there's any other speakers looking to come in. So, chief executive.

MS O'GORMAN: Thank you, Cathaoirleach, and thank you, members, for very interesting discussion on the matter.

I suppose to start, this resolution is not, I suppose, of my making or of my desire, I have to say on the record. The 2001 Local Government Act enshrines in legislation the provisions and the reserved functions of the members. If I can quote from the Act from section 153(2): "Where an action or other proceeding relates to the exercise or performance by the local authority of a reserved function, the chief executive for that authority shall, in the doing of any such act, matter, or thing referred to in subsection (1), act with the express authorisation of the elected council of such local authority, and in any proceedings such authorisation shall be deemed to have been given unless or until the contrary is shown."

So heretofore, I have, and my office has, been acting for the members in defending your reserved functions. The judge in our particular case that is ongoing at the moment, the case was listed for 18th June, has asked for the express resolution of the members giving me the authorisation to defend the case. Judge Farrell in recent days, it has only became aware to me today, has ruled in the Dun Laoghaire case where the judge heard pleadings on whether a resolution was required or not, has ruled that a resolution is required by the members to defend the case. This has come to light, I suppose, after 23 years of the Act working as it was intended and the chief executives of every local authority defending the actions brought against the reserved functions of the members, and primarily it arises around the time of the development plan.

As has been mentioned, we have had several challenges to our development. There are two I believe cases ongoing, live cases, I suppose, at the moment. And what the court has asked our legal advisers is to go back and ask you for a resolution to confirm that you are happy for me to defend the development plan in this particular case. It is not taking away any power from the members; it is a belt and braces approach to what is enshrined in legislation.

I have raised this matter, because I am deeply concerned about it, with my colleagues in the department, both on the planning side and on the local government side, because the Act is very clear in what it says, but the courts have decided that they want a resolution. So in order for me to be able to defend any case brought against the Council in respect of the reserved functions of the members of this Council, and any policy documents that you have passed as part of that function, this resolution is required. The legal opinion, the memo that is before you was prepared by our senior counsel, so that is our, the advices that we have from our senior counsel. That is why I shared it in the format that it is.

We are where we are with this, members. And it is completely up to yourselves on this matter. I know I think there's maybe three motions to be considered before the resolution is put or not put to you, but that's a situation that we find ourselves in. We have a case ongoing, as it was listed in court, and it is due to be back before the courts. It was mentioned before about timelines, and the court's timelines do not accord with Council meeting timelines. If we're to come back for a single resolution for each case that comes before the court I'm happy to do that, but it may mean calling special meetings at odd times. But that is completely (inaudible).

What was felt by our counsel is that this resolution gave us a belt and braces approach to defend the reserved functions of this authority, and I will leave it at that, Cathaoirleach. Thank you.

CATHAOIRLEACH: Thank you, chief executive. Councillor Peir Leonard. COUNCILLOR LEONARD: Yes, I just want to ask, I know it has come to light that this resolution is needed for this case but what are the implications about past cases where the resolution wasn't? Does that leave the Council up? And if we pass this
then is that an acknowledgment that we didn't pass resolutions for the previous cases and does that leave us legally exposed?
MS O'GORMAN: I don't believe so. I mean, this has never arisen before in the 23 years of this piece of legislation being enacted. There is a new planning and environment court being set up, and it has come to light as part of this. A practice direction was issued by the President of the High Court to all practitioners in this space looking for, instructing that they should seek this resolution, and asked for feedback on it as well from the practitioners. And my understanding is that there has been a large number of submissions to that practice direction, trying to clarify why now and not when the act was enacted back in 2001. But it doesn't jeopardise any rulings that have been made, unless they are time bound, I don't think we're in any jeopardy there.

CATHAOIRLEACH: Thank you, Councillor. Councillor Fortune. COUNCILLOR FORTUNE: Thank you, Cathaoirleach. Yes, I am just reacting to what the CE has said. Yes, I could understand where you're coming from if you had just come to us with the case you're trying to deal with, but you've come to us with a resolution that is all encapsulating, and I can think there's no way we, as members, in my opinion, as I expressed already, should approve that. So I think in coming to us with what you have come to us with I think you've just gone too far.

Also to pick up the point that Councillor Behan is saying, I think he might have been misunderstood. I think what Councillor Duddy was articulating there is more so what the Act reflects on behalf of the members. And to be honest, I think your resolution is, just to put it in my language, is so far offside that if members approve it, well, it'll be the shock of my time as a public representative, because there's no way it should be approved. But if you were coming to us on a case-by-case, this is your case, this is your problem, bang, I don't mind how many emergency meetings you call. I'm a public representative. I put myself forward to represent the public, and I'll do that to the utmost best of my ability. I just think you have overcooked the pot.
CATHAOIRLEACH: Do you want to respond? Okay. Councillor Dermot O'Brien. COUNCILLOR DOYLE: Just a quick one for the chief executive. Again in terms of case-by-case or scenarios that are in play, to give us a sense of the risk factor from the flip side of what might the judge do if we don't, or how might the plaintiff feel,
delighted or -- you know, in a different scenario. What are the risk factors if it plays out, if this resolution is rejected today?

CATHAOIRLEACH: Thanks. We will do it one-by-one.
MS O'GORMAN: To just acknowledge what Councillor Fortune said. I won't comment any further on it, but I acknowledge it.

Councillor O'Brien, the judge has indicated that if a resolution isn't forthcoming in the case, and all going before him in the court, that our case will be dismissed because we have will been deemed to have not been able to defend the case. Therefore, the applicant's case is adjudged to have succeeded. And that has implications I suppose particularly in the development plan, whether it is around population or whatever it might be, but it will be beyond the individual case's merits. So it does come at great risk. Because I mean whether or not the chamber liked the development plan or whatever it maybe a resolution was passed to adopt that plan and that's the plan that's there. So any challenge that goes undefended against that plan effectively downgrades the plan, you know, if we can't defend the decisions that were made, whether all members are in agreement or not, regardless, the plan was passed, so therefore that is the plan in place. But if we cannot defend an action against the plan, which is what the judge has indicated would be the case, our case would be dismissed as not having been defended, therefore the applicant's case is successful.

CATHAOIRLEACH: Thank you. Councillor Glennon.
COUNCILLOR GLENNON: Thank you, Cathaoirleach. I am wondering, chief executive, if you deleted the words "but not limited to" would it satisfy your requirements of defending the case in complying with the practice directive? I think that is what is scaring some of my colleagues. In the fourth line, "including but not limited to," if you were to delete "but not limited to" I think that is very all-embracing, whereas including "the exercise of reserved function in the context of the development plan," I am just wondering would that satisfy the needs of the resolution. In other words, it equips you to defend the case that's pending by the Cairn, because it relates to the development plan.
MS O'GORMAN: Yes, I have no issue with that. I suppose we were trying to, I suppose, be all-encompassing in terms of the powers that I would as chief executive
ordinarily and copper-fastening that's included. I don't have an issue with that amendment.

COUNCILLOR GLENNON: I propose the deletion of those four words.
CATHAOIRLEACH: Can I have a seconder for that, please?
COUNCILLOR STAPLETON: I second that.
CATHAOIRLEACH: Thank you. Councillor Miriam Murphy. COUNCILLOR MURPHY: It is probably not relevant, but I will ask anyway, is all the county councils of Ireland getting this only at the July meeting? And is it known how many our county councils have passed it or reject it? And I suppose wearing my disability hat wearing, I see words and letters being changed in documents that really will not make difference. It might change an understanding, but then if it goes to court it's a loophole, and it just turns around then. So I would be a bit worried about changing words and how strong it would stand up in a court. I have experience myself bringing a certain hairdressing chain to an equality court and the wording was absolutely just thrown out. So that would be my experience of it. But I would be interested to know about the different other kind of councils and what their reaction was to it.

CATHAOIRLEACH: Chief executive.
MS O'GORMAN: Thank you. Currently there are four local authorities - so, ourselves, South Dublin, Dun Laoghaire-Rathdown and Fingal - with actions ongoing. As in, there's judicial reviews of their county development plans ongoing listed in the courts, but every local authority in the country is facing this. So South Dublin I think have gone and sought their resolution. Dun Laoghaire tested it in court, and that is Judge Farrell's ruling that I referred to, and Councillor Duddy referred to, where the judge has determined that a resolution is now required. So Dun Laoghaire are now considering their position. I know Fingal County Council are going -- their meet is on Monday, there's is the second Monday of the month, and they're going to their meeting on Monday with their resolution. So this is coming at all local authorities unfortunately. That's the position we're in.

CATHAOIRLEACH: Thank you. Councillor Scott.
COUNCILLOR SCOTT: Thank you, Cathaoirleach. I unfortunately couldn't make the briefing earlier, so I have just been listening to the discussion here very closely. And I hear what the chief executive is saying regarding kind of, I suppose, copper-fastening what is already in legislation. It strikes me as very bizarre that we
are going to have to do that. However, having sat on a previous Council and attended so many hours of meetings, both of the development plan and seeing the whole democratic process involved, getting in all the public submissions, crafting that plan to the best of our ability as publicly elected representatives on behalf of our constituents, the very fact it is being challenged in court is a concern, but it would absolutely frighten me if we were not able to send our chief executive to defend it. And to me, that would be absolutely paramount that (inaudible) we all passed democratically would be defended in court.

So I would comment on this point. I would support Councillor Glennon's changing of the words. Maybe it would take away that concern that I do understand has been expressed by other councillors, that the resolution is too wide. I would ask the chief executive, in terms of timeframe, would you really have time to consider this and to bring this onto the agenda in September or would that affect the court case, or are we time bound that it needs to be done right now? Thank you.
MS O'GORMAN: We were in court, as I said, about ten days ago on this. We could defer it to September. That's completely within your gift members. But we have been asked by the registrar of the court to submit the resolution. We were asked to bring it to the members at the first meeting after the court hearing, which is today. We could go back to the court and say the members wish to refer it. We are at risk if we do that, that they may strike out our case regardless. Because we said we would bring it at the first meeting. Now, recognising the fact that obviously it is your decision, I think it would be very harsh of a court to strike out a case on that basis, but I'm not trying to scare you, but we were asked to bring it to the next meeting of the council and that's why we're here.

CATHAOIRLEACH: Thank you. Councillor Duddy.
COUNCILLOR DUDDY: Cathaoirleach, go raibh míle maith agat. I would like to acknowledge the CEO's contribution and her response. I notice though she speaks about two cases being live. When I spoke in global terms I imagined, you know, that there was significant litigation. So if this resolution isn't passed you would be required to seek the express authorisation of the councillors in those two cases. Is the CEO in any position to present to us the details of those cases or maybe the case that's at hand? I understand it might be Cairn Homes, is it? So that if we were presented with something there that we could make a determination on in relation to
that case, we may be in a position to express our authorisation, if a presentation was given to us on that case.

CATHAOIRLEACH: Thank you, Councillor.
MS O'GORMAN: The two cases are Cairn, as we have mentioned, includes discussed, and the second one is Fox. They're the ones that are before the court at the moment, both in relation to the development plan. The Cairn one is in relation to the population targets and Fox is around the ministerial direction, but we are named as a party to that action as well. We have several more in the pipeline that haven't been listed as yet, but they are a number of them.

I am in your hands, members. I would prefer to leave with the resolution today, because the court have asked for it. I think we just put ourselves in jeopardy for something where we are just copper-fastening what is already enshrined in legislation for you.

CATHAOIRLEACH: Councillor Behan.
COUNCILLOR BEHAN: With respect, chief executive, you just said before that comment, you said a court would look -- would be like very, very, I suppose, I can't remember the words you used, but unfair maybe is not the right word, to throw out your case. And you're not taking the case, as I understand it, it's the other party taking the case. So they're not throwing out your case. And I am quite sure it is possible for your legal representatives -- I correct myself, our legal representatives to say we're seeking the advice of the elected members as per the 2001 Act, as per the practice directions of the President of the High Court.

And I think we're really getting to the meat of it now, thanks to Councillor Duddy, because what he's really saying is what I am saying, which is: Tell us what are we being challenged about and let us as mature public representatives, all 32 of us, decide whether you are right to take this action or that action. I don't accept, with respect, chief executive, that the court is going to throw out our argument -- your argument because the councillors have looked for more time to get more information. That is actually within the spirit of what has already been decided by two eminent judges. So on that basis I think we should be proceeding along the lines that Councillor Duddy has now suggested, which is, if we have to have another meeting in July, let's have it. And let's have a look at the detail of this case and let's
have a look at what we think the chief executive should do with regard to that. That's what the Act is allowing us to do. It's not saying we must agree a resolution worded by the chief executive. There is no such resolution in the Act. It's us, we have the power to decide, and by doing what Councillor Duddy is suggesting we're actually in conformity with the Act.

CATHAOIRLEACH: Thank you, Councillor.
MS O'GORMAN: Just to be clear: We're not taking any action. We're defending cases. We're defending cases, judicial reviews of the County Development Plan. So we can defer it to September, as I said, I have no issue doing that, but the court may - may - look unfavourably on that. They asked us to bring it to the first meeting of the Council after the court hearing.

In the South Dublin case, if I refer to that, they were told, they told the applicant that they could bring a case to dismiss the motion for want of a resolution to defend. So that was the option put to the applicant in the case in South Dublin. So South Dublin have now gone back to their chamber and got that resolution. Otherwise, the applicant would have brought a case to dismiss.

It is completely up to yourselves, members. We can wait until September if you want more time to consider it, that is not a problem, but we are under time pressure because we have a case, the Cairn case is live before the courts. And it is not for me to take action. It is for me to defend the development plan of this county. Thank you.
CATHAOIRLEACH: Thank you. Councillor John Snell.
COUNCILLOR SNELL: Thank you. Chief executive, I hope you appreciate that people are trying to work with you, genuinely trying to work with you here. This is a huge item and I know you have outlined that you have been asked to put it on the first meeting in July, and I think it was important to have this conversation here today. But this is a one-item agenda, and I honestly think we should have a special meeting here in July to deal with this. But I would like to help you and your officials in regards to defending our County Development Plan.

Our County Development Plan, as I outlined earlier, was two and a half years of hard work and I just want to remind the members that it was unanimous support from all

32 elected members for the County Development Plan, and it was passed. So, therefore, it is important that it is defended.

I thank Councillor Glennon in regards to the changing of the wording because it was something that bothered me. "Including but not limited to the exercise of reserved functions." Too far-reaching, too far to go in regards to us as public representatives, needs to be taken out.

In regards to the whole dialogue around giving you this wide-reaching powers. Yes, to defend our County Development Plan. I understand that. But the powers that you would have been given is an eradication of our powers I believe because we were being taken out of the equation to a certain degree. I honestly think you, as a chief executive, should come to the elected members with case-by-case basis. There's new councillors here who are only elected a number of weeks ago, who are not privy to the cases.

Today is the first time I have heard mention of this Fox case. The first day. Fourth term in Wicklow County Council, first day I have heard the mention of the Fox case. No inclination of what they're taking our Council to court for. Yes, the Cairn case was widely publicised. But again, no documentation. We get documentation on everything that is coming up on the agenda here. I could fill rooms with documentation for what comes up on the agenda here. Nothing in regards to the legal case from Cairns, nothing from the Fox case. I suggest that that needs to change, and we have a special meeting. That these, both of those cases and the implications of what's happening there be sent out to the members. Because you are going in to defend our decision, but the new councillors have as much right to know what is going on as the people who voted them, or worked on that last County Development Plan, because it impacts how they deal with business going forward for the next six years.

I think that Councillor Malachaí Duddy, his suggestion is excellent. And I don't know whether you can today remove what you've asked for here and go with the two cases that's in front with us. I still think that's a big ask, because the members are not aware of the two cases, but we're trying to help you.

You're the one that's suggesting September. September is too far away. As elected members we make ourselves available to this local authority to represent the constituents throughout County Wicklow, and this is a huge decision that is being asked. And I know that most of us don't have a grasp of actually what's the implications behind it, and it's very unfair, whether you're here a long time or a short time, it is very unfair on us to come to that wide-ranging decision to give you the authority that you are seeking.

And now I accept that we are rowing back a little bit. Everyone wants to help you, but not to the degree that was being sought initially and not without the relevant information, the legal opinion, our two organisations that I mentioned earlier, and in regards to having a special meeting, because it can't be decided here today. What will be decided here today affects generations of people sitting here in this chamber long after we're all gone.

CATHAOIRLEACH: Sorry, councillors. We have a couple of more speakers and proposals I would like to get through. Not that I am trying to speed things up here because it is an important topic.

COUNCILLOR FORTUNE: Just on a point of order, I would ask you not to ignore what Councillor Snell has said.

CATHAOIRLEACH: No, we're not.
COUNCILLOR FORTUNE: Okay.
CATHAOIRLEACH: No, no. I am just trying to get through the agenda, and I am also trying to get through the proposals that have been put forward as well. I am going to go online. Councillor Edward Timmins.

COUNCILLOR TIMMINS: Just to remind previous members, and for the benefit of new members. The Cairn Homes case is about disputing the population targets that are set in our County Development Plan. The ironic thing is here we had no say in those population targets. They were imposed on us by National Planning Guidelines. So the chief executive has been put in a really difficult position; she's been asked to defend a County Development Plan that was effectively imposed on councillors. We did not set the population targets in the County Development Plan.

COUNCILLOR BEHAN: Hear, hear.

COUNCILLOR TIMMINS: If you remember, I and other members raised the issue about the population targets being a real problem in the development plan because they were based on the 2016 census, they were completely outdated when we were drafting our County Development Plan. The ironic thing is we are going out now to defend a decision that we had no say in putting ourselves in such a position to defend the development plan that was not of our making in the sense that population targets were imposed on us as councillors. So that is just an information for new members, how ironic and contradictory this whole thing is. We are being asked to defend something that we didn't actually impose, draft, have a decision-making part in the first place. Thank you.
CATHAOIRLEACH: I am going to invite Councillor Murphy in online, and then Councillor Leonard, and then we're going to go to the proposals that are being made. COUNCILLOR MURPHY: Thank you, Cathaoirleach. Councillor Edward Timmins has just read my mind. Because I have done a few county development plans, and Ireland's population in housing development, we don't have that authority, either our county or our local area as well. That's always been a big issue, every time, every time. And it's always been taken away from us as to what we wish to get.

Just going back to the CEO, maybe if that is possible, to ask you this: The two live cases that have been mentioned here, how near are they to being heard? Will our decision affect a delay in them cases? And, as well, this is the first time I would be very, very unsure, uneasy in voting, I actually have no knowledge of this. And again we are being forced into a vulnerable position, especially for new councillors, and for older ones as well, because we don't always have the knowledge either, because it's not been given to us.

CATHAOIRLEACH: Thank you, Councillor. Councillor Leonard. COUNCILLOR LEONARD: Yes, I was going to say in the interest of transparency, I would feel more comfortable if I had the details about the two cases, and then, as Councillor Snell proposed, I think we do need a special meeting about these to get them off the table and, you know, get that part out of it. And then I suggest that we bring it to the protocol, or we set up some sort of a steering group to create protocol around how we are going to deal with this going forward. We have the disposal notice at the start of, you know, every agenda meeting, so maybe every quarter we
could have anything that's going to come up. But I think the protocol meeting and committee that will be decided could create some sort of a brief to bring to the wider group of members for us to vote on. I don't think we are going to decide how we are going go forward with this, and I think that we do need a steering, a cross-party steering group just to put some protocol together around it, and then it could be voted in by all members.

CATHAOIRLEACH: Do you want to comment before I have one more? Councillor O'Neill, sorry.

COUNCILLOR O'NEILL: Thanks, Cathaoirleach. I will be as brief as possible. Again I don't know whether you have to be a new member or here a while to understand this, I am sorry I missed the briefing earlier on, but I would absolutely agree with Councillor Snell and Councillor Duddy, that, you know, to get this in plain language out to every member of the chamber as soon as possible.

I am a little bit confused there with the Cairn Homes thing now. I mean we went through probably half an hour, three quarters there before the name was even mentioned. It's only a while ago there we had a material contravention gone through for the building of 329 houses by Cairn Homes in Blessington. I think we should have been aware of this threat as such, or whatever it is, before we were asked to make a decision on that.

On the issue of the population growth levels, that he's a very important one. I brought that up at a planning SPC, and I would be very genuine about the unfortunate people who we have in areas, refugees and whatever, whether they are part of the -- included in the targets that we have. And this is a serious issue as regards the building and the planning of houses and developments. So that's very important. That we look at that.

But again, I see you're looking away there, Cathaoirleach, but that's a very important part. That if our population growth levels are fixed at a figure we have to be very careful there even if it is private housing to maybe give too much permissions for private housing estates and maybe leaving out the social aspect of it. If we are controlled by population growth levels it's a serious issue, you know. But I would again urge you that we all get the information in, in plain language before we make a
decision. Because I see powers at local level being eroded in a big way, you know, with the likes of town teams throughout the county and especially in our area, you know, the powers that town teams have been given is frightening. So I wouldn't like to see us giving away much more.

CATHAOIRLEACH: Thank you, Councillor. I said a couple of moments ago that I wanted to get through proposals. I have two speakers; all I am going to ask is that you be brief because I have let you in a number of times and I respect this is an important issue. Councillor Fortune.

COUNCILLOR FORTUNE: Thanks, Cathaoirleach. Yes, I agree with you, this is an important issue, probably the most important issue we will discuss in the five years we're going to be here.

I think we have had a very mature interaction on this, and I think what Councillor Snell to the CEO is very fair. We're not here to make her life very difficult at all. We think we're doing the right; believe we're doing the right thing. I would just wave a word of caution in slapping out a couple of motions that's been discussed following the good discussion that we've had, because there's a tendency to have a great mature discussion sometimes in this chamber and then put proposals out to the chamber that goes just foreign to it, if you know what I mean.

So I think that there's a number of things in that resolution that have to be taken out. Councillor Glennon, what he said made a lot of lot of sense. I can see other bits as well. I think we need to reflect on that. Because I think there is an understanding that there's an immediate problem with the court case. And as I said already, what Councillor Duddy has proposed to me is very sensible, and a very sensible approach. What I will say to the members -- and I'm sorry for going on now because this is important.

CATHAOIRLEACH: Okay. COUNCILLOR FORTUNE: What I would say to the members, this is very, very important to members, despite the fact some members -- I don't know whether members see it the way I see it or not, maybe they don't. But it is really, really, really important. What's here before us is a catchall, totally giveaway solution that we shouldn't support. Certain things could come out of it that I think would suit what is going on in the court case. Having a special meeting or another meeting in
ten days' time or six days times, or whatever, to me I would have no problem with that, and we could flesh out what Councillor Duddy has put forward so as that that, you know, it makes sense from the point of view of councillors and take it from there.

But I think just to have a vote today for the sake of having a vote today I think is the wrong thing to do, because, as I said, believe we have had a very, very mature discussion on this and a lot of stuff has been clarified and made sense. But the bottom line is we have got to protect Councillor powers.

CATHAOIRLEACH: Thank you, Councillor. Councillor Duddy. COUNCILLOR DUDDY: Cathaoirleach, thank you. I would be surprised if to satisfy the court's requirements the law agent couldn't present a précis of the Cairn Homes case based on the court's pleadings, so that we would be in a position to consider granting the express authorisation required under the Act.

I have just done a cursory search and I would appreciate if the law agent could confirm or correct me, but according to the Court Services website this case isn't set down until the 14th of January for hearing, and it is not for mention until the 16th of December.

COUNCILLOR BEHAN: What?
COUNCILLOR DUDDY: So what is the adjournment date? COUNCILLOR BEHAN: What?

COUNCILLOR DUDDY: Would the law agent be in a position to tell us what the adjournment date for seeking this resolution or this express authorisation is, because we haven't been told that?

MS O'GORMAN: We have been advised that we have to have the resolution with the registrar the first week in September.

CATHAOIRLEACH: Councillor Kennedy. Pat Kennedy, sorry. COUNCILLOR KENNEDY: Thank you, Cathaoirleach, I appreciate where the chief executive is coming from. I also want to thank the chief executive for the informed discussion we had before the meeting here at half past one. I think that was open to everybody. And I don't agree with my colleague, Councillor Behan, that it was behind closed doors, and I have great respect for Councillor Behan, I really do, but it wasn't behind closed doors, and I just want to put that on the record.

COUNCILLOR BEHAN: There was no press. COUNCILLOR KENNEDY: I do appreciate that this is an issue for a lot of the members, and I am wondering just if it would be possible for -- perhaps Councillor Langrell could contact LAMA to see could he get advice there, and perhaps Councillor Cronin, Councillor Behan and myself could contact the AILG and see if we could get advice there and come back to it, and if the chief executive was available later this week to try and get it sorted. Because I know people are going to be going away on holidays and people have other commitments probably starting off next week with schools being closed and one thing and another, but if it would work that we could come back later this week, as Councillor Fortune said he would make himself available. If the chief executive was available and the senior staff and if the councillors were available come back this week and try and get it done this week if we could. Thanks, chair. It may work, it may not.

CATHAOIRLEACH: Councillor Aoife Flynn Kennedy. COUNCILLOR FLYNN KENNEDY: Thank you, Cathaoirleach. I am looking for a point of clarity because the discussions seem to be moving into the actual detail of cases, and I am just trying to understand from our perspective that this is about us having made decisions in our County Development Plan, and, as Councillor Snell said, we all voted on it, and it was agreed. So this is about giving the chief executive authority or rubber-fastening that authority to defend those decisions being made. So really the details, the cases don't matter, if they're against what we put in the plan then they are to be defended, and that's a discussion now. While I respect some people have asked about the detail of cases, the detail of cases are not going to change my decision. I want the chief executive to defend the decision that we made in the County Development Plan. And that's it. Regardless. So thank you. Just so that we can get clarity, that's the request.

CATHAOIRLEACH: Thank you, Councillor. Do you want to clarify?
MS O'GORMAN: -- as stated by Councillor Flynn Kennedy, yes.
CATHAOIRLEACH: Perfect. Thank you. So we have three proposals.
MS PURCELL: Four.
CATHAOIRLEACH: Four.
MS PURCELL: So we have four motions. The first one was proposed -COUNCILLOR FORTUNE: Absolutely, sorry.

CATHAOIRLEACH: Councillor Fortune.

COUNCILLOR FORTUNE: I am really concerned; I think there's an effort being made to force a vote.

MS PURCELL: I have the motions in front of me. If they want to be withdrawn by the people who put them forward that is fine.

COUNCILLOR FORTUNE: We have had a very rational discussion on why we shouldn't vote.

MS PURCELL: The standing orders are very clear. Where there is a motion proposed and seconded it can be withdrawn by the person --

COUNCILLOR FORTUNE: I just want to put on the record, it is very obvious to me, I am sitting here long enough to understand how things are happening, there is an effort being made here to force the vote --

MS PURCELL: I will read you the standing order --
CATHAOIRLEACH: Councillor.
COUNCILLOR FORTUNE: No, I am sorry, this is too important as far as I'm concerned. -- where there's been great discussion, and the proper thing to do for the chief executive and for the public we represent is to defer this and meet later on it. That's the proper thing to do and the right thing to do.
COUNCILLOR SNELL: Hear, hear.
COUNCILLOR FORTUNE: I would like support from members on that because there is an effort being made now to rush a vote on this.

CATHAOIRLEACH: Just bear with us there.
MS PURCELL: I have four motions before me before me at the moment which I must deal with in accordance with the standing orders, and the standing orders say that the motion can be withdrawn only on leave obtained from the majority of the Council present on the request of the member concerned. If the member who put the motion forward wishes to withdraw it and the majority of the Council are in favourite with that we can withdraw the motion. But we have four motions at the moment that I must put before you because they have been proposed and seconded. The first motion is proposed by Councillor Snell -COUNCILLOR BEHAN: Point of order --

CATHAOIRLEACH: I beg your pardon. Thank you Councillor Behan. Orla, yes? COUNCILLOR FINN: I just wanted to second Tom Fortune's motion.

CATHAOIRLEACH: You understand why we have the standing orders now? It is the members that have these proposals, not the executive. Therefore, I think it is
only right and proper that we go through them unless they are withdrawn from the floor.

MS PURCELL: And they will be dealt with in the order in which they are received. CATHAOIRLEACH: Okay.

MS PURCELL: Okay, we are going to go ahead. Councillor John Snell, seconded by Councillor Tom Fortune, has proposed that a copy of legal opinion be circulated, second legal opinion to be sought by the chief executive, AILG representatives to seek AILG opinion and LAMA representatives to seek LAMA opinion. Is that wording correct, Councillor Snell?

COUNCILLOR SNELL: Yes. That's correct. But I do think that without the information around the court cases as well we don't have the information to make a decision here. Members have tried to be very, very frank and helpful. I think Councillor Duddy's proposal in regards giving powers for the two cases presented, I would support that. I would support that here. But I still haven't got the relevant information in regards to the cases. And while I accept what Councillor Flynn Kennedy has said in regards to we have to protect our County Development Plan, her party colleague Edward Timmins has outlined that we are protecting something that was foisted on us in regards to the County Development Plan. The population figures was dictated to us, and we had to accept them. And I just think that this hasn't been contested in 23 years. It's Oireachtas legislation that's been handed down. The little powers that we have. And I'm asking members to protect our powers. It will be too late to come back here in a year's time or six months, or whenever, if they hand away their powers now.

I want to support the chief executive in defending the case, but, like, it's a big ask what you've done. You've come into the chambers today. Granted, you've given the courtesy of half an hour before the meeting to go through it. But yet there's members here going to be asked to make a decision today based on no information in regards to Cairn's properties, their information, their case or Fox's case. They know not one iota. They've seen nothing, they've been handed nothing in front of them to make an informed decision on those cases. And yet, I still want to defend our County Development Plan through you as the chief executive, but I am not prepared to give up the powers that you are seeking, and that's why I thank Councillor Glennon in regards to that, because that did worry me, "including but not limited to the exercise
of the reserved functions." And that was wide ranging, and you've accepted that yourself, that it was very broad ranged, what was being sought here today. So are you prepared to scale that back? Like, we're going into motions, proposals that's been listed to us but yet the chief executive hasn't outlined what the chief executive is prepared to do after a very constructive discussion here. Is the chief executive prepared to row back on what was presented on the clar here? Will you accept to take them off? Will you accept to just put the two cases in front of the members here today? Or will you come back by the weekend or next week and have a special meeting and put it to bed? Because I think it is grossly unfair of anybody to make such a huge decision without the relevant information in front of them. And while I accept the AILG hasn't met and LAMA haven't met, but they can contact those organisations. They don't have to wait for a meeting. You can go and contact them. They represent us. They're our union representatives, in fact. So they can get legal opinion. And the same, the legal opinion that I am seeking, the second legal opinion, whether it is through the chief executive, I know members have spoken that they prefer to get their own legal opinion, but again that's a contradiction to the proposal that I have there. So we have to have broad chamber consensus, and not rush stuff to --

CATHAOIRLEACH: Councillor Snell. COUNCILLOR SNELL: All I am saying is it is common sense. CATHAOIRLEACH: Councillor Snell, the chief executive might have a suggestion. MS O'GORMAN: Can I make a suggestion? And thank you, Councillor Snell. Yes, I am quite happy to accept the wording that Councillor Glennon put in. And to be very clear, the memo in front of you was drafted by our senior counsel and the resolution was drafted by our senior counsel. Okay. So they are not expressly my words.

Could I suggest that I reword a resolution that deals specifically only with the Cairn case for today? The Fox case is, we are part -- a notice party to the case. It is a case against the Minister, we're named in it. It is live, it is ongoing, but it is not as pressing.

In relation to Councillor Duddy's suggestion around briefings and whatever else, I have no issues with briefings. Cases that are ongoing are subject to legal privilege,
as you know, the members know, so we cannot circulate the pleadings or the proceedings, but we can give you a briefing on it. That is not a problem. It can't be for public consumption because it's an ongoing case. Happy to do that.

So if members are happy I will have a three-line resolution that deals specifically with the Cairn case to get us to where we need to be in terms of Cairn, and the rest of it can wait. If members want to withdraw their motions, I can draft that and put it before you. If that is agreeable to the chamber.

CATHAOIRLEACH: Councillor Snell.
COUNCILLOR SNELL: Can I just thank the chief executive for her proposals wholeheartedly. I think there is now consensus that we are moving in the right direction, and everyone is on the one page. So we're all flying the one flag. Could I also ask for a copy of the resolution that was passed in Dun Laoghaire-Rathdown or South Dublin, or other local authorities, just to see what they passed? But I am prepared to take what you are saying at face value, and I will be supportive.
CATHAOIRLEACH: So, Councillor Snell, are you withdrawing your motion? COUNCILLOR SNELL: I am.

MS PURCELL: Is everybody in agreement? (Agreed.)
CATHAOIRLEACH: Thank you.
MS PURCELL: Councillor Bourke, are you withdrawing your motion?
COUNCILLOR BOURKE: I withdraw my motion.
MS PURCELL: Is everybody in agreement? (Agreed.) Councillor Duddy, are you withdrawing your motion?
COUNCILLOR DUDDY: Yes.
MS PURCELL: And everyone is in agreement? Yes. (Agreed.) Councillor Glennon, are you withdrawing your motion?

COUNCILLOR GLENNON: With some reluctance, yes.
MS PURCELL: And is everybody in agreement? (Agreed.) Thank you.
CATHAOIRLEACH: Councillor Fortune.
COUNCILLOR FORTUNE: Yes, I would like to second Councillor Snell's proposal and again, I would like to thank the chief executive for her response, because I have given you a lot of stuff on it today at various gatherings and I think that is a very proper decision and a very mature decision and I want to thank you for it.

MS O'GORMAN: Members, just to be very clear. This is not something I wanted to ever be in the chamber discussing with you, because the Act is the Act, you know. But we are where we are. In terms of South Dublin, they're going to their meeting on Monday. So the case has been heard and the judge has asked for the resolution after the case has been heard, so they're going to get it on Monday. Dun Laoghaire argued the case against, and the judge has ruled that they now require it, so I will be talking to my colleague in Dun Laoghaire the next week. Fingal have a number going before their council on Monday and I will copies of them and circulate them to the members. I will draft something now if you want to move on and come back to it. CATHAOIRLEACH: Yes, I was going to say.
MS PURCELL: I missed a motion. Sorry, the fifth one proposed by Councillor Fortune, seconded by Councillor Finn, I presume is withdrawn also. Thanks. COUNCILLOR FORTUNE: Yes.

CATHAOIRLEACH: And the chief executive has given a commitment to come back as soon as she can today.

MS O'GORMAN: I will do that now.
CATHAOIRLEACH: Everyone happy to move on? (Yes.) Thank you for your patience. I have tried to give everyone a fair hearing because I know how important it is.

We can move on now to item number 6: "To receive a presentation and note the County Wicklow Skills Strategy. "

MS EARLS: Cathaoirleach, I might just come in here for a second while the team are setting up. I am very happy to bring in this positive strategy to you. It is before you for noting.

So, as we know, Wicklow is a thriving county, it is growing quite rapidly and has a huge potential for business and investment, but in order to capitalise and benefit from that potential we need to have a skilled and available workforce. The purpose of this skills strategy is to ensure that we can develop the necessary skills and the training, to maximise those opportunities for the county. In this regard, we engaged KPMG to commission a skill strategy report for us and we have Dr Aoife Doyle and Patrick Moore here to make a short presentation to you on the skill strategy. Thank you.

DR DOYLE: I hope you can hear us okay. I am Aoife Doyle. I am an associate director at KPMG. Some of you may have come across this before. We're a planning economics research unit within KPMG. Myself, Patrick and our colleague, Christina, have been working on this strategy for the last couple of months now. Our colleague and managing director is also on the call today with us.

What we are going to do today, I suppose, is talk you through the process that we undertook as part of this research and present you with the findings emerging from it. I suppose what has been noted already, you know Wicklow is very much a rapidly growing county with a significant business potential, but of course that is very much dependent on the availability of key skills and key skill workers in the county, which of course is key to maintaining competitiveness and also making sure the county can continue to be competitive and attract further investments. Of course the availability of key skills and skills workers is a challenge that many counties across Ireland are facing. Wicklow has a very pertinent challenge. So as part of our research we are working to identify some of the key skills across County Wicklow and also to understand some of the wider inhibitors and enablers to attracting and retaining these key skills to the county.

In terms of our agenda today, we will give you a quick overview of the project firstly, we will then take you through those enablers and inhibitors.

I am going to pass over to my colleague Patrick, who is going to take you through some specifics now.

## Wicklow Skills Strategy Presentation by KPMG

MR MOORE: That was a quick run-through the contents, the very comprehensive contents of the Wicklow Skills Strategy. Thank you very much for listening. If there is anything else you would like to add to this.
CATHAOIRLEACH: Thank you.
DR DOYLE: That is perfect Patrick, thank you very much. We are happy to take questions today or afterwards.

CATHAOIRLEACH: Thank you, just to say before I go on, I am looking for a time extension to 5:30 as I try to get through. Councillor Behan, Councillor Flynn Kennedy. This is for noting, and I know that it's gone through the economic SPC, and I will have Councillor Fortune come in in a second, and it has been recommended by the CPG as well. So, Councillor Fortune. COUNCILLOR FORTUNE: Thanks, Cathaoirleach. I just want to say that yes, this is an absolutely excellent report, and I would just like to thank all the participants who put it together. I think it's a fantastic bible. If we were able to -- and I have said this to this lady, she knows what I am going to say. If we were to deliver this it would make us the best county not alone in Ireland, but in the globe. So the key to it is going to be the delivery and who is going to deliver it. And in my role on the Economic Development SPC I will be very interested over the next 12 months, for example, in hearing more from the leads under the various categories and what their programme is, and what they are going to do, and what their delivery times are. That kind of stuff will be very, very important, because in tourism we have been talking about it for 35,40 years in all kinds of guises and phases, and just picking that as an example, but we need once and for all to put flesh on the skeletons that we're developing.

And I just have to make a critical comment as well. I am extremely disappointed that with all the entities that are involved in this that there was no public reps involved in putting this together. I think that's wrong. I think there's skill sets in this chamber that's second to none and there should have been a public rep. I know they told us they did public consultation and blah-de-blah. But I make the point, and I am quite serious about that point.

It is an excellent piece of work, and I would like to thank the two people from KPMG for their presentation. I have heard them do it before. The report is excellent. So we now have to make sure we make it happen. How we make it happen is the big challenge.

CATHAOIRLEACH: Thank you, Councillor. Councillor Flynn Kennedy. COUNCILLOR FLYNN KENNEDY: Thank you, Cathaoirleach. Thank you, Aoife and Patrick, for that presentation. As Councillor Fortune said, an excellent piece of work. I was delighted to launch the public consultation back in June of last year, and
one of my questions was actually going to be, where is it going to sit? I am assuming it is under the Economic Development SPC. So I look forward to Councillor Fortune spearheading this plan and pushing it forward and ensuring that it gets implemented. But what I would also say is that there are a number of other partners there, so I would ask that perhaps where the other partners are connected with a local authority that it could sit as a standing agenda item on their business. So the likes of Wicklow Tourism and areas like that, if that could be brought back. Because I do think these strategy documents, if they're not living, they can wane a little bit. And really, this is an excellent piece of work. And it is going to prepare us for the future. So we've huge economic developments coming, and we need a skill set there to support it.

I just have a question for Aoife and Patrick. And one is around the partners. So what is the commitment given by the partners at this stage, and have they signed up to the tasks that have been assigned to them? My other question is in relation to some of the timelines around short- to medium- and medium- to long-term, what is the expectation around those timelines? What does it actually look like? And how will the members here other than through the SPC get regular reports back? It is just monitoring of the strategy seemed to be a little bit lacking in the strategy document, so I am just wondering, and that might be a question for the officials: How are we actually going to monitor this strategy going forward? Thank you, Cathaoirleach, but well done to all involved.

CATHAOIRLEACH: Thank you, Councillor. I have a few more speakers before we go back to questions. Can I go online now for Councillor Edward Timmins, please.

COUNCILLOR TIMMINS: Yes. Thanks, chairman, and thanks for the report. I think you did a report about a year ago, a similar report, and I am just wondering what has changed. I don't have the July report in front of me. But what has changed in the report? There's two or three other points. You make no mention of the KWETB. They are involved in a lot of training as part of their remit. Also, you referred to outdoor education. Are you aware there's an outdoor education centre in Baltinglass that is quite a popular location? Also, no mention of IDA visits. Wicklow has really suffered over the years; we've had little or no IDA visits. I'd say we're at the bottom of the list of Ireland of how many visits have come from the IDA
to various counties. I think that is something that needs to be addressed. Also work hubs, there is probably more room for development of work hubs, that doesn't really happen much in the county. Last couple of things. Transport you referred to, that is a real problem in the west of the county. We have no dual carriage or motorway. We've no train station. We rely totally on buses. With our population, the bus infrastructure, people particularly going to Dublin, buses going to Dublin, especially from Blessington and further down West Wicklow, that is an issue, lack of public transport. Lastly, who will use this document? Will it go through the SPC? Who else will it be circulated to? Thank you.

CATHAOIRLEACH: Thank you. Councillor Leonard.
COUNCILLOR LEONARD: Thank you for the document. It is very good. I have a couple of things. In relation to the offshore renewables, just to make sure that we don't displace any existing training facilities. You know, private training facilities. We have substantial one down in article, ASL, and they have been doing tremendous work. So I think it is important we identify what is there in the county and not displace anything by creating, you know, new centres of excellence and stuff like that. You know, they need to be part of it, and they need to be stakeholders in it. Then just in relation to the tourism and hospitality thing, I think the Made in Wicklow and the Wicklow Craft Strategy goes hand in hand with Wicklow naturally. You could be getting double the value if you linked those two projects together. I think it's important that they're linked even from a retail platform and from a producers point of view. You know, you could kind of -- it could be cross promoted. Lastly, just under the agri, food and forestry, as I always say, we are an island nation, and, like, I mean our fishing industry on the east coast is disappearing. In a generation or two we're going to actually have no fishing industry here, because it is not spoken about, we don't even have a policy committee in the Council here about it. There's huge potential there to diversify. The fishermen, the existing fishermen down in Arklow are being impacted already by the surveys for the windfarms and stuff like that. There's opportunities to look at other kinds of fishing and to start having that conversation. So I think it's important that the agri, food -- I don't know whether the fisheries has been discussed in that, or I suppose my question is, where does that sit in there and will it be part of it? Because I think with BIM there's a lot of incentives, a lot of financial incentives to kind of start this conversation and get the fishermen involved and work with the windfarms as well as part of it. Thanks.

CATHAOIRLEACH: I am going to invite Aoife and Patrick back in because I've three more speakers and then I'll wrap it up.

DR DOYLE: So we have been trying to respond in terms of this, there's quite a lot of questions. That question on the KWETB, that is a very good point. One issue we refer to that on that is that is one of the key resources we utilised in terms of developing the strategy; was their statement strategy about 2024. So we strongly relied on that document. We should also say that Wicklow County Council has established a skills task force at the beginning of this project, and they sit on that task force, and we were able to receive feedback from them as part of that. In terms of the key partners and so on, certainly (inaudible) the key partners are listed as part of the sectoral plans. I think that (inaudible) plans between the partners would be useful, and that might be another action that would emanate from this strategy, specifically that would be helpful.

Patrick, do you want to come in on any of those questions to add detail?
MR MOORE: We relied very much on KWETB. We were in constant exchange on goals and targets and data as well. We incorporated quite a bit of data from the KWETB on all the training facilities. We also listed them as one of the collaborators for the delivery of the project.

CATHAOIRLEACH: Thank you. I will invite Councillor Dermot O'Brien in. COUNCILLOR DERMOT O'BRIEN: Thank you very much, Cathaoirleach. Thanks, Aoife and Patrick, for the presentation and the report as well. There's a fair few pages in the full strategy, which again is testament to the work that has been done. And I think for any of us who want to check in on that, there's a lot of detail.

I just want to say, Cathaoirleach, first and foremost it's both inspirational and aspirational, and I think that's okay to have those two in the same sentence. I do a lot of work with young people, and we talk about, and we have asked them in person do you picture yourself living and working and flourishing in Wicklow in your future, and we don't often get the positive answer to that. So I think this strategy offers a scaffolding for a future where people stay here, people might even choose to come here, because there's exciting things happening and it's real. So I think if we can honour the aspiration of the strategy and obviously start looking at the delivery that will make a big difference.

Again I would have to mention, and I would say across all the SPCs, the inhibitors are also looking out at us from the report. And when we take on board the inhibitors of housing, tourist accommodation, transport and connectivity and business supports, we're talking about big issues that if unresolved will always be inhibitors to the success of the skill strategy. So I think for all of us, for all the partners, for all the SPCs, shining a light on those inhibitors and finding workarounds or resolving them, or at least considering them, will be a big part of the success of the plan. But I look forward to supporting it, Cathaoirleach, and I think it is a really brilliant opportunity. CATHAOIRLEACH: Thank you, Councillor. Councillor John Snell. COUNCILLOR SNELL: Thanks, Cathaoirleach. And thanks to both speakers for the presentation. Excellent presentation. I think the key word is delivering. It is delivering a pathway for our youth. It is making sure that they can identify in regards to opportunities to remain on our shores, to make sure that they can get real employment opportunities that can be carved out, and that is why we need a collaboration between all the stakeholders. And I think Wicklow County Council has a huge part to play in that.

In regards to the screen and content creation in Clermont campus, it's been going brilliantly over the last number of years, and it's grown and grown, and Wicklow has identified an opportunity there for the whole county. Indeed, I believe IDA land in Greystones is moving along as we speak in regards to delivering to the same industry.

In regards to the renewable energy sector, we're strategically located along the east coast here in offshore wind energy. And I think it is vitally important to the youth of County Wicklow, and further afield, that they get the expertise that will be needed for the SSE Airtricity Scheme and also the Codling Windfarm off Greystones, Wicklow. This is something that really needs to happen now. Something that, you know, we need to be able to upskill our young people and giving them the opportunity to avail of a career for the rest of their life.

I would harbour concerns. We did have a presentation from our tourism officer here a number of months ago, and obviously people are aware in regards to the hospitality
in the tourism sector the pressure that they're under in regards to we have a lack of availability in regards to bed units because of the immigration pact that's been implemented within the state, where our major hotels, $B \& B s$, are being consumed in dealing with asylum seekers. And that is putting pressure on counties like County Wicklow where we don't have the bed space for people who want to come here and spend time, particularly overnight visits.

In regards to the forestry sector, I must say that our county, while not unique, but certainly unique to me, when it comes to forestry, you know $10 \%$ of the land mass in Ireland is covered by forestry. We seen a situation where the International Financial Services in Ireland put a forestry, international forestry fund together, and they appointed Bertie Ahern at the time. And then we discover that, you know, they had set up an offshore fund on the British Virgin Islands, and they'd gone into collaboration with a private Swiss bank where they were in negotiations to sell off 7\% of the land mass of Ireland to Chinese investors. And thankfully it was resisted. It was over a decade ago. But that's why I am saying all the best planning in the world can be unhinged very, very quickly, and it's vitally important that, you know, all the stakeholders stay true to themselves and true to the Irish people in regards for now and into the future, because had that deal gone through not only would we have lost $7 \%$ of our land mass or forestry, but the whole industry, it would have left only $3 \%$ of the forestry industry in privately owned hands.

So I still want to go back to the point that our young people in this county need the training and expertise within the forestry industry in County Wicklow, and I would encourage you to keep following through on your strategy and your recommendations, and I support you wholeheartedly.
CATHAOIRLEACH: Thank you, Councillor. Councillor Avril Cronin. COUNCILLOR CRONIN: Thank you very much, Cathaoirleach. I want to say thanks for the presentation. I am a member -- well, I have been a member of the SPC for the fast five years and I hope to continue on that SPC as well over the next five. I see the work that goes into these strategies and the work that goes on with our staff here in Wicklow County Council as well. I know I raised concerns at the time about consultation with the entire county. Obviously I am speaking as a Councillor from the west of the county, and I know it is said time and time again, but the west is
often forgotten about, and again this is something that I raised during this process; that I was concerned that there wasn't enough consultation with stakeholders that are involved in industry and organisations in the west of the county. But I just want to say thank you to the Council staff that contacted me looking for names and contacts for the people in the west. So look, I just want to acknowledge that because too often we do hear from this side that we are forgotten about. So I just want to acknowledge the work that went into this.

But one thing I will just say while we're on the topic. There are a number of zoned lands in the area, in West Wicklow, that's zoned for industry and they're sitting vacant for numerous years now. It's been raised time and time again with councillors from the west of the county. But unfortunately I think until we improve our infrastructure, and Councillor Timmins mentioned this himself in his contribution, until we get our transport and our infrastructure improved in the west of the county we're going to have huge problems in attracting any industry to the area. I think it's fitting that we again mention the need for the upgrade of the N81. We have raised this time and time again as councillors here from the west, and I will hope that the Council will continue to push for that work to go ahead on the N81 and exhaust every avenue possible to get that back on the agenda. But I do feel that we have land in the west of the county that's just sitting idle. For example, in my own town in Dunlavin, we have land in Milltown that is zoned for industry, and I have asked for updates on what's actually happening with that land, if we are actually going to do anything with it, but there doesn't seem to be any push from the Council to attract business or encourage investment in the area. But I would ask you to look at these lands. I know there's lands in Blessington as well. There's lands there that we can look at and try and encourage investment into the area.

I like a number of councillors from the area are very proud of where we are from, I am proud to have been born and raised there, I am very lucky to be able to continue living there and to work there, but a number of my friends and peers I grew with unfortunately had to move elsewhere due to jobs or lack of housing, or whatever in the area, they had to move out. But I would hope that other people in future generations would continue to live in the area and have pride of where they are from. So thank you very much.

CATHAOIRLEACH: Thank you. The last Councillor is online. Councillor Miriam Murphy.

COUNCILLOR MURPHY: Thank you, Cathaoirleach. Thank you to the two presenters. Just something that always worries me with strategies is being left on the table, and I suppose that is for a different section. But I think the strategies are a good thing. It does compile information that maybe we can't reach ourselves. But I think with the strategy there is always the famous word of funding. I mean we have to live in the real world. You know we're getting as much money as we are allowed in Wicklow and it has been scaled back every year, that budget is less and less. How do we make these realities and dreams - I suppose, which they are dreams - come true for our next generation? I mean we can (inaudible) and it would be brilliant. But we have be in reality. Where is the funding coming from? It's a whole circle. But we need to make sure that this is delivered, and with positivity as well. Every part of Wicklow, be it urban or rural, is a beautiful place to live, and it is a beautiful place to rear your children and it is a beautiful place to retire to, but we have to have infrastructure, we have to care for the elderly, for people with disabilities, we have to have transport accessible to all. The whole strategy has to be accessible for all, and I would be worried about that.

I just want to ask one question: Is there a review on it? Will there will be a review of the strategy? And will it be reviewed on the SPCs?

CATHAOIRLEACH: Thank you, Councillor. I will invite maybe Aoife or Patrick to come back here, or Leonora. Go ahead, Aoife.

DR DOYLE: Thank you very much, Councillor Murphy, and for all the feedback and queries today. We are cognisant funding is a key issue. There has been set out very high level of delivery of the framework with the strategy again per sector, because the KPIs and so on. But that very specific implementation plan is something that will have to be developed. I suppose in terms of the sector under review of the plan that could be for Wicklow County Council themselves to decide, (inaudible) to come in for plan on review. That certainly wouldn't be our call necessarily, but we would be happy to support if that was something that was required.
CATHAOIRLEACH: Thank you, Aoife. Leonora.
MS EARLS: Thank you, Cathaoirleach. First of all just to thank the members for their contributions. It is great to see that there is, you know, such interest in the
strategy. I suppose just from my perspective, it does sit within the economic development arena, so it will be with the SPC for economic development and sports.

Councillor Fortune, yes, I think we earlier agreed to disagree on the skills task force. But I suppose where we're coming from the skills force is any object of the task force is that you have the right people sitting around the table. In this instance the objective is funding and training and implementation. So the task force is made up of all the main education and training organisations and agencies within the county, and also the funding agencies. So that skills strategy will meet again, the skills task force will meet again to look at the strategy because we now move into the implementation stage. Because as the members have rightly said, we don't want the strategy to sit on the shelf, we want to see action out of this. We are lucky we have a huge amount of buy-in from all the agencies who are part of the process right from June to October of last year when we did the public consultation and right to now to the formulation of the strategy. So we have that commitment from the partners. And it is in everybody's interest that they do feed in, because if we can get people in onto the training courses that is then the feeder channel to the jobs that are all going to come along into the particular areas that we have highlighted as the main job opportunities for the county.

I suppose just specifically in relation to Councillor Leonard's query and the company, not displacing that training company. That company is part of our offshore renewable energy network. So they are actually hugely involved in the whole area of training and development for that particular sector and industry. So there won't be any displacement there in relation to that. In fact, they play an important part of the overall.

Councillor O'Brien, yes, I mean as you say, aspiration and inspiration is very important, and we do want to see the young people staying in the county. We want to avoid a situation where we continue to have over $70 \%$ of the county workforce leaving the county every morning. So there are great opportunities there, particularly as you say, Councillor Snell, in the area of content creation. And I think particularly the new members when they come out to the campus next week they will see there's
really exciting opportunities out there, and there's a real excitement and energy around the hub out there.

In relation to other hubs, yes, we are developing other hubs. There's one coming on stream in Greystones. It won't just be limited to film and content creation. We will openly welcome anybody into it.

We are looking at, as I said the agencies we have on board include the National Marine College of Ireland and we hope, we are looking at opportunities around developing technician roles for the offshore energy.

Yes, tourism, lack of beds is not only an issue that is tied to Wicklow, but it is one we will have to kind of keep pressing the button to see what we can do.

Training and funding, yes, will be the biggest issues around the implementation stage, but I think the fact we have so many agencies on board, and I think because Wicklow has been identified on the east coast as a main county for the offshore energy there's opportunities there.

Infrastructure, yes, sure, Director Lane is going to solve all those problems, so I have no fears on that front.

And Miriam, as you say, funding, but again that's why we have organisations and agencies like Enterprise Ireland, also on the task force, because we'll keep their pockets as much as we possibly can and get them to help us with the training that is needed.

So there will be a review process. The SPC, we will report back to them. We will include updates in the chief executive's report. And then as, you know, things develop and there's any events or issues arising we will arrange to engage with the members. Thank you.
CATHAOIRLEACH: Thank you, Leonora. Chief executive.
MS O'GORMAN: Thank you all, members, for your contribution on this, and I just want to say thank you to the KPMG team, and I suppose express my thanks to

Lorraine Gallagher who started off on the project and Leonora too who look it over, they have done sterling work to get it to where it is. It is only the start. The next part is the implementation and getting it come to light.
CATHAOIRLEACH: Thank you. Thank you to Aoife and Patrick and everyone who contributed to it. We look forward to working with you in the future for the betterment of the county. Thank you.

With your permission then we're going to the suspension of standing orders then. Just for full transparency, what I am planning to do then is go to the resolution, so we have the wording of the resolution.

COUNCILLOR BEHAN: If you want to take the resolution first.
CATHAOIRLEACH: No, I am going to go by half four because we agreed half four. Then what I am proposing, we are going to move up item number 8 - "To consider the Wicklow County Council Draft Strategic Policy Committee Scheme" - because I know it was a topic of conversation in the AGM, and I will finish off then with the chief executive's monthly report, if that is okay. Councillor Behan.

COUNCILLOR BEHAN: Thanks, Cathaoirleach.
CATHAOIRLEACH: Bear with me. Thank you.
COUNCILLOR BEHAN: And Helen read out the terms of the motion, so I presume I don't need to read it out, and I am not trying to add to the workload of the chief executive or anything, but it just came to my notice over the last five or six weeks through press reports that two substantial parcels of land at what we call Old Fassaroe, which were originally zoned in our previous development plan effectively for a new town, have come on the market. One parcel of land is owned by Roadstone, and the other is owned by Cosgrave brothers, developers. And in our previous development plan we had changed the zoning of that site from primarily employment uses to mainly residential with allowance for recreation, some retail, some employment, and effectively a huge amount hopefully of affordable housing.

It's a once in a lifetime opportunity for us as a public authority, to get control of a huge area of land on the outskirts of Bray which I think would provide housing for many of the people, not only from the North Wicklow area but also further south. And the model I would compare it to, a previous county secretary here who subsequently went on to be county manager in Dublin South County Council, Joe

Horan, who sadly is no longer with us, had a model scheme called -- basically for design of a new town called Adamstown in Dublin south. Now he was a visionary, he was someone who really passionately believed in local authority and public service, and he combined the best talents of people in Dublin South County Council along with private developers and government agencies to effectively design a new town.

I think we have an opportunity to do something like that on this occasion. And added to that, we have an opportunity to bring new life into a concept that was actually part of the original thinking with regard to that site, which was the extension of the LUAS line, the Green LUAS line, from Cherrywood all the way to that particular site on the outskirts of Bray. Now subsequently, a change came where the LUAS was going to be diverted onto the DART line. I never really felt that was a great idea, because we have a DART service in Bray already from Bray to Greystones. I felt a LUAS connection on the south side of Bray, which was originally proposed, would provide a magnificent opportunity for many commuters from southern parts of County Wicklow, particularly Wicklow Town, Greystones and Arklow, to get onto a public transport system, park their car on the outskirts of Bray and get into town or the other stations along the way.

You might think this is pie in the sky, and I don't blame you if you do, but I noticed on Friday last actually that the government are considering extending the Green LUAS line from Broombridge to Finglas, where they say they are going to bring it within a catchment of 50,000 people. Well, I don't see why we can't be in that particular ballpark as well. Because we have again this opportunity to look and lobby for this service.

Now, 400 acres of development land on the outskirts of Bray is going to cost a lot of money. I accept that. I think invitations for expressions of interest on one of the sites I think expired on Friday. The other, it hasn't been offered, as far as I can see, officially for sale but it was reported in the business papers that it is for sale.

So I suppose what I wanted to try and do was put out the concept here to all of you today, and obviously the chief executive and the management staff, to ascertain
whether people think in principle it is worth supporting, and then obviously to go immediately to the most powerful man in the country, who happens, just happens to be a former member of this Council and is now the Taoiseach, to see would he and the other Cabinet Minister, Stephen Donnelly, get on board with this idea, because it will be life changing for many, many thousands of families in this county if this could be realised, but it will need Government investment. Wicklow County Council are not going to have the money to do this. But I do believe the chief executive most certainly has the ability and the vision to bring it all together. And I really would appreciate if members of Council who consider this as something worthwhile to progress and see if we can actually make it a reality. Thank you. CATHAOIRLEACH: Thank you, Councillor. Councillor Peir Leonard. COUNCILLOR LEONARD: I would like to support Joe's motion. Joe mentioned this to me last week, and I know a lot of people where I live probably would say why do you want to support something for Bray, but I actually was on the LUAS myself there a couple of weeks ago for the first time I'm ashamed to say and I was with a friend who travels on the N11 and the M11 every day and she said, when we were going home in the car, this is where it always -- you might as well just stop your clock and say we're stuck in traffic. I was saying why don't we extend this further. Then when I looked into it after the motion, after Joe had mentioned it to me. All of the Government policy aligns with what Joe has proposed here. Like the TII, it's in every plan, like, you know. Sort of it probably might be a little bit premature but it is there in everything to extend this out. And, you know, the LUAS, it's 20 years now. I just think it is a no-brainer to explore this. At the very least explore it. But I do think Minister Eamon Ryan should be on it. He's very enthusiastic about the extension of this as well. And they're trying to get traffic out of the city centre. Half of Arklow travels up every day. This would, it would tick a lot of boxes, it would mitigate the housing crisis. You know, we could look at exploring the affordable housing on the site. It would increase quality of life; people wouldn't be stuck in traffic from one end of the day to the other, coming late home at night to their kids in Arklow, and Wicklow and Greystones. I just think, and our coast, our DART, I know they're looking to invest in the DART, but as we know the DART line and the train line is in real jeopardy because it's on the coast. Like, the LUAS is not. I think it should be prioritised. And I fully support this motion. And I hope that everybody else does too.

CATHAOIRLEACH: Thank you, Councillor. Councillor Aoife Flynn Kennedy. COUNCILLOR FLYNN KENNEDY: Thank you, Cathaoirleach, and thank you for the motion. I am delighted to say that I have had some conversations with the chief executive already in relation to this site also in relation to the Oldcourt House site in the middle of Bray, or what is referred to as "The Green Lung" in the county. And one of the challenges I think that Bray has is that - and it was actually highlighted in the skills report there $-43 \%$ of the population of this county live on $9 \%$ of the land, which is in Bray and Greystones. We are absolutely crippled. And I know a lot of the councillors from the west talk about the struggles that exist on the west, and they do indeed exist, but there are equally struggles on the east coast of the county that are really, really challenging.

The site, Bray as a district has no more public land. We have no land left to build. That is my understanding. Joe Lane can understand me, but my understanding is that we don't have any more public land to build on in Bray. So when it comes to affordable housing, when it comes to social housing, we're going to have to look to work with partners. And many in this chamber disagree with that but we don't have any other choice. This potentially could give us the opportunity to have land to look at developing and look at having some choice around that. So I don't necessarily disagree with the spirit of the motion at all, Councillor Behan, and, as I said, I have started those discussions with the chief executive.

My one caveat I will say is that once you put this in the public domain owners of land increase land prices, and that is something that we are going to have to be very, very conscious of and work with. Because the site at the Oldcourt House, my understanding is that is still sitting there. It hasn't sold, and it has complexities around it. And do I think that this is going to answer all the housing problems for the whole district? No. I don't. But I think we're very limited in our options at the moment.

I also don't think the Taoiseach has the money sitting in his back pocket either, Councillor Behan, as much as you might suggest he does, and I think we might have to be a bit clever and look at potentially development levies. I don't even know if
they can be spent on that. But I think we would have to look at various options. But yes, it is definitely an option for us. Thank you, Cathaoirleach.

CATHAOIRLEACH: Thank you, Councillor. Councillor Dermot O'Brien. COUNCILLOR DERMOT O'BRIEN: Thanks, Cathaoirleach. I just want to support the motion from Councillor Behan, and commend him for the diligence that he shows in spotting opportunities like this, and what an endorsement of local democracy this could be; where somebody spots an opportunity, makes an observation, proposes that we respond to the opportunity, encourage us to consider all the moving parts that have been expressed that I won't re-express, but all the moving parts of how this could be transformative for our community and for the people who live there and future generations, and I think the challenge now for us is to do that consideration. As has been expressed, there's a lot of partners required to deliver on something like this, so the sooner we get them around the table the quicker we can move this along and get to a point where decisions can be made. But big respect to Councillor Behan, and I fully support the motion.

CATHAOIRLEACH: Thank you, Councillor. Councillor Tom Fortune.
COUNCILLOR FORTUNE: Thanks, Cathaoirleach. Yes, I also support Councillor Behan's proposal. I am not going to repeat, the councillors who have spoken have covered it very, very well. Just a practical maybe solution angle on it, it's probably something that could be brought, for example, to the Strategic Policy Committee. Because I think that the Strategic Policy Committees should actually be working on stuff like this, and this is the kind of thing that should be on agendas and explored to make the county overall better. So if that could be an opportunity, to start putting flesh on something like that, and then engage with whoever needs to be engaged with. I realise it is going to be very expensive and the funding obviously won't come out of local authority, but the local authority have the vehicle and the way maybe to access what needs to be done. So maybe the SPC is the way to kick this off and make sure it doesn't just disappear into a black hole.

CATHAOIRLEACH: Thank you, Councillor. Councillor Silvester Bourke. COUNCILLOR BOURKE: Thank you, Cathaoirleach. First of all, I think it is important for the management to look at every possible site that comes on the market, the feasibility of it, as to whether it is a good fit for the Council's objectives. This probably would be a good fit. But we have had situations like this before in my own area, in Arklow, where we considered and exhorted the manager to buy the
(inaudible) site and the site down at the harbour, that's currently for sale, but it fell on deaf ears. So, you know, perhaps it would have been better not to mention it and quietly mention it to the management rather than publicly troubling it, because when you trouble it publicly the opposite seems to happen in my experience. So I will just leave at that. But I do think management have a responsibility to look at it. CATHAOIRLEACH: Thank you, Councillor. Chief executive.

MS O'GORMAN: Thank you, members. Look, I welcome the spirit of the motion. I have no issue with it at all. I have had discussions with a couple of members from Bray around I suppose land acquisition in general. And to Councillor Bourke's point, we do look at all land that comes on the market and see is it suitable to our needs. Our major issue is the funding of the acquisition of such sites, and I think as Councillor Flynn Kennedy rightly pointed out as soon as the Council's name is mentioned the site suddenly appreciates in value. It is a very strategic site. Absolutely. It could bring value to the county. But as Councillor Behan has rightly pointed out, I don't have the funds to purchase it, as it stands. There are vehicles there that we could pursue certainly. But I suppose we have to make sure that it suits our needs. I am quite happy to write and engage with whoever the members wish me to do. So I am very happy to do that. But it is beyond the gift of this local area to fund the purchase of that site as it stands at the moment, and I think that is appreciated by the members.

Just by way of note, I did work with Joe Horan for several years and I was involved in the conglomeration of that site in Adamstown, so I know the complexities and the challenges that are with it. Up for the challenge, but again, the first hurdle is to identify how we could possibly potentially fund such a site. So thank you, members. CATHAOIRLEACH: Thank you, chief executive. And can I commend Councillor Behan on bringing this forward? Unless there's any dissenters, we take it we are agreed upon? Agreed? (Agreed.) Thank you very much.

Can I look for a seconder there, just to bring up one of the items that I said I am going to change, to consider the SPCs? I am bringing up, proposing it, can I look for a seconder? Councillor Stokes. So we're going to go back to the resolution that we agreed upon earlier. Helen, do you want to --

MS PURCELL: Thank you. Teresa is going to put the wording up on the screen if you bear with us for a second so you will have it in front of you, and I will read it out as well. This is going back to the section 153 and the amended wording put forward now by the chief executive.

So the amended wording for the resolution is that "the chief executive has the express authorisation of the elected Council within the meaning of section 153(2) of the Local Government Act 2001, as amended, to defend the judicial review proceedings entitled Cairns Homes plc v. Wicklow County Council, 2022 JR 0922."

So that requires a proposer and a seconder?
COUNCILLOR SNELL: Propose. COUNCILLOR FORTUNE: Second. CATHAOIRLEACH: Councillor Snell proposes. Agreed? (Agreed.) Agreed, thank you. Can I thank you, chief executive. I know there was a long debate, it was worthwhile, and thank you for taking on board the concerns of the members.

Can we go now to consider the Wicklow County Council Draft SPC Policy 2024-2029, please?

MS PURCELL: Just to brief on it very briefly. You have in front of you a draft SPC scheme. It has listed in it the six SPCs with the titles as suggested at the annual meeting. They are: Economic Development and Enterprise, chaired by Councillor Tom Fortune; Housing, chaired by Councillor Graham Richmond; Transportation Infrastructure Delivery and Emergency Services, chaired by Councillor Stephen Stokes; Climate Action, Biodiversity, Environment, Energy, Marine and Recreation and Amenity, chaired by Councillor Erika Doyle; Planning and Rural Development, chaired by Councillor Timmins; and, Community and Social Development, chaired by Councillor Caroline Winstanley.

The draft scheme, as have you in front of you, sets out the role and functions of the SPCs: When they'd meet, what the procedures are, how would they be made up. It is recommended that a minimum of one-third of membership would be from sectoral interests, and those sectoral interests are listed in the SPC guidelines that we have received. The SPC would put together a multi-annual work plan which would be
linked into the corporate plan. And it is suggested that any elected members who would like to go onto the SPCs would have an active involvement and positive mindset.

In that regard, we will be sending a letter out to all the elected members asking you to list in order of preference which one of the SPCs you would like to be a member of. Each member can be a member of one SPCs and a maximum of two. It is suggested that there would be six elected members on each of the six SPCs in addition to the Cathaoirleach. So there would be seven elected members in total on the SPCs. And we will try as far as possible to accommodate preferences when they come back on that.

If you are happy to go forward with the draft as it is at the moment, the next steps are public consultation. The public consultation process involves the national stakeholder pillars; the sectoral interests via the PPN; we would carry out widespread public consultation via our own local media and our website; and there is a minimum of a one-month period for the public consultation; and then it will be suggested that it comes back on the agenda on the 2 nd of September for the adoption by yourselves with whatever amendments you require with a view to actually getting the SPCs up and running in October. So if there are any questions.
CATHAOIRLEACH: Thank you, Helen. I open it up to the floor. Councillor Behan.
COUNCILLOR BEHAN: Yes, could I welcome this. It is a really much better arrangement than what we were looking at at our last meeting and I am quite happy to propose it, but I just want to make one enquiry. I did make a strong case I think on the last occasion for housing to be a standalone and it is. Does that mean all of housing, so, housing capital and, you know, current, if you like, so that it's the one subject, if you like, that whoever is on that SPC can get their teeth into the entire area of housing? Because I know it will come across two directorates as far as I can see. Thanks. Otherwise I'm happy to propose it, Cathaoirleach.
CATHAOIRLEACH: Thanks, Councillor. I am going to ask the chief executive. MS O'GORMAN: That is a matter for the scheme to determine but yes, I would envisage it being in the one.
CATHAOIRLEACH: Councillor Peir Leonard.

COUNCILLOR LEONARD: I want to thank the chief executive for the changes in the layout of it, but I would concerns with the climate and recreation. There seems to be an awful lot in the one directorate. And I know marine was added there but I think the marine would be better placed on the economic, because it is about, you know, creating incentives for -- you know, to increase marine activity and the fisheries. So, I think it would be better placed under Economic SPC. There was a Marine Development Committee previously, and I think something along those lines that would include all the stakeholders and include a representative of the BIM on it. MS O'GORMAN: Yes, the marine function, I suppose, sits with that directorate, with the Climate. It seems like an awful lot, when you name out every element of that directorate, but it does sit naturally there. But there is nothing to say there won't be cross over with the Economic Committee, and that makes sense that it will cross over, especially around development. So I think I am comfortable with it sitting where it is, because it is about protection of the marine, about the foreshore, about coastal erosion, and the economic opportunity. So it does kind of straddle both, but I think for the purposes of the management of the SPC it should stay where it is. But it absolutely can report in and speak with the economic SPC and have an active part there.

CATHAOIRLEACH: Can I have a seconder after Councillor Behan proposed that, please? Councillor Dermot O'Brien. Thank you. Councillor Snell.

COUNCILLOR SNELL: Yes. Look it, thanks a million. Just in regards to the SPCs, the guidelines state that they meet a minimum of four times per annum. In the Housing SPC we tried to meet bimonthly, because there's such a huge portfolio involved in it. And I actually think it might assist the chambers, should all SPCs go to bimonthly. I think there's a huge amount of work goes on behind the scenes, and if I am being entirely honest I have to say that two hours a month in this chambers is not enough to get through the business of the day, and that's why good functioning SPCs would be helpful. The information could be dissected out through municipal districts as well as obviously a Corporate Policy Group will be privy to information, the SPCs, but I do think it has to function -- it has to filter down to the grass-roots members in municipal districts. And if you're not on a number of the SPCs you're kept in the dark. A lot of what happens in SPCs -- unfortunately members will come in here, and unless you're privy to that SPC you're sort of the dark, like what
happened here earlier. And I think to assist what we're doing; I would suggest that they should meet bimonthly.

I also just want to look into the figures regards SPCs. If you're proposing seven members, so six plus the Cathaoirleach, through six SPCs, it would need 42 individual places. If you take out the Cathaoirleachs of each SPC, it means you've only 26 councillors left. Ten councillors, if the chairs just sit on their own SPC, as would be normal, it would leave the other six SPCs filled by six positions, 36 places. So it'd mean ten councillors would have to make up the other ten places. So they would have to sit on two SPCs. I am sure everyone is quite busy. Apart from the SPCs, the municipal district, the corporate policy, the protocol and the various other committees that you put yourselves forward for, that doesn't even leave space for the various community groups that you have represented to get here in the first place, you're going to very, very busy. So I think you need to have a look at the numbers. Unless we're statutorily obliged to have seven members on each SPC I think you should reduce it to the chair and five. But I think you will find it hard to get members to fulfil those SPCs. It's not an issue for me, but I am sure it might be for others who have other interests outside of the Council.

CATHAOIRLEACH: Do you want to take that?
MS PURCELL: Just to say I wasn't involved in setting up the SPCs schemes five years ago, but I think there does tend to be an awful lot of interest in actually sitting on the SPCs, so I can't seeing there being a problem filling them. But the guidelines are there in relation to the suggestions on the numbers. So, you know, we can play around with them a little bit. In relation to meetings, yes, it's a matter for each SPC to determine how often they meet. And there's also in the guidelines a suggestion that they do feed back to the municipal districts, and they also feed up, as you know, into the Corporate Policy Group. And that's why they ensure that there is somebody from each of the municipal districts on the Corporate Policy Group, so that they can feed back. So that could well be an agenda items for the municipals to actually receive reports from the SPCs, or for the full council.

MS O'GORMAN: I was going to suggest, we could have a standing item every quarter: Reports from the chairs of the SPCs. And that would give everybody in the chamber and opportunity to hear from the SPCs about what has been going on in their particular SPCs. It is being done in other counties; it works very well.

Because, as you say, people, if they're not involved in it they sometimes mightn't get the information, or if they're not involved in one of the ancillary groups attaching to it, the scheme, as Helen outlines, the guidelines around the membership, if we do struggle to reach seven members we can look at that. But I think the first port is to ask members what SPCs they're interested in and see what the expressions of interests are like on that, and then we can come back to the members with a suggestion around individual SPCs if there is an issue.

COUNCILLOR SNELL: No, look it, that is very helpful. And one other issue, in regards to, if we're only proposing going out to the public participation network groups in September how soon will they come back?

CATHAOIRLEACH: No, it is now. We go out from today. No, from today. COUNCILLOR SNELL: So will we be in a place to have the SPC up and running in September?

CATHAOIRLEACH: October I'd say.
COUNCILLOR SNELL: October.
MS PURCELL: Yes. We have to carry out a minimum of one month consultation. That is why we were so keen to get that on today's agenda; so we can get out there, start the consultation, have a month, six weeks, and then it would be ready to go on the agenda in September. And that would realistically -- because you have to write out then to the pillars, and you have to get all your nominations in, realistically you're looking at October for meetings.
COUNCILLOR SNELL: I think it is hugely important that this Council was formed on the 23 rd of June, if we only have one meeting in October, you don't have one in December, it means within a six-month period the SPCs only sat once. So I am proposing that it be bimonthly, every two months. So obviously for this year, I think two would be sufficient. If you could fit them in. But they would need to be in place, and it would need to have a meeting in December. We're already starting behind and it's just to make up that time. So I do think it is important that each SPC would fit two in this calendar year.

CATHAOIRLEACH: I can answer that. It is in the agenda. But plus the fact too from the CPG, we had three new chairs this morning joined us on the CPG, and trust me, they're willing to get going, and they're committed, and I can see from listening to them this morning that they have taken on board what you have said because they
have already said it to me at CPG that they're willing and rearing to go forward, and I can't see a problem going forward with that.

Can I ask Councillor Cronin to come in there now please?
COUNCILLOR CRONIN: Thanks very much. Just something to bear in mind when the SPCs concerned. Unfortunately when I was on the Economic Development SPC they were arranged for the same day and the same time as my MD meeting. They were arranged for ten o'clock on a Monday morning and our MD meetings are on at half ten on a Monday morning. Just bear that in mind when they are arranging. Now I know it is down to each individual SPC, but it was very unfortunate that last time, although I mentioned it time and time again, that they were arranged for the same day as my MD meeting and unfortunately I missed a number of them. So I just want that on record, to bear that in mind for the future. Thank you.

CATHAOIRLEACH: Thank you, Councillor. I am sure the chairs will take that on board. Councillor Joe Behan.

COUNCILLOR BEHAN: Just in relation to the people who would be invited onto the SPCs from outside bodies, et cetera, I think five years ago I proposed that not just the PPN but if there are members of the public out there who want to be considered for serving on the SPCs can that be done? Do they have to be part of the Public Participation Network?

MS PURCELL: They have to be representing one of the pillars, and they are actually specified in the guidelines as to where those members -- where the membership should come from. But community groups are part of it through the PPN, so they can go into it that way.
CATHAOIRLEACH: Thank you, Helen. Councillor Dermot Brian. COUNCILLOR DERMOT O'BRIEN: Just a quick one. Building on Councillor Cronin's point. It would be brilliant if the chairs, again it is probably their prerogative, if when we get the invitation to choose the SPCs that we would like to go on, if they were able to give us a sense of when the meetings would be that would be amazing, I think. And just even to build another layer to that. We have a young person sitting on the Climate and Biodiversity SPC, which again is a huge recognition of how this Council invites the voice of young people into those space, but again if they knew in advance whether it is -- I'm sure they would be devastated
to be taking time off school, but to know in advance they would be able to plan that in advance. So if the SPC offers were coming out and we had a sense of when the meetings might be, that would certainly help me to decide which one I would like to sit on. Thanks.

CATHAOIRLEACH: I suppose I can make an appeal because all the chairs are here online, that it is communication and transparency, and that will help all of us going forward. So I make that appeal here today to the chairs of the SPCs, that you even send that bit of information out as soon as you can. Is that okay? Okay. Thank you. We need a proposer.

MS PURCELL: We have proposer.
CATHAOIRLEACH: I need a seconder.
MS PURCELL: We have. Councillor Dermot O'Brien.
CATHAOIRLEACH: Sorry, I beg your pardon. I am going to move on now to the chief executive's monthly report. Can I just say, it is five past five, I want to get through it, and I want to give everyone an opportunity to ask their questions and not to have to write in because we are not back here until September, so if you can keep it within the three-minute timeframe and ask your questions I really would appreciate it today. So Councillor Silvester Bourke.

COUNCILLOR BOURKE: I would just like to ask for an update on the Greenway, the Shillelagh to Woodenbridge Greenway, please.

CATHAOIRLEACH: I will take them in groups of three. Councillor Joe Behan. COUNCILLOR BEHAN: I am looking for an update on Rehills land in Bray, the site that we had earmarked for affordable and social housing. It has dropped off the CEO's report. What is the latest situation regarding the bus lane, the mad bus lane proposal on the N11? There doesn't seem to be any further news on that. What is the update on that? Does the chief executive have knowledge of this document, the data protection GDPR document for public representatives? Because in that document it says that it is sufficient, if a councillor makes a written representation or an oral representation noted by a member of staff that's sufficient under GDPR. Is the chief executive aware of that? And is she happy to introduce that policy to all her staff? And lastly, we're now in a situation where hedges are growing across public footpaths in many parts of the county, and in Bray particularly along the Boghall Road we have a major problem. The owner doesn't seem to care about it. I
ask the chief executive, do we have the power to go in, cut that and bill the owner for public safety reasons? Thank you.

CATHAOIRLEACH: Thank you. Councillor Shane Langrell
COUNCILLOR LANGRELL: Cathaoirleach, chief executive, I would like to add to that, me a rural man, a farmer, hedge -- I know we're out of season, you can't cut until September, but I find it is the same landowners that do not cut their hedges. One particular road I can see it hasn't been cut in five to six years. It is a liability. Where are we on that one? Secondly, the old Garda station in Ashford, I'd like to know where we are with that. I am being inundated with calls and emails, and while I was out canvassing the last three weeks.

CATHAOIRLEACH: Thank you, Councillor. That is three. Groups of three if that's okay.

MS O'GORMAN: I am going to ask Joe to deal with the Greenway and Rehills, and the bus lane. On the GDPR, I haven't seen that document you're referring to Councillor Behan. I will examine it. I will have a look at it and come back to you directly. Hedgerows I think would be Joe as well.
CATHAOIRLEACH: Joe, maybe you will come in.
MR LANE: The Greenway, I presume you're talking about Arklow-Shillelagh only. That route selection I believe has nearly been complete and we should have more information in the next couple of weeks. I think there was one area that was being recommended and I think that has been resolved. Rehills, as I detailed the last time, the PPP, they went through their process, and they had trouble with financing. We're currently looking at that, but we are still dealing with the same finances, with the same challenges, and we must go within our own work programme now that we don't have the help of the PPP. So when we get to that we will look at it, but it is behind at the moment. We are trying to get the 2024. The challenges that were with the PPP, we are looking with the idea of talking to the department on a schedule, but the costs and challenges will still be same, so the access and other issues on the site.

The bus lane, we are with the regional office looking at the design of that. But again, you've a conflicting area with the bus lanes there and just the sheer volume going through Kilmacanogue, and that is where the problem is, there is currently designs being looked at regarding a solution to both Kilmacanogue, the on and off ramp and Enniskerry junction, and I will be back to you on that.

I don't know who asked me about the Boghall Road, you might give me details of that particular one and I will come back to you on that. If it is an ongoing problem, give it to me and I'll come back to you on it.

CATHAOIRLEACH: Thank you. We can go back to -MS O'GORMAN: Hedge rows.

MR LANE: You might give me the exact location, and I will get the engineers to report on the problems because it is a new one, and I just need to look at it myself and I will come back, okay, both of you.

COUNCILLOR LANGRELL: Thank you.
MR NICHOLSON: Cathaoirleach, in relation to Ashfield Garda Station, the members will be aware that the Council bought that under the special funds a couple of years ago. We bought the Carnew Garda Station -- sorry, the Carnew Bank and the Ashfield Garda Station. A local group have been formed to develop that and turn it into a community centre for the people of Ashford. Their first port of call would be a Part 8 planning application, and then seeking funding under town and village, or leader, or some other fund. So we meet on a regular basis. They're making very good progress. They have the team set up. They have got some indicative drawings. And it is all very good at the moment. The next step will be a Part 8 planning application.

CATHAOIRLEACH: Thank you. Councillor Aoife Flynn Kennedy. COUNCILLOR FLYNN KENNEDY: Thank you, Cathaoirleach, and thank you, chief executive, for the report. I am just looking for clarity, Cathaoirleach, on the out-of-hours homeless services. This has been brought up a number of times in Bray. And we're still struggling to get a written document that details outside of normal working hours, and particularly at the weekend, what is the protocol and position with referring people to the cold weather facility or San Remo, or other facilities. I think I have raised it before. We are ringing the helpline, and we are being hold if someone is from Wicklow they're not going to be help them out in Dublin and yet we're being told the Dublin number should respond to them. So many of us in this chamber have had this issue come up for them, so we really need very clear instructions and guidelines on what we can do when someone comes to us outside of normal working hours, and they actually have nowhere to go. Thank you. CATHAOIRLEACH: Thank you, Councillor. Councillor Peter Stapleton.

COUNCILLOR STAPLETON: Thank you, Cathaoirleach. Just following up on the Carnew Bank of Ireland property and what stage it is currently at. And also, there's mention that it's due to begin design agreement in July, but prior communication from the Council has mentioned that contractors were going to be appointed as of 2023. So just understanding why there's been such a long delay in getting that up and running. And just in terms of what the Council are now proposing to deliver there, it still has the title of remote working hub, but having undergone my own informal consultation through canvassing around Carnew, it is very clear from the community that some element of community centre facility rooms would also be much needed in the area, and if there are proposals to incorporate that into the building it would be good to know.

CATHAOIRLEACH: Thank you, Councillor. Councillor Orla Finn.
COUNCILLOR FINN: I am wondering is there an update on the IDA site in Greystones which was to have a film centre built on it. All activity seems to have stalled. It was expected that this centre once built would bring a lot of jobs to the area and so it is a concern nothing seems to be happening at the moment.

CATHAOIRLEACH: Thank you. That is three.
MS O'GORMAN: Okay. I am going to ask Michael to respond on the out of hours homeless service, and then I think the rest are for Leonora around the Carnew property and the IDA site.

MR NICHOLSON: Cathaoirleach, I am aware of the issues regarding the out of hours and we plan to actually develop a written procedure to make it clear who is and who isn't responsible. We're working on that. I will get back to you as soon as it is done.

MS EARLS: Thank you, Cathaoirleach. The Carnew Bank of Ireland building. So yes, we are trying to get to design stage. This is on the first phase of the funding, and then once we have it to this point and a Part 8 that allows us to go to the next phase of actually doing the conversion. The funding was based on it being a hub, and so that there's where the proposal remains at the moment. Because the funding is dependent on that.

Our information from different areas and different networks that we're in is that the hubs are still popular in certain circumstances because people don't necessarily want to be working at home. And we're tying this in with our economic strategy around
the whole piece of people who are currently working out of the county and travelling to Dublin, that if we can create an opportunity for them that they can come to and stay in Wicklow, and work in a hub in Wicklow, that where we're working from. And most recently we've had two network meetings with tech companies and different companies who said they would definitely be interested in that area. So that's where it is at the moment, and we will keep you informed in relation to that.

In relation to the IDA site in Greystones, our understanding is that the delays there, there were a few different delays, including the actors strike, which delayed progress on it, but our understanding is that they do intend to go on site very shortly.
COUNCILLOR FINN: Thank you.
CATHAOIRLEACH: I am going to online now. Councillor Miriam Murphy. COUNCILLOR MURPHY: Sorry yes, I'm awake. Just looking at the questions there. Thanks for the chief executive's report and detail as well. I know I have said this to the housing director last week. But I think it would be interesting to have a break down, I am sure the other municipal districts would be interested in this as well, how many people with abilities is on the housing list in our districts. I think it is very important to know. I think it will open a lot. I think we need to be cognisant of what the need is, and how hard it is for those people. It is quite serious for some people because they're a prisoner of the homes that they're in at the moment. And that's not right either.

Also moving on, I would just like to ask another break down maybe for the September meeting in our outdoor staff. In our districts are we understaffed. But is there room for improvement for outdoor staff? I think outdoor staff that are there are doing this amazing work but certainly an increase in outdoor staff I'm sure would be welcome. And also in the housing section again we seem to be, I feel, understaffed. And I think we need to investigate our staff's, I suppose, needs in reaching out to working staff in Housing. I feel that we need to investigate that. Thank you CATHAOIRLEACH: Thank you, Councillor. Councillor Edward Timmins. COUNCILLOR TIMMINS: Thanks, chairman. Two questions. One is the Baltinglass RDF (inaudible) second application for further funding to extend the works to the rest of the townland as originally envisaged in the original proposal. It was unfortunately not successful. I would like to ask can we get information on why
it was not successful. If we could get some feedback on that. Secondly, I noticed the public lighting contractor is finishing up and it is stated in the manager's report that you hope to have a contractor in place on July 24th, three weeks away. I am wondering how close we are to that. Because that is a huge issue on doorsteps; lights not working and taking up to two years or more to be repaired. Just simple repairs. Thank you.

CATHAOIRLEACH: Thank you, Councillor. Councillor Dermot O'Brien. COUNCILLOR DERMOT O'BRIEN: Thank you, Cathaoirleach. A couple of quick ones from the housing section. Thanks again for the report, and the detail in it. It is very much appreciated. Just looking at the relets and voids issue and the challenge of the availability of contractors. It is probably something maybe for the SPC to perhaps take on, because we all know as members that people are contacting us every single day about their express need, and we're all looking at the list and we're looking at the numbers, but I think we really need to find a dynamic response to how we fill that gap if contractors aren't available or if there's a deficit in that space, we really need to put our heads together. I know that in the previous Council there was a community wealth-building model that was presented which is again a dynamic way of supporting people to come together as contractors and do work within the county, but that just jumped out at me.

Just two more, Cathaoirleach. One around the private rented accommodation in terms of regulation and enforcement, and again, very important, very welcome. And we know that in our own districts, well I can speak for Bray, that the response to our own properties is phenomenal in terms of issues that are arising and how we responded to them, but I am wondering what kind of resources are required to do that well and do that efficiently because I imagine it is big work in the private rent sector.

The last one, again alarming, Cathaoirleach, that in the emergency accommodation figures that we have six families or individuals who are in emergency accommodation for 12 months or more. So again, just to flag that as a worry, which is in stark contrast to the previous year. Thanks, Cathaoirleach.
CATHAOIRLEACH: Thank you, Councillor. That's three.
MS O'GORMAN: I might deal with one or two them very quickly myself. It ties up I suppose what Councillor Murphy was asking about outdoor staff and then what

Councillor O'Brien was asking about the relets and voids. We're looking at -- at the moment our district staff are doing an awful lot, an awful, awful lot and doing it exceptionally well, with very limited resources. So I have asked Michael's team to look at the housing function and how that might, might be better accommodated if it was controlled centrally and delivered districtly to free up staff and allow I suppose a standardised approach to relet repairs and void repairs across the county, because the standards vary from district to district.

So to answer I suppose Councillor Murphy's question, we would probably need -- we certainly do need more outdoor staff. Getting and retaining staff is extremely difficult, whether they be staff that are based in-house or staff that are outdoor, it is exceptionally difficult in a market where people can pick and choose where they want to work. So we are trying to kind of market ourselves as an employer of choice and offering obviously blended working and all the different incentives that we have. Things that would have been unique to the local authority pre-Covid are now available everywhere, so it is quite difficult when we can't compete on pay. Our pay is what it is. But that's something we're looking at I suppose in a holistic way across districts, to see how best to maximise what we have and where additions need to be made across the districts.

Michael will come down on the breakdown of the disability, and then Leonora might come in on Baltinglass and Joe on the public lighting.

Just on the private rented accommodation inspections, they are difficult. They certainly are. We were allocated a resource as part of the department funding, but it is not enough to do it. They are really only scratching at the surface. But with the advent of more private rented accommodations it is something we really need to get on top of it.

MR NICHOLSON: Cathaoirleach, just following on from what the chief executive said, the good news is that the indoor staff in housing is almost back to full capacity. We had a few months there where with people leaving and illness and promotions and transfers we were down a few; we're almost back to where we were a few months ago. So that is good news. And I do apologise to the members who have been looking for a service, there have been some gaps, but that is being filled and by
the end of July we will be to a hundred percent of our accommodation, which is great.

I spoke to Councillor Murphy on this last week on this issue, an awful lot of applicants don't actually declare their disability, there is quite a lot of hidden disabilities, so it can be often difficult to prepare a comprehensive list of who has a disability because it is something that people have to declare, and some don't wish to for some reason, but we are trying to compile a list, as Councillor Murphy suggested, of those we are aware of. The same with those who are aged, because again we do provide age-friendly accommodation as well, so the more of that the better.

Just to back up what the chief executive says, yes, we would need an army of staff to investigate, inspect and report on all the private rented accommodation. We do the best we can, but we are just chipping at the surface. We would need an army literally to look at all the private. We are very good, as has been suggested, on our social housing, but on our private rented it is a mammoth task. And it is not just us, every local authority is the same.

As regards getting contractors, yes, the issue really is the availability of contractors and the prices we are getting. We are using framework agreements, and we are moving towards more planned maintenance as opposed to response maintenance, and that is proving fruitful. But again, it is an ongoing battle, and we are competing with the private sector in terms of getting work done, and we keep doing the best we can, and we are trying to turn around houses as quick as we can, because obviously having a vacant house, apart from the fact it is denying somebody a house, it is also loss of income for the Council as well.

CATHAOIRLEACH: Leonora.
MS EARLS: Thank you, Cathaoirleach. Councillor Timmins, yes, in relation to the RDF in Baltinglass we will send out the feedback. It is not hugely informative feedback that we get, but I will get an email out to all the members. Thank you. MS O'GORMAN: Joe, on the public lighting.
MR LANE: Sorry, yes. As detailed last time, we were tendering, so we had a recent call for tenders. Two contractors have submitted tenders recently, they're currently being assessed and will be assessed over the next couple of weeks, and we hope to
appoint a new public maintenance contractor in the next few weeks after we have gone through the tender evaluation process. We have the tenders in.

CATHAOIRLEACH: Thank you. Councillor Peir Leonard.
COUNCILLOR LEONARD: I just have a couple of things. Just in relation to the RDF and the procurement of vacant buildings in Arklow, in particular, I want to ask, where is that at? And, if possible, I know I was told that when the CPO, if it's successful that the properties will be just flipped, there won't be any development there, but I think there's a missed opportunity you know to kind of maybe keep some of the land for use for the Council, whether it is car parking or you know other uses, and I don't know whether that is possible. You know, rather than just flipping the whole site, to have a look and explore the opportunities of other possible uses for the community before its flipped.

And then just the upgrade, general upgrade, windows and doors of social housing across the board, could we get some sort of timeline and statement out about the funding? I think if people know whether it is going to be four years, ten years, or is this endless? There's a lot of people, and the condition is really, really bad, I'm talking about doors literally not shutting and timber windows falling out of houses. They are particularly bad and in bad disrepair and it is really affecting people. So some sort of statement and clear timeline and pathway forward for the replacement of those -- we're pushing the whole private sector and insulation and upgrades, but we have got this huge gap with our social housing stock.

That's it I think.
CATHAOIRLEACH: Are you sure? Thank you. Councillor Pat Kennedy. COUNCILLOR KENNEDY: Thank you, Cathaoirleach. Just two things for the chief executive. One is, chief executive, I did ask you back sometime around December/January in relation to writing to the ESB about the outages that is continuing Rathdrum, Aughrim and the rural areas, and it is continuing. Nothing is happening. And I know you did come back to me and say they hadn't come back to you. If they still haven't come back to you, would you mind writing back to them again? It is causing huge frustration to people in their homes but also businesses who have to close some of the time because of the outages.

The other thing I wanted to bring up is the community land in Rathdrum, and I know I brought this up before. But I know we did appoint a consultant, but nothing is happening and it's causing huge frustration in the community, especially among clubs who need them, who need this land and especially the Avondale GAA Club and Athletic Club in Rathdrum need this land, but nothing is happening with this consultant, and I think it is time now we made a decision to move in a different direction because it is going on far too long with nothing happening. Thanks, Cathaoirleach.

CATHAOIRLEACH: Nobody else wants to come in bar Councillor so I will let you in there.

COUNCILLOR BEHAN: Thanks, Cathaoirleach. And it is not a question. It is words of praise for the chief executives and the two directors in housing, Michael Nicholson and Joe Lane, and the acting director Theresa O'Brien, for the great report that was given to this Council last Thursday from the Human Rights and Equality Agency with regard to equality particularly of how travellers are treated in this county, specifically with regard to traveller-specific accommodation. And they were very praiseworthy of the work that has been done, which was really led Theresa particularly. I think with the exception of Donegal and ourselves every other county that were surveyed had shortcomings in their plans, but we were found I think to be one of the best counties. And that is down to the work of all of the staff in Wicklow County Council. I would also single out Mary Rose Corcoran as well for her specific role there.

They highlighted the LTEACC, which is a body that we are represented on here as members, as being one of the important initiatives that we're taking and something that hopefully will continue. Thank you.

CATHAOIRLEACH: Thank you, Councillor Behan. Thank you for raising that important issue. I only have one more speaker.

COUNCILLOR FINN: I just have a question, please. It is in relation to an estate in Newcastle there. Now, I think the estate is called Seamount. I didn't come today with that prepared. A couple of the residents there have asked me if it would be possible to get the date, the exact date or certainly within a week of when the retrofitting of the houses there is going to take place. I know it has been scheduled to take place, but I don't think they have been informed yet. Their main concern I
suppose really was around the fact that they would be buying oil for the winter, and they don't want to spend a lot of money on this to discover that three weeks later basically that it is no longer relevant. Thank you very much.

CATHAOIRLEACH: Thank you, Councillor. Chief executive.
MS O'GORMAN: Thank you, members. The ESB have not replied to me. So I will write to them again and I will copy you on my correspondence to them, Councillor Kennedy.

I will ask Leonora to talk about the RDF, the vacant buildings. I'm not sure if the funding under that scheme would allow us to do as you proposed, Councillor Leonard, but we can certainly look at it. Leonora might be able to clarify it for you. Michael might talk about the windows and doors, the conditions survey. And then Theresa will talk about the community lands in Rathdrum. And, Councillor Behan, thank you for your kinds words on that.

MR NICHOLSON: Just a couple of areas. Just for the new members in particular, the housing maintenance budget is assigned to each MD and that covers ongoing maintenance. It wouldn't cover the likes of window and doors. We would depend on funding from central government to cover window and doors because they are obviously a costly item. We do the best we can. We try to tackle them on needs basis. We take the worst cases first and work backwards. A lot of stock are old stock, and all require windows and doors, and again it is a mammoth task to replace them all. I will try and get a list of timeline of when they will be done per estate.

In relation to the travellers, yes, and I would like to also pay tribute to Councillor Joe Behan who was too modest to state that he chaired the LTEACC for the last five years, so a lot of the praise is due to Joe for that because we're only as good as the chair and Joe was a great chair in fairness to him.

Retrofitting of houses, I will try and get an update on that for you, Councillor Finn. I haven't got an exact date. Between Joe and I we will sort it out. Thanks.

MS O'BRIEN: Councillor Kennedy, I will have to check that out with -- I know there was a master plan being done, but I will talk to the local Sports Partnership and come back to you on it.

MS EARLS: Thank you, Cathaoirleach.

Councillor Leonard, yes, so the ownership of those buildings is very complex, as you know, and our former TRO was trying to identify the ownership and had of kind of bottomed that out a bit. For the members who don't know, Deirdre Whitfield who was our town regeneration officer retired last Friday, so our new town regeneration officer Stephen Clarke is taking up his position in two weeks' time, so that will be one of the items that he will be prioritising. We just need to try and establish who actually owns it. Thank you.

CATHAOIRLEACH: Is that it? Is that everyone? Perfect. Okay. So we go onto item number 9: Correspondence.

MS PURCELL: Just three very brief items. Members have been circulated with an awful lot of correspondence but among it there have been three circulars LG10/2024, which deals with Local Authority members' gratuity; LG11/2024 which is the allowance and expenses of elected members, that supersedes the 2022 one, and we will be talking through it in a little bit more detail tomorrow for anybody who is coming to the induction training; and LG12/2024 is revised annual remuneration amount from the 1st June which hasn't been paid yet, but there will be some arrears coming on that soon. And then just to remind you about the induction training, there's quite a lot of it here tomorrow and you have got the emails then for the 2nd, 3rd, 9th and the 19th or 18th, all the dates anyway. You've got all the emails with all the training in it. So looking forward to seeing you at it. Thanks.

CATHAOIRLEACH: Thank you. Just one item I have. There was a lot of interest here at the AGM about the Sports Partnership, and I know a number of members put themselves forward. So I spoke to the Sports Partnership, and they are offering that if one person from each MD wants to go onto the Sports Partnership they're willing to accommodate that. Okay.

So I hope you all enjoy your summer break, and we will see you back in September. MS O'GORMAN: Just to remind members that the training is open to all members, both new and existing, so you are free to come to as many sessions you like.

MS PURCELL: And there are links; you can attend it remotely as well if you wish.
(Time noted 5:34 pm)

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