

**COMHAIRLE CATHRACH AGUS CONTAE PHORT LÁIRGE
WATERFORD CITY AND COUNTY COUNCIL**

**COUNCIL MEETING HELD ON 10th JANUARY, 2019 IN THE COUNCIL CHAMBER,
CITY HALL, THE MALL, WATERFORD**

PRESENT

Cllr. Declan Doocey, Mayor	Cllr. Jason Murphy
Cllr. Liam Brazil	Cllr. Ray Murphy
Cllr. Breda Brennan	Cllr. Pat Nugent
Cllr. Sharon Carey	Cllr. John O'Leary
Cllr. Declan Clune	Cllr. Seamus O'Donnell
Cllr. Joe Conway	Cllr. Cha O'Neill
Cllr. Tom Cronin	Cllr. Michael J O'Ryan
Cllr. John Cummins	Cllr. Lola O'Sullivan
Cllr. Davy Daniels	Cllr. Seanie Power
Cllr. Damien Geoghegan	Cllr. John Pratt
Cllr. Jim Griffin	Cllr. Eamon Quinlan
Cllr. Blaise Hannigan	Cllr. Seán Reinhardt
Cllr. John Hearne	Cllr. James Tobin
Cllr. Joe Kelly	Cllr. Siobhan Whelan
Cllr. Eddie Mulligan	Cllr. Adam Wyse

APOLOGIES

Cllr. Pat Fitzgerald

OFFICIALS IN ATTENDANCE

Mr. M. Walsh, Chief Executive
 Mr. M. Quinn, Director of Services, Economic Development & Planning
 Mr. I. Grimes, Director of Services, Housing, Community & Emergency Services
 Mr. F. Galvin, Director of Services, Roads, Water & Environment
 Mr. F. Reidy, A/Director of Services, Corporate, Culture, HR & IS
 Mr. B. O'Kane, A/Head of Finance
 Ms. H. Dunphy, Meetings Administrator

1. Confirmation of Minutes

- (a) Plenary Meeting held on 13th December, 2018 proposed by Cllr. Geoghegan seconded by Cllr. Hannigan

2. Matters Arising

Cllr. Tobin asked the CE if a decision has been made on the proposal regarding the motion on wind turbines. This motion was taken in support of the people of the area that will be affected.

Cllr. Mulligan asked for an update on the steering group from the Technological University for the South East coming to present to council. Also asked for the costing for removal of abandoned vehicles and requested that the details on the economic support grants could be circulated to all auctioneers

Cllr. Daniels asked if there is any indication when Minister Shane Ross will make decision on funding for the airport and has a planning application being lodged for the development of the airport.

CE stated that in relation to the motion wind energy he regretfully informed the council that he will not be complying with the motion and intends to issue a written report to councillors shortly. View is that there is no change of consequence and legal advice received doesn't material alter the original decision. He noted that the council is entering a new stage in the preparation of a new Development Plan which will include a landscape assessment that will inform broad policy for renewable energy. Minister John Paul Phelan has indicated that new Wind Energy guidelines are due to issue in coming weeks.

Cllr. Tobin outlined his disappointment at this development stating that the new plan will be too late for the community he is representing. Cllr. Pratt supports Cllr. Tobin and concerned that no progress is being made in relation to the issue.

CE confirmed that report can be circulated to auctioneers. Regarding the airport the Department is waiting on a response from the airport on queries raised, report will issue once completed. If it is a favourable response a planning application will be lodged, noted that there are also negotiations ongoing with land owners.

H. Dunphy, AO will revert to councillors with date for meeting regarding the Technological University for the South East.

Cllr. Cummins requested an update regarding the North Quays development, the continuing engagement with the Department, funding and details on the commencement of the project

CE stated that there has been continuing engagement with the Department and there is positive support for the work that needs to be undertaken. Assured the Council won't have to apply for additional funding and the €6m allocation is the start of multi annual funding. The design work is continuing on all phases and the application for the bridge order was lodged with An Bord Pleanála before Christmas. Expectation there will be an oral hearing, currently have a detailed programme in relation to all aspects and expect to be in contract for the bridge by the end of the year. The developer is preparing planning application and is hopeful to lodging a planning application by May.

Cllr. O'Neill asked will there be a planning application for Michael Street in tandem to the North Quays.

CE stated there is permission in place on the Michael St; a further application may be needed if a variation is required. The contracts require both sites to be delivered together.

3. Planning

- (a) Planning list as circulated was noted.

4. Land Disposals

None

Proposal by Cllr. Geoghegan to suspend Standing Orders to deal with item 6 & 7 on the agenda, seconded by Cllr. Pratt and agreed.

6. Casual Vacancy

H. Dunphy, Meetings Administrator confirmed that after the resignation of Cllr. Roche a casual vacancy exists on the Council.

Cllr. Daniels proposed Mr. Matt Shanahan as the candidate to replace former councillor Mary Roche. Mr. Shanahan supports the 24/7 campaign where he has worked in the region to progress the service for the public and would be an excellent addition to the council. Cllr. O'Neill seconded the proposal outlining that Mr. Shanahan is a community activist who brings a lot to the table and is a very worthwhile candidate.

Cllr. Brennan proposed Ms. Claire Cullen-Delsol to take up the casual vacancy outlining that she has been involved in a number of high profile campaigns, including the Appeal the 8th Referendum. Cllr. Whelan seconded the proposal stating that Ms. Cullen-Delsol is not a single issue candidate; she has worked for the non profit sector and is a suitable candidate.

Cllr. Reinhardt stated that he was selected as a co-opted member and all parties have been affected by the need to fill a casual vacancy. He outlined that the only person who should have the right to determine who fills the independent seat is the outgoing councillor. He recommended that the procedures committee needs to review the standing orders for filling of an Independent seat. Cllr. Cummins supported Cllr. Reinhardt's recommendation. A number of councillors outlined the need to respect the wishes of former Cllr. Roche.

Cllr. Cha O'Neill proposed a roll call vote; this was seconded by Cllr. D. Geoghegan and agreed.

Mr. Matt Shanahan	Ms. Claire Cullen-Delsol
Cllr. Liam Brazil	Cllr. Breda Brennan
Cllr. Sharon Carey	Cllr. Declan Clune
Cllr. Joe Conway	Cllr. Jim Griffin
Cllr. Tom Cronin	Cllr. John Hearne
Cllr. John Cummins	Cllr. Siobhan Whelan
Cllr. Davy Daniels	
Cllr. Declan Doocey	
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Cllr. Cha O'Neill	
Cllr. Michael J. O'Ryan	
Cllr. Lola Sullivan	
Cllr. Seanie Power	
Cllr. John Pratt	
Cllr. Eamon Quinlan	
Cllr. Sean Reinhardt	
Cllr. James Tobin	
Cllr. Adam Wyse	

By majority vote of 25 votes to 5 Mr. Matt Shanahan was deemed elected as the new member of Waterford City and County Council and the Mayor invited Cllr. Shanahan to take his seat on the council. Cllr. Shanahan outlined his thanks to his proposer and seconder and thanked former councillor Mary Roche for her support. He thanked his wife Elaine and family and outlined that he looks forward to contributing to the council going forward.

Congratulations and good wishes were accorded to Cllr. Shanahan by the member and the Chief Executive welcomed Cllr. Shanahan on behalf of the Executive.

Cllr. O'Neill proposed an adjournment for 5 minutes, seconded by Cllr. Geoghegan and agreed.

The Mayor proposed a vote of sympathy and a minutes silence for Mr. Jack Walsh, former City Mayor, this was seconded by Cllr. Pratt. The deputy Mayor Cllr. O'Leary took the chair for the remainder of the meeting.

7. New Mortgage to Rent Scheme – Presentation by Paul Cunningham, Chief Executive, Home for Life

Mortgage to Rent Scheme outlined by Paul Cunningham, Chief Executive of Home for Life outlining the eligibility criteria, the benefits of the scheme as set out by the government and restrictions around income levels. Mr. Cunningham took a number of questions from the members and agreed to circulate details.

Proposed by Cllr. Brennan and seconded by Cllr. Hannigan to extend Standing Orders.

5. Monthly Management Report

Cllr. Quinlan asked for update on completion of Bilberry section of the Greenway will be completed, for an update on the financing of the North Quays and will borrowing be required to finance the project until grant funding is received.

Cllr. Brennan asked for update on the application to the Department for the airport, PRTB inspections and private landlords who are non compliant and an update on the budget for housing adaptation grants. Stated that homeless cases have increased and asked what can council and councillors can do to assist in tackling the problem. Enquired as to how much will be allocated for the roads budget and asked if the old Waterford Crystal site is on the Derelict Sites Register as it is becoming a source of dumping.

Cllr. Whelan asked if the council intends to provide emergency accommodation in each of the districts as currently it is only provided in the City. Also stated that the threshold for the Mortgage to Rent Scheme is too low.

CE stated that there is funding available for the design of the Bilberry section of the Greenway and currently waiting on a decision for grant funding to complete works. Sated that there is no intention of taking on more debt for the North Quays and confident the project will receive additional funding. A further submission for the Airport application with responses on queries to be submitted to the Department and expect a quick decision once completed.

I. Grimes, DoS stated that the council raises awareness regarding PRTB inspections and compliance, and there is a need for a national media campaign. There is a huge demand for Housing Adaptation grants across the area, the 2019 allocation will be announced late in quarter 1. The increase in the presentations of homelessness continues to be a problem and is a concern. Currently the provision of emergency accommodation is in the city but will continue to review provision for West of the County.

F. Galvin, DoS stated the road allocations come from Transport Infrastructure Ireland and the Department of Transport, Tourism and Sport. There will be a second allocation from Department of Transport, Tourism and Sport in relation to regional roads.

M. Quinn, DoS stated that the former Waterford Crystal site was on the Derelict sites register but was subsequently removed as a planning application has been received, he will review issues on site with the owner.

Cllr. O'Neill asked for a letter of support for Wexford County Council to be issued to Irish Ferries asking for them to reconsider the cessation of the ferry crossing to France.

Cllr. J. Murphy requested a letter is sent to the Minister for Housing, Planning and Local Government requesting a review of the income limits for social housing. He outlined that waste disposal providers are enforcing charges in excess of the new pay by weight proposal, as the regulator can the local authority review this practice.

Cllr. Hannigan acknowledged work of CE in relation to the airport and asked if a meeting could be requested with Minister Ross to progress the issue.

I.Grimes, DoS agreed to write to the Department of Housing, Planning and Local Government to seek a review of the bands for income limits.

CE stated that Minister Ross will be receiving the airport report directly and is satisfied it will receive favourable considerations.

F. Galvin, DoS stated that there is an obligation on waste disposal providers to provide pay by use service. Waterford City & County Council has a regulatory role and he will need to follow up on specific details.

Cllr. Cummins raised concern that before Christmas Deputy Cullinane criticised the delivery of social housing in Waterford and asked for an update on delivery.

Cllr. Mulligan requested the average cost of disposal of abandoned vehicles. Requested that the shop front and signage policy developed by Planning SPC is circulated to all members. Asked if council has information on those waiting on emergency accommodation and where they are located and if it can be included in management report. Issue over Christmas of nuisance being caused in city centre by use of amplifier, current byelaws are not sufficient in relation to cater for this – can legal advice be sought as to how to deal with this issue.

Cllr. Geoghegan welcomes appointment of consultants to produce tourism and marketing strategy for the County. Welcomed the allocation of €10.1m for main roads by TII and asked for time taken to process home loans to be reviewed. Outlined that the newly elected council needs to review the timing of meetings and extend the amount of time allocated to the Management report.

I.Grimes, DoS stated that as part of Rebuilding Ireland every Local Authority is given a target for housing delivery for building acquisition and leasing for 2018, Waterford City & County Council exceeded this by 17% in 2018. The deputy referred to quarter 3 figures which may not have adequately reflected the yearend figures. Regarding those on the emergency accommodation a commitment can't be given as the council will not have the full information. He confirmed that the cold weather initiative is fully operational and will look at speeding up process for home loans.

F. Galvin, DoS stated the average cost of disposing of abandoned vehicles is between €80 - €150. Will be engaging with Garda Síochána regarding noise nuisance and look at requirement to amend byelaws where appropriate.

M. Quinn, DoS will circulate shop front and signage policy when completed and confirmed that tourism marketing plan is currently being developed.

Cllr. Tobin supports Cllr. Geoghegan regarding the timing of the council meetings. Asked for leniency and sympathy when dealing with collection of rates from small rural businesses.

Cllr. MJ O'Ryan raised issue of the lighting of regional roads in the county where there are missing cats eyes and reflectors, budget needs to be allocated to replacing them.

Cllr. Griffin asked has there been an agreement to have meetings broadcasted live.

Cllr. Kelly asked if tree pruning and issue regarding who carries out the work has been resolved and requested the provision of additional bins. Enquired if there is a 3 rent system in operation for the City, Tramore and Dungarvan and will this be aligned.

Cllr Reinhardt asked if changes to CBL website have been completed.

CE stated that there can be no leniency to the collection of debt, it has been raised as an issue in the audit report. Outlined that the council has to operate the collection policy and will always enter into an agreement with businesses in relation to a payment programme in order to assist businesses.

F. Galvin, DoS will report to the municipal districts with regards to the 2019 roads programme under which issue of replacement of cat eyes etc will be addressed. With regard to tree trimming the council are currently in the middle of annual tree maintenance programme by both crews and contractors. Currently an extensive bin network in place and stated that new bins need to be located in areas there is a regular collection system in place.

F. Reidy, A/DoS confirmed that motion regarding live streaming was defeated due to costs , will continue to review costs and technology.

I.Grimes, DoS confirmed that there are three differential rent schemes, it was agreed that the Housing SPC will draft a new scheme which will be brought before council for approval. Will follow up on the review of the CBL website.

Extension of Standing Orders proposed by Cllr. Reinhardt, seconded by Cllr. Griffin and agreed.

8. Audit Report 2017

Cllr. Kelly stated that the auditor referred to a permanent overdraft facility and enquired if it would make more financial sense to have this transferred to a loan. Are better controls going to be in place to manage arrears in 2019. Waterside carpark need more formal management controls to address this to get money back. Outlined that there is a statement of in excess of 200 staff involved in procurement and asked for clarification.

Cllr. Mulligan asked is the council owed money from capital acquisitions and what property was disposed of for €50,000.

Cllr. Cummins stated that auditor flagged issue of lower range of collection and asked what actions are being put in place to make up shortfall on collection. Annual rent assessments only being conducted since 2017 and asked was this not an ongoing practice.

CE stated the audit report is in respect of 2017 and that due to the €30million spent on capital work a tightened spend would be required going forward. Current deficit is being reduced annually and there is a greater emphasis on collection occurring. Better controls require WCCC to be more aggressive in collection of monies. The CE pointed out that Waterford has had the most expensive investment programme since the merger compared pro rate to anywhere else in the country. With regard to the property on the Quays, the property was purchased following legal advice.

I.Grimes, DoS stated that annual assessments have been conducted and it is also the responsibility of tenant to inform the council of any changes. Actions are being taken where there are arrears.

B. O'Kane, A/HoF stated that currently back in credit and interest rates are low and overdraft minimises the cost. Collection rates running at 2-3 % higher than previous years under all income heads. Currently reviewing procurement process and staff involved.

7. Correspondence

Proposed by Cllr. Cummins and seconded by Cllr. Geoghegan and agreed.

10. Notice of Motions

As motion was discussed at last meeting Cllr. Whelan proposed the motion and it was seconded by Cllr. Hearne.

It was agreed to do a show of hands, 7 for the motion, 17 against and 1 abstention. Motion fell.

Signed: _____
Mayor

Dated: _____