

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

COUNCIL MEETING HELD ON 8th December 2022 IN COUNCIL CHAMBER, WATERFORD.

Present

Cllr. John O’Leary (Mayor)	Cllr. Cristiona Kiely
Cllr. Donal Barry	Cllr. Jason Murphy
Cllr. Liam Brazil	Cllr. Pat Nugent
Cllr. Joanne Bailey	Cllr. Seamus O’Donnell
Cllr. Declan Clune	Cllr. Lola O’Sullivan
Cllr. Joe Conway	Cllr. Thomas Phelan
Cllr. Tom Cronin	Cllr. Jody Power
Cllr. Conor McGuinness	Cllr. John Pratt
Cllr. Declan Doocey	Cllr. Eamon Quinlan
Cllr. Pat Fitzgerald	Cllr. Frank Quinlan
Cllr. Damien Geoghegan	Cllr. Mary Roche
Cllr. Jim Griffin	Cllr. Seamus Ryan
Cllr. John Hearne	Cllr. Mairead Tobin
Cllr. Joe Kelly	Cllr. Adam Wyse
Cllr. Stephanie Keating	Cllr. Ger Barron
Cllr. David Daniels	Cllr. Seanie Power

Officials in Attendance

Mr. K. Kehoe, Director of Services, Corporate Services, Culture and Planning
 Mr. I. Grimes, Director of Services, Housing
 Mr. M. Quinn, Director of Services, Economic Development
 Mr. F. Galvin, Director of Services, Roads, Water and Environment
 Mr. B. Pollard, Head of Finance
 Ms. H. Dunphy, Meeting Administrator
 Ms. A. Flynn, Corporate

1. Confirmation of Minutes

Plenary Meeting held on 10th November 2022 proposed by Cllr. Brazil, seconded by Cllr. Murphy and agreed by all.

Plenary Budget Meeting held on 29th November 2022 proposed by Cllr. Cronin, seconded by Cllr. Daniels and agreed by all.

2. Matters Arising

Cllr. Griffin referred to the recent PPN Awards and wanted to thank Muriel Tobin and her Team and wished to acknowledge the significant work in Communities with which Cllr. Geoghegan concurred.

3. Land Disposals

None.

4. Audit Report

The Audit Report for the Year Ended 31 December 2021 was before the Members for noting.

Cllr. Barry, Cllr. Power, Cllr. Ryan, Cllr. McGuinness and Cllr. Kelly highlighted a range of issues raised by the auditor including the Doyle Street Housing Development, the Capital Advanced Leasing Facility, Capital Projects, Recovery of Fire Services Costs, the Waterford City Enterprise Building and Refundable Deposits.

5. Monthly Management Report

Cllr. Clune asked about the Council's responsibilities and if we have the necessary resources in relation to the control of dogs and about informing dog owners of their responsibilities in relation to certain breeds of dogs. He spoke about an online portal which Dublin City Council operate for social housing applicants and if that is something that we could implement which would be beneficial for us and for our housing applicants. He also enquired in relation to the increase in social housing eligibility thresholds.

Cllr. Ryan asked about the homeless figures and if Homeless Services are reaching out to those sleeping rough and if they are being cared for. He also asked about the 32 children in Emergency accommodation which is up from 26 in 2021 and what we are doing for them.

Cllr. E. Quinlan asked whether those previously on the housing list for a number of years, who may now, considering the increase in the social housing income eligibility, be eligible to reapply, would be allowed to keep the years they had previously built up. He also asked if the Council, given that Waterford City & County Council play a partnership role in many of the large infrastructure projects in the City, could look at having these contractors advertise locally through the local authority to give local small contractors the opportunity to tender. He also said that the winners of the Schools Enterprise Competitions should be afforded a hut in Winterval and at our other festivals to showcase and sell their products.

I. Grimes, DoS said in reply to Cllr. Clune that a portal like that operating in Dublin City was previously looked at but did not appear to have any particular advantages. He said the increase in social housing eligibility thresholds is effective from January 2023 and the Council in assessing housing applicants between now and January will have regard to it. He said he could make no commitment to Cllr. E. Quinlan suggestion regarding giving former applicants on housing list back time without first looking at the numbers affected. In reply to Cllr. Ryan, he said our Homeless Outreach Services together with the Gardai & the HSE are in daily touch with those sleeping rough. He said the 32 children in emergency accommodation are largely accommodated in houses we provided to Focus Ireland on an emergency basis with the intention that they work with our Homeless Services to provide more permanent accommodation.

M. Quinn, DoS said that the Council have no control or influence over private developers. He said most developers would have their own cohort of workers along with subcontractors with whom they would have long standing relationships. In relation to a hut in Winterval for winners of the Schools Enterprise Competitions he said that is something that could be looked at.

F. Galvin, DoS said that there is a schedule of dangerous dogs attached to the Regulations pertaining to the Control of Dogs Act. He said there are specific requirements on owners to keep such dogs safely, short lead, keep muzzled etc. Local authorities also have responsibilities in relation to the control of dogs. He said we have two full time dog wardens whose sole responsibility is enforcement of the Act. We are well positioned to respond to dangerous incidences and on some occasions given the nature of the issue we would also engage with the Gardai.

Cllr. Bailey referred to the increase of €5,000 in social housing eligibility thresholds which she said would increase the threshold in Waterford to €35,000, Waterford being in Band 2 compared to €40,000 for those counties in Band 1. She asked what criteria is used in placing different counties in different bands and why Waterford is in Band 2. She also asked how many are currently on the Council's housing list and if a breakdown per area could be provided. She asked if the same information could be supplied again in January which would indicate the number of houses which would need to be provided going forward.

Cllr. Murphy expressed concern regarding comments on social media in relation to the housing of Ukrainian refugees. He asked that DoS, Housing confirm that the housing of Ukrainian refugees does not have any impact on those on our housing list or on those who find themselves homeless. He also asked in relation to the homeless figures if the local connection rule could be suspended given the severe weather and asked for confirmation that there was nobody sleeping rough in Waterford with or without a local connection.

Cllr. Kiely spoke about the amended Building Regulations which require the provision of a changing places toilet in buildings. A changing places toilet means an accessible facility with a toilet, hoist, basin, adult-sized changing bench and optional shower, with adequate space for use by persons with a range of abilities who may require assistance. She asked that any current projects be revisited so that we can get those facilities up and running in our own buildings as soon as possible. She asked about the Active Travel budget and enquired about a workshop she had previously requested in relation to water quality and pollution.

I. Grimes, DoS said he would revert with information in relation to Waterford being in Band 2. He said he could write to the Minister which he has done on a number of occasions in relation to increasing the income limits. He referred to The Housing Delivery Action Plan 2022 to 2026 which provides a comprehensive overview of social and affordable housing delivery over the next five years. This Plan provides information on the location of housing, the delivery streams and land available to meet the targets set by the Housing Department. He said there are 1,267 on the official housing list and the 2022 Housing Needs Assessment has just been completed. In relation to the accommodation provided for Ukrainian refugees he said there is no social housing being used to house Ukrainian refugees. The accommodation being provided is converted commercial premises or property pledged to Red Cross. He said there is absolutely no crossover between social housing provision and accommodation provided for Ukrainian refugees. In relation to the local connection rule in our Homeless Services he noted that this rule applies across all local authority regions and if removed it would increase homeless numbers.

K. Kehoe, DoS noted in relation to the amended Building Regulations which require the provision of a changing places toilet in buildings that the regulations relate to institutional buildings the definition of which would not incorporate anything that would be in the Council's control.

F. Galvin, DoS outlined that the Active Travel budget will carry over into 2023 and will arrange workshop as requested.

Cllr. McGuinness spoke about proposed new legislation which provided for a register of short-term lettings. He has raised the issue of the impact of short-term lets on the rental market in Waterford City and County many times, noting there is an imbalance between short-term lets and long-term rental and in many areas is driving up the cost of accommodation. He welcomed the new legislation saying proof of same will be in the detail and in the enforcement, planning permission should be sought for a change of use from a family home to a short-term let. He also asked for an update on the guidelines on CCTV to detect illegal dumping. Cllr. Cronin again raised the issue of safety on the N25 between Middleton and Kilmeaden. He said he had discussed this with Deputy James O'Connor who was supportive of the call to have this road upgraded. He asked if Waterford City & County Council were supporting this and if we were in contact with Cork County Council.

Cllr. Barry said the government is rolling out a rapid build housing programme to provide accommodation for Ukrainians, it will provide short-term accommodation to Ukrainians at several sites across Ireland. While rapid build homes will initially be used to temporarily house people fleeing Ukraine, they have the potential to be used to address other accommodation challenges, including social housing and student accommodation. He asked has the Council identified any areas that will be used for these rapid built houses in the city or county. He asked if we can through the office of the Mayor contact the Minister of Enterprise, Trade and Employment, in relation to the situation at Cartamundi where workers have been placed on short time and similarly at West Pharma jobs are being lost and asked that every possible support be given to both employers and employees in these industries. In relation to Mount Congreve he enquired if a drop off point could be provided for those with mobility problems who find it difficult to get from the car park to the house.

K. Kehoe, DoS said, in relation to the proposed new legislation which provided for a register of short-term lettings, it was a planning issue and his understanding of what was announced was that for somebody to get on to the register they must be planning compliant, and he welcomes the opportunity to enforce the new legislation.

F. Galvin, DoS outlined that there is a working group working at a national level on statements and data protection assessments templates for the roll out of new legislation in relation to the use of CCTV for the tackling of illegal dumping. In relation to the N25 he said he has received a response from the TTI who are happy to receive a small delegation from the council in Dublin to discuss the issues.

Cllr. McGuinness suggested that any delegation to meet the TTI should also request a meeting with the Minister for Transport on the same day.

Cllr. Cronin asked if there had been any contact with Cork County Council. He said it was important to have their support and have both councils come together and make a representation.

F. Galvin, DoS said there had been no contact with Cork County Council.

M. Quinn, DoS said in relation to Cartamundi and West Pharma we would reach out to the organisations first before approaching the Department of Enterprise, Trade and Employment. He said they may already have lots of support but will enquire if there is anything we can do to assist. In relation to Mount Congreve there is further works to be done on a second carpark along the driveway that will include passing bays on the driveway which will then allow both disability parking and drop off at the house itself.

I. Grimes, DoS said the rapid built project is intended to be on non-local authority lands because local authority land banks are for social and affordable housing. A survey was done of other publicly owned land in every local authority and a small list of sites were identified in Waterford.

Cllr. Power supported the issues raised in relation to the N25 requesting that all parties of the Council be represented on any delegation to Dublin. He said it was unacceptable to have people homeless during the Christmas period and asked if all could be accommodated whether they had a local connection or not. He commended the people of Waterford for their response to the Ukrainian refugees thanking them for their humanity, generosity and good will in opening up their homes. He requested an update on the Airport and enquired if the Council has the expertise to deal with Marine Planning.

Cllr. Conway enquired if the Healthy Waterford Committee could request our schools not to use the educational programmes of Drinkaware, an organisation funded by the alcohol industry.

Cllr. Daniels said he was disappointed that there were no plans to develop the Watch Tower and asked if this could be revisited. He also asked that the Councils' property acquisitions be made available to the members.

M. Quinn, DoS noted that the question regarding the airport is a matter for the CE and will be dealt with at the next meeting.

K. Kehoe, DoS said that we are aware of our requirements and our responsibilities in relation to Marine Planning and there are plans in place to upscale staff in the next few months. He also said a list of acquisitions in 2022 would be made available to Cllr. Daniels.

I. Grimes, DoS said in relation to the local connection that it is the view across all local authorities that a person must demonstrate a local connection to access housing and Homeless Services. However, in severe weather conditions people are given access to emergency accommodation in hostels.

M. Quinn, DoS outlined that there are a number of initiatives in hand to improve the presentation of the City walls, one of which is lighting on the tower and constantly looking at how we improve and enhance their presentation.

Cllr. Kelly enquired if the work currently underway on the Climate Action Plan and the Climate Risk Assessment is being done inhouse or have we engaged outside consultants. He also asked if books in Ukrainian could be made available in our libraries.

Cllr. Hearne asked if a workshop on marine protected areas could be provided. He commended Cllr. Kiely on her work in relation to changing place toilets and asked if the provision of same in relevant buildings could be looked at. He said given the homeless services available including access to the Gardai nobody needs to be sleeping rough.

Cllr. Geoghegan spoke to commend the Councils' Roads and Parks Departments on the recent installation of a wheelchair friendly swing in the playground in Dungarvan. He said one was to be installed in the Tramore and Waterford City playgrounds also. He said it was fantastic to see and the provision of one in all playgrounds should be looked at.

F. Galvin, DoS said that the work on the Climate Action Plan is being done in part by our own staff and partly by the South East Energy Agency. The work currently underway on the Climate Risk Assessment is being done by external consultants with significant input from our own engineering staff.

K. Kehoe, DoS said that some of our library staff have been working with the Ukrainian refugees from the outset and they have used the libraries to support the Ukrainians transition supplying them with books and other materials. In relation to Marine Protection Areas, he said the Maritime Area Regulatory Authority (MARA) has been established. He said functions in relation to marine protection areas will rest with MARA rather than the Local Authority.

Cllr. Fitzgerald referred to the 34 HAP inspections of which 3 were non-compliant. He referenced a case in the Coroner's Court in the UK where the cause of death of a child was ruled as from exposure to mould and he asked if this ruling had any implications for us as a council.

Cllr. Griffin said it was his understanding that there will be a substantial amount of funding over next few years for Active Travel Schemes. He said other counties and countries are ahead of us in terms of Active Travel Schemes. He asked if a request could be made to the National Road Authority to facilitate a trip to look at how active travel schemes work elsewhere so that Councillors would have the knowledge and experience to positively promote similar schemes here.

Cllr. Keating questioned the number of people sleeping rough noting that money that had been donated locally had been used recently to ensure that two elderly people were in out of this cold weather. She asked for clarification around those currently homeless with no local connection who presented to our homeless services in this weather and if they would be accommodated.

I. Grimes, DoS said he was aware of the case in the UK, but the ruling would have no implications for us. He said the presence of mould is seen in our own inspections, but the issue is very much about personal responsibility. In relation to the number sleeping rough he said the numbers are compiled by our Homeless Officer, the Gardai and the HSE. If there are others sleeping rough, we can not offer assistance if they do not come to us and asked if anyone is aware of such individuals to contact us. He said in severe weather conditions people are given access to emergency accommodation.

F. Galvin, DoS said there had been trips to Dun Laoghaire and Dundrum earlier in the year to see the newly created infrastructure there. He said we are working on a programme for next year for a trip away to look at active travel schemes which are far more advanced than ours.

Cllr. Nugent said he agreed with Cllr. Cronin as regards the safety issues on the N25.

Cllr. Pratt asked considering the current weather if the roads around schools, churches and nursing homes are gritted and if not, could this be done.

Cllr. O'Leary also expressed concern in relation to gritting particularly at schools.

F. Galvin, DoS said resources were not available to grit outside every school, every church etc but where there were issues the local engineer could be contacted and would respond as appropriate.

7. Economic Incentive and Rates Support Scheme

M. Quinn, DoS, recommended adoption by the members of the Economic Incentive and Rates Support Scheme noting it is a renewal of the existing scheme. It provides for a waiver of rates for a three-year period and provides a support grant for businesses on a decreasing basis over three years. He said it is principally focused on retail businesses.

Cllr. Kelly proposed the scheme describing it as an important scheme helping successful applicants to set up their business and those who benefitted from the scheme were appreciative of the support.

Cllr. E. Quinlan said it was a good scheme, however he said that it is exclusive to the City, Dungarvan Town Centre and Tramore Town Centre and asked if it is possible to remove these geographical areas and make these supports available to anyone with a good business idea, he would propose that the scheme be extended across the county.

M. Quinn, DoS said extension of the scheme would require a substantial increase in budget and the purpose of this scheme was to bring vibrancy and vitality to the city and town centres and the proposal would require an alternative scheme. He asked that the scheme before the members be adopted as is and Cllr. E. Quinlan's proposal be brought to the SPC for consideration where funding etc would be addressed.

The Scheme was proposed by Cllr. Kelly seconded by Cllr. Barron and agreed by all.

Cllr. Phelan noted that the scheme could be oversubscribed and if there was a points-based system so that those who were unsuccessful have access to feedback.

Cllr. J. Power enquired about the failure rate of businesses supported in the last term of the scheme and for those businesses supported who did not succeed did Waterford City & County Council seek to recover any funds provided. He also asked if there is any follow up to ensure the money provided is well spent.

M. Quinn, DoS said that the qualifying criteria must be met, there is not a points-based system but those applicants who are unsuccessful would be given advice as to why they failed. There was approximately a 23% failure rate based on the original scheme which means over 70% of businesses survived which is a positive situation. Where businesses did not succeed, the Council did not seek to recover funds, the scheme operated on a first come first served basis, once all supporting documentation was received there was no auditing of the businesses.

Cllr. Bailey enquired whether a business already established could seek to have an application for start up grants backdated.

M. Quinn, DoS said the application could not be back dated too far, there must be a reasonable cut off point and cases can be looked for recently established businesses.

6. Presentation Comhairle na nÓg

Three members of Comhairle na nÓg, Etse Oshiwemoh, Grace Brosnan & Saoirse Firth gave a presentation highlighting their events during 2022.

Cllr. Kelly, Cllr. Roche, Cllr. J. Power, Cllr. Conway, Cllr. Geoghegan, Cllr. Brazil, Cllr. Pratt, Cllr. Griffin, Cllr. S. Power and Cllr. Kiely all spoke to thank the three members of Comhairle na nÓg for their excellent presentation, commented on the important issues they raise and wished them the very best going forward. The Mayor also thanked the members of Comhairle na nÓg and said it was a privilege to have them in the Chamber.

8. Cultural and Creativity Waterford Strategy 2023 - 2027

Extension of standing orders for 30 minutes proposed by Cllr. Fitzgerald, seconded by Cllr. Griffin and agreed by all.

K. Kehoe, DoS noted that the strategy outlines areas of priority and our approach to supporting Waterford's creativity over the next five years.

The strategy was proposed by Cllr. Ryan, seconded by Cllr. McGuinness and agreed by all.

Cllr. Ryan, Cllr. Kelly, Cllr. McGuinness, Cllr. Geoghegan, Cllr. Phelan, Cllr. Conway and Cllr. O'Leary all spoke in support of the strategy acknowledging its importance.

9. Correspondence

Proposed by Cllr. Kelly seconded by Cllr. Murphy and agreed by all.

Cllr. Murphy welcomed the Civic Reception for the Dominican and Franciscan Orders.

Cllr. Conway asked in relation to the motion by Mayo County Council as regards the taking in charge of estates if there was any way the members could indicate their support.

K. Kehoe, DoS, advised that Cllr. Conway with other members could put forward the same motion for consideration.

Cllr. McGuinness brought the members attention to the motion passed at the October meeting of the Southern Regional Assembly calling on the Minister for Public Expenditure & Reform to provide significant funding to Local Authorities in 2023. He also wished to bring their attention to the motion by Wicklow County Council asking the Government to address the case of C.J. Gaffney and the Mary Kate and asked if the members would consider adding their voices to this motion.

Cllr. Phelan brought to the members attention the correspondence from the Association of Irish Regions in relation to its Regional Seminar and Training Event for members in February 2023 and asked that as many members as possible would attend.

10. Notice of Motions

None.

12. AOB

The Mayor wished M. Walsh, CE a speedy recovery and said he looked forward to having him back in the New Year. He wished everyone a Happy and Peaceful Christmas.

This concluded the business of the meeting.

Signed: _____
Mayor of Waterford City & County Council

Dated: _____