

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

**COUNCIL MEETING HELD ON 12th SEPTEMBER, 2019 IN THE COUNCIL CHAMBER,
CIVIC OFFICES, DUNGARVAN, CO. WATERFORD.**

PRESENT

Cllr. John Pratt (Mayor)	Cllr. Eddie Mulligan
Cllr. Ger Barron	Cllr. Jason Murphy
Cllr. Donal Barry	Cllr. Pat Nugent
Cllr. Liam Brazil	Cllr. Marc O’Cathasaigh
Cllr. Breda Brennan	Cllr. Seamus O’Donnell
Cllr. Declan Clune	Cllr. John O’Leary
Cllr. Joe Conway	Cllr. Lola O’Sullivan
Cllr. John Cummins	Cllr. Thomas Phelan
Cllr. Davy Daniels	Cllr. Jody Power
Cllr. Conor D. McGuinness	Cllr. Seanie Power
Cllr. Pat Fitzgerald	Cllr. Eamon Quinlan
Cllr. Jim Griffin	Cllr. Seamus Ryan
Cllr. John Hearne	Cllr. Matt Shanahan
	Cllr. James Tobin
	Cllr. Adam Wyse

APOLOGIES

Cllr. Joe Kelly, Cllr. Declan Doocey, Cllr Tom Cronin, Cllr. D. Geoghegan.

OFFICIALS IN ATTENDANCE

Mr. M. Walsh, Chief Executive
 Mr. I. Grimes, Director of Services, Housing, Community & Emergency Services
 Mr. Gabriel Hynes, A/Director of Services, Roads, Water & Environment
 Mr. K. Kehoe, Director of Services, Corporate, Culture, HR & IS
 Mr. M. Quinn, Director of Services, Planning and Economic Development
 Mr. B. Pollard, Head of Finance
 Mr. B. O’Kane, Financial Accountant
 Mr. R. Moloney, Senior Executive Officer, Environment
 Ms. H. Dunphy, Meetings Administrator
 Ms. A. Maher, Corporate

1. Confirmation of Minutes

Plenary Meeting held on 11th July, 2019 were proposed by Cllr. Fitzgerald and seconded by Cllr. Barron.
 Special Meeting 24th July, 2019 were proposed by Cllr. McGuinness and seconded by Cllr. Quinlan.

2. Matters Arising

Cllr. Mulligan asked when the new Bye-Law on Amplified Sound would be on the Agenda.
 G. Hynes, A/DoS confirmed it will be on the agenda for the October meeting.

3. Planning

(a) Planning lists as circulated were noted.

4. Land Disposals

Land Disposals proposed by Cllr. Quinlan and seconded by Cllr. Cummins.

5. Monthly Management Report

Cllr. O'Donnell requested an update on the Ballyduff Wind farm.

Cllr. Mulligan enquired about the planning application for North Quays and when it is due to be lodged and asked who will be held accountable when the SDZ timeline of November is passed.

Cllr. Clune enquired about the existing housing maintenance programme and associated delays in completing works due to procurement delays. He asked if a new framework could be put in place where each LEA should have dedicated personnel to look after tenants issues. He enquired as to what steps were been taken to collect outstanding rates and rent.

M. Quinn, DOS outlined that enforcement proceedings had commenced in relation to the wind farm, the developer is in a position to apply for retention and this then needs to be considered under the planning regulations.

M. Walsh, CE said that the recent meeting with Minister Paschal Donohoe confirmed that the funding is in place and is subject to formal confirmation in respect of access routes. Dialogue to move train station is ongoing and he is confident that it will be progressed.

B. Pollard, Head of Finance outlined that meetings with the rate collectors have been underway in relation to looking at a new approach to rate collection and how to utilise the new legislation which came into effect in July 2019.

I. Grimes, DOS confirmed that there is an increase at the moment in rent collection due to payment plans being put in place. In relation to the maintenance programme it is his intention to introduce some new frameworks to alleviate the backlog.

Cllr. Fitzgerald queried the emergency numbers listed within the tenant's handbook and the length of time it is taking for emergency items to be addressed, these issues need to be prioritised and resolved in a timely manner. He raised the issue of knotweed and the need to spray at this time of the year to ensure it is tackled correctly, he asked what measures are in place to deal with it.

Cllr. Cummins looked for an update on a downsizing scheme being rolled out by Cork Council as he has received calls from people who would be interested in such as a scheme. He agreed with Cllr. Clune on the need to improve maintenance stating that it is critically important to speed up repairs in cases where the rents are up to date. In relation to the North Quays he is aware that funding is committed but that the train station issue needs to be resolved and he would like it noted that he will support CE on the progression of this issue.

Cllr. Hearne asked if there was any move to get the Taxi NCT back to Waterford for our taxi drivers. He noted that discussion in relation to the delays in housing maintenance repairs stating that there should be no excuse for older people to be cold and that they have to be prioritised.

I. Grimes, DOS told the Council that he would intend to update the Tenants Handbook as this needs to take account of the new standards implemented and that the new proposals will be brought to the Housing SPC. To respond to Cllr. Cummins and the downsizing, he is going to meet Cork Council to discuss their schemes and will report after that meeting. The Tenancy Handbook is only for information of the tenants as we have a Tenancy Agreement which is the signed document for the tenancy.

G. Hynes, A/DoS, explained that the Japanese Knotweed treatment plan is commencing shortly. On private land it is the responsibility of the landowner to spray this weed and the council will be advising landowners on this matter. He highlighted that there is very good information in the public arena for the treatment of this weed.

Cllr. Shanahan referred to the Suir Valley Railway and requested that the track is extended into the City and options to accommodate this are considered. He requested an update of the provision of an

information session in relation to 5G provision and an update on the delivery of the Kilbarry Area Action Plan. He outlined the need to erect road safety signs at Carroll's Cross and enquired as to the delay for the development of the Carrickphierish area.

Cllr. D.McGuinness referred to the fire personnel in Dungarvan and a number of them who are trained as first responders. He asked that if there is a delay in an ambulance responding that the first responders in the Fire Service who are trained could be notified of the incident and sent out.

Cllr. Brennan enquired about the measures in place for new transport hub and asked that this take into account the disability services. She asked for details on the length of time before a tenant can apply for Tenant Purchase and highlighted that some landlords are still refusing HAP. In relation to Homeless persons there are still problems in finding properties and she would appreciate a workshop on this matter and also enquired if there was any update on the Repair and Lease project.

M. Quinn, DOS responded about the Suir Valley Railway stating that it was prohibitively expensive to develop the line into the City due to location of existing businesses, land costs and potential environmental impacts that would need to be considered. In relation to the Kilbarry Action Plan he will arrange meeting to discuss and outlined that there is a plan to develop the halting site.

I. Grimes, DOS explained that the use of the fire service for assistance to the ambulance service can be taken up with the Chief Fire Officer but that there are 3 separate systems for calls when they come in which could be a problem. In relation to the Tenant Purchase Scheme the tenant must be resident for 12 months to apply. He stated that it was an offence by any landlord to refuse HAP now and that the person can take legal action if the landlord does refuse to take HAP. In response to Cllr. Brennan on Homeless Services the Council and homeless providers have a team looking for places for those linked in with the service and also for those at risk of homelessness. There are issues with unauthorised development in Carrickphierish and outlined that the council are anxious to extend the halting site.

M. Quinn, DOS explained that the transport hub and proper access are being looked at currently.

G. Hynes, A/DoS is aware of the requests in relation to Carroll's' Cross outlining that there are ongoing discussions with the TII which will involve a full evaluation of the junction to include history, volume of traffic. The aim will be to identify measures that might provide solutions to reduce accidents, approval and funding will be needed from TII.

Kieran Kehoe, DOS outlined that they will have a 5G workshop for councillors in October.

Cllr. Ryan enquired about the matter of illegal dumping that is ongoing throughout the county and city, while there are a large number of complaints he enquired as to why there have only been four legal actions taken. He asked for an update on number of rough sleepers and the plans for assisting people for the winter. He outlined this concerns in relation to the Choice Based Letting (CBL) scheme and the lack of feedback from the online system to the applicants. He asked for an update on the plan to maintain the Rogue Gallery.

Cllr. Daniels asked if the Michael Street development could be progressed now rather than waiting for the North Quays to start. He also requested an update on Waterford Airport and asked had all the land been purchased.

Cllr. Quinlan queried the fact that Anti-Social Behaviour (ASB) checks are applied to social housing tenants and said he would like ASB checks applied to those getting HAP also. He requested a charter in relation to the responsibilities of Irish Water so that people are clear whether they need to contact Irish Water or the council. He queried the council's policy on people who wanted to improve footpaths in their areas and providing the associated financing for the work, a process to enable this needs to be in place.

I. Grimes, DOS stated that there is a cold weather initiative in place which has operated for the past number of years and includes the council engaging with rough sleepers. CBL has made a significant contribution in allocation of council houses, the housing staff are meeting with IT staff to develop a system to assist with feedback to those applying for CBL. In relation to ASB checks we are legally obliged to check on those who are being allocated council tenancies but there is no provision under HAP to do an ASB check, this would require new legislation.

M. Walsh, CE outlined that the both the Michael Street and North Quays developments will happen concurrently. The Michael Street site is currently being transferred from NAMA to the Council, he confirmed that capital funding is in place to progress the works.

G. Hynes, A/DoS outlined that there are a number of actions in relation to tackling illegal dumping and noted that only a small number would result in legal action. He also noted that large scale fly tipping is

reducing due to hard work of council staff. He supported any contribution by the public in relation to addressing issues and the council will engage with any group to see how to progress it.

K. Kehoe, DOS stated that the arts officer is currently engaging with the Rogue Gallery in relation to a new premises.

G. Hynes, A/DOS outlined that Irish Water have their own protocols in relation to the reporting of issues to their customer services team and will relay concerns to their regional representative.

K. Kehoe, DOS will also discuss the matter with the customer service team.

Cllr. Griffin mentioned the outdoor staff of the Council and their contribution to the different festivals and events and the Customer Services Department and their work, and commends them both.

Cllr. J. Power endorsed Cllr. D.McGuinness comments on the first responder item and would like to see the extension of the Suir Valley railway into the City supported and progressed.

Cllr. O'Leary enquired about the taking in charge of housing estates and asked if a member of staff has been assigned to the area. He supported Cllr. Shanahan and Cllr. J. Power in relation to the Suir Valley Railway and asked that the issue of the improvements on the N25 are progressed.

M. Walsh, CE outlined that there is no source of funding available to create a rail line into Bilberry and is not an option for progression at the moment. In relation to the first responders he stated that the fire service would not have the number of supervisors and the standards required at the moment to provide a first responder service. It would require a change in duties, pay scales and an alteration of the service would require input from the Health Service Executive.

M. Quinn, DOS stated that councillors will be updated on taking in charge of estates at the district meetings.

Cllr. Barry mentioned that An Taisce and IBAL had worked together with the council on a clean-up of the river at Cheekpoint and requested that this is continued to help keep rivers and streams litter free. He raised concern in relation to where the council have referred people to Housing Associations and being offered properties where the rent is high and questioned if people are made aware of HAP/RAS schemes.

Cllr. Barron highlighted that the N25 needs to be made into a dual carriageway which would address the issues on the road as outlined. He outlined that Tidy Towns Committees have raised the issue of the cost of insurance for CES workers and requested if there is any council assistance.

Cllr. Phelan asked if there is a protocol in place for ambulances being able to get through road works.

I. Grimes, DOS stated that the council has no input or control in relation to rents by voluntary housing bodies, he is aware of the issue raised and having it investigated. He outlined that insurance for Tidy Towns Committees can be addressed by applying for the Supporting Waterford Communities Grants, he asked the Councillors to consider this when approving the amount in the upcoming budget.

G. Hynes, A/DOS outlined that the clean-up of the river in Cheekpoint was led by Kilkenny so we will liaise with them as to future options. He confirmed that emergency vehicles are given priority access to pass where there are ongoing roadworks. Acknowledgement was made to Cllr. Barron's comments on the N25 proposal for a dual carriageway and he outlined that it is not included in the 2040 Capital Investment Plan so in interim consideration needs to be given to reasonable improvements.

Cllr. Conway mentioned the compulsory purchase of sites for housing and enquired if the Council can deduct any fees for the period a property is on the derelict sites register before paying for the site.

Cllr. J. Murphy queried the variance in the amount received for the adaptation grants for both private and council houses and is concerned about the reduced allocation for the council houses. He enquired about the cost involved in voids and the responsibilities of the ex-tenants to clear out houses and associated costs. He requested that all playgrounds have some items of equipment that are accessible for all users.

Cllr. Wyse referred to roadworks in various areas that are causing delays and asked if there can be a policy that roadworks don't commence until after 9am. He also asked if there have been any issues or incidents in relation to the homeless hub in Parnell Street as there had been previous concerns.

Cllr. S. Power referred to the N25 requesting a slower lane to accommodate motorists turning.

I. Grimes, DOS outlined that he has spoken to the Department regarding the initial amount requested for our own stock stating that the council has 3.5% of the National Housing stock and only received 1% of the total funding allocated to Local Authorities. He is hopeful of some additional funding being made

available. He explained that the cost of disposing of items from ex-tenants is costing 40% of our total spend on voids, he is currently having this area examined.

G. Hynes, A/DOS outlined the council strives to have playgrounds inclusive and will review resources to determine what can be achieved. In relation to traffic restrictions for road works the main aim is to get work completed as soon as possible in order to reduce inconvenience for the public. As previously stated the N25 is being evaluated and outlined that reduced speed lanes can incur more problems than they solve for motorists.

M. Walsh, CE agreed that the N25 needs an upgrade and requested the members to wait for the full evaluation of the junction to be carried out. He stated that CPO's do take NPPR charges/derelect sites levies into account but the council is currently looking at other Local Authorities for best practice.

6. Annual Financial Statement and Section 104

B. Pollard, Head of Finance circulated a supplementary document at meeting and outlined the major differences in the income over expenditure changes.

Cllr. Cummins referred to the purchase of land and asked if the councillors agree on the purchasing of land like they do on disposals stating that the purchase of land should be discussed prior to the purchase going ahead due to the amount of money involved.

Cllr. Mulligan requested an explanation on the offset of costs in relation to environmental services and waste collection as it isn't evident in the appendix. He outlined that the capital account for the North Quays shows an expenditure of €2m in 2018 and enquired as to how it compared with 2017 and the forecast for 2019.

Cllr. Clune queried appendix 5 regards other income in relation to property disposals figure and local authority housing figure and how low the current figure is in the statement?

Cllr. Ó Cathasaigh asked about Appendix 2 and road classification and safety and asked in terms of classification mode how much is spent on pedestrian improvements.

B. Pollard, Head of Finance will revert with answers to councillors directly.

M. Walsh, CE stated that there is a significant Fire Service increase due to number of call outs. He outlined money received from land sales can vary and affect the end amount as it depends on when land is sold and when money is received. The council can do a report on purchases but it would need to be confidential until the sale has closed. A Management Report can be done on a quarterly basis to outline the details of land purchases. North Quays spend is high but have recovered some funding from the Department and this will continue.

It was outlined that an adjustment needs to be done to the Statement.

Approval of the AFS and Section 104 was proposed by Cllr. Tobin and seconded by Cllr. Hearne, subject to this adjustment being done. This was agreed by all.

7. Climate Adaptation Strategy

It was outlined that a previous workshop was given by R. Moloney, SEO and agreed that a summary overview would be given to council. This was followed by the Mayor reading out a motion as follows:

Resolution for the approval of the Climate Change Adaptation strategy:

"Pursuant to the provisions of the Climate Action and Low Carbon Development Act 2015 and the National Adaptation Framework (NAF), 2018, Waterford City & County Council resolves to approve the Waterford City & County Council Climate Change Adaptation Strategy 2019-2024, having considered the draft strategy, the contents of the CE report on submissions received during the period of consultation and the SEA an AA Screening Reports carried out in accordance with the requirements of the SEA Directive (DIR 2001/42/EC) and Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC)"

Proposed by Cllr. Wyse, seconded by Cllr. Ryan and agreed by all.

Compliments from a number of Councillors were expressed for the work gone into this Strategy.

Cllr. D. McGuinness welcomed the Council introducing an extreme weather protocol for Council staff, and wants this published and communicated to give leadership to other businesses to look at same.
Cllr. Ryan requested that as we go forward a series of public meetings be held in each area on this topic.
Cllr. Hearne mentioned the Student Strike which is being held on 20th September on Climate Change requesting the Mayor to meet with the students.
Cllr. Wyse asked previously about project 24 and that the Council look for funding under this.
Cllr. O’Cathasaigh would like to see these plans moved on now.

Considering the questions raised again in the meeting Cllr. Mulligan asked the consideration be given to allowing media to attend these.
K. Kehoe, DoS outlined that this request must go to the Procedures Committee for consideration.

8. Nomination to Decade of Commemorations Committee

Fianna Fail - Cllr. Wyse proposed by Cllr. Murphy
Fianna Gael – Cllr. Power proposed by Cllr. Cummins
Labour – Cllr. Ryan proposed by Cllr. Phelan
Sinn Fein - Cllr. Brennan proposed by Cllr. Hearne
Independents – Cllr. Shanahan proposed by Cllr. Conway
Green Party – Cllr. Ó Cathasaigh proposed by Cllr. Power

Cllr. Barron seconded all proposals and agreed by all.

9. Correspondence

Proposed by Cllr. Cummins, seconded by Cllr. Mulligan and agreed by all.

10. Notice of Motions

1. Motion in the names of Cllrs. Conor D. McGuinness, Jim Griffin & Breda Brennan

“That Waterford City and County Council writes to An Taoiseach, Leo Varadkar, TD and to each individual Minister and Minister of State calling on them to support, establish, fund and resource an annual national ‘Make Way Day’ to recognise that people with disabilities have the same right to use and enjoy public spaces that we all share.”

Proposed by Cllr. D.McGuinness, seconded by Cllr. Hearne and agreed by all.

Extension of Standing Orders by 10 minutes proposed by Cllr. D.McGuinness, seconded by Cllr. Cummins and agreed by all.

2. Motion in the name of Cllr. James Tobin

“That Waterford City & County Council calls on the Minister for Transport to ensure that every child eligible for Primary and Secondary school is provided with transport where necessary.”

Seconded by Cllr. Eamon Quinlan with a suggestion to write to Minister John Halligan to get additional, amendment supported by Cllr. Ó Cathasaigh, Cllr. Tobin agreed to the amendment and for it to be sent to both Junior and Senior Minister.

Cllr. Mulligan stated that the lottery for seats has to stop and that there should be places for all children on school transport.

Cllr. Wyse proposed additional extension of 5 minutes, seconded by Cllr. Cummins and agreed by all.

3. Motion in the name of Cllr. Conor D. McGuinness

“That Waterford City & County Council writes to the Tánaiste and Minister for Foreign Affairs and Trade Simon Coveney TD and Minister of State for European Affairs Helen McEntee TD and to MEP’s to raise concerns that the proposed Mercosur Free Trade Deal will have a detrimental impact on the environment, on workers’ rights and conditions, and on Irish agriculture; and to outline the Council’s view that any trade agreement should raise and not lower food, environmental and labour standards across both Europe and South America.

Proposed by Cllr. D. McGuinness, seconded by Cllr. Fitzgerald and agreed by all.
Cllr. S. Power stated his support for this motion and also the farmers who are on strike and requested a resolution.

4. Motion in the name of Cllr. Declan Clune

“That Waterford City & County Council agrees to write to both the commissioner of AGS Drew Harris and the Minister for Justice and Equality Charlie Flanagan T.D. to express our concern and opposition to the prospect of the Garda Divisional Headquarters being transferred from Waterford City to Kilkenny under proposed Garda reforms”

Proposed by Cllr Clune, seconded by Cllr. Brennan and agreed by all.

12. AOB

Nomination to Healthy Waterford Committee, Cllr. Tobin proposed by Cllr. O’Leary and seconded by Cllr. Cummins.

It was outlined that the Old Persons Council members would like to meet the council and TFI, this will be referred to F. Galvin.

Cllrs. Tobin, Power and the Mayor have been in discussions with beef farmers and requested that a letter was read at the meeting as follows:

Dear Councillors,

We are writing to you to ask for your support for the Beef Farmers of this county and the Beef Farmers of Ireland.

Beef farmers in Ireland have witnessed the steady decline in profitability and viability in their businesses over a number of years.

This has occurred primarily in the fact that the Corporate Sector has over time developed the ability by various means to manage the Irish Cattle Supply and price paid to farmers. The net result is that beef farmers are working at or below the cost of production to a point where most are questioning the sustainability of their operations going forward.

Unles and until beef farmers can unite behind a workable beef plan which guarantees a fair price for their cattle they and their families will continue to be working slaves for a dominant extremely profitable Corporate Sector into the future. There is nothing wrong with the price of beef and enough in it for everyone. It just needs to be shared or distributed fairly.

The survival of the Beef Farmers is vital for the survival of Rural Ireland and all the jobs associated with it. Therefore, we in the Beef Plan movement would ask for the support of Waterford County Council going forward.

*Sean Harris,
Chairman Waterford Beef Plan.
John P. Murphy,
Vice Chairman.
Dated 11-9-19.*

Cllr. Mulligan support same and requested a letter go to the minister on this matter
Cllr. Phelan, Cllr. J. Power, Cllr. Shanahan and Cllr. Hearne also voiced their support.

Signed: _____
Mayor

Dated: _____