

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

COUNCIL MEETING HELD ON 9TH DECEMBER 2021 BY MS TEAMS

Present

Cllr. Donal Barry	Cllr. Jason Murphy
Cllr. Liam Brazil	Cllr. Pat Nugent
Cllr. Joeanne Bailey	Cllr. Seamus O'Donnell
Cllr. Ger Barron	Cllr. John O'Leary
Cllr. Declan Clune	Cllr. Lola O'Sullivan
Cllr. Joe Conway	Cllr. Thomas Phelan
Cllr. Tom Cronin	Cllr. Jody Power
Cllr. Conor McGuinness	Cllr. Seanie Power
Cllr. David Daniels	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. James Tobin
Cllr. Joe Kelly	Cllr. Eddie Mulligan
Cllr. Cristiona Kiely	Cllr. Adam Wyse

Officials in Attendance

Mr. Michael Walsh, Chief Executive
 Mr. Kieran Kehoe, Director of Services, Corporate, Culture, HR & IS
 Mr. Fergus Galvin, Director of Services, Roads, Water & Environment
 Mr. Michael Quinn, Director of Services, Economic Development and Planning
 Mr. Paul Johnston, Acting Director of Services, Housing, Community & Emergency Services
 Mr. Bernard Pollard, Head of Finance
 Ms. Claire Hartley, Senior Executive Officer, Housing
 Ms. Honor Dunphy, Meetings Administrator
 Mr. Dave Mitchell, Corporate
 Mr. Conan Power, Communications
 Mr. Jon Hawkins, Information Systems

Meetings Administrator carried out a roll call to confirm meeting attendance.

1. Confirmation of Minutes

The minutes for the meeting of 11th November 2021 proposed by Cllr Wyse, seconded by Cllr. O'Sullivan and agreed by all.

The minutes of the budget meeting of 23rd November 2021 proposed by Cllr. Tobin seconded by Cllr. O'Sullivan and agreed by all.

2. Matters Arising

Cllr. McGuinness asked for an update on the Bunmahon Sewerage works and the meeting with Irish Water.

F Galvin (DoS) stated that it was raised in his meeting with Irish Water in Mid-November and some investigative works were required which was proceeding,

Cllr. Bailey wanted to thank the Council for flying the Palestinian flag outside the Waterford and Dungarvan Offices in support of the UN Day of solidarity for the Palestinian people.

3. Land Disposals

K. Kehoe, DoS outlined details of the land disposals, proposed by Cllr. Pratt, seconded by Cllr. Wyse and agreed by all.

4. Monthly Management Report

Cllr. McGuinness. Kelly, Griffin, Phelan, Tobin and Kiely commended the outdoor staff, support staff and management plus emergency services and ESB Networks on their great work before and during Storm Barra including the successful communication especially through social media.

K. Kehoe, DoS noted that services were maintained by staff up to 10pm during the storm. F. Galvin, DoS acknowledged the good wishes of the members and will pass onto the staff,

Cllr. McGuinness requested details on the 7 new roles recently approved for Housing and enquired if numbers of maintenance staff could be increased to assist tenants who had problems with heating systems as there were delays due to staff availability.

Cllr. Wyse sought clarity on the recently announced Covid supports for the performance sector especially the €5m allocated for distribution via local authorities and the mechanism for disbursement.

Cllr. E. Quinlan spoke about the new Biodiversity Funding and wanted to know when the promised plans for new parks or pocket gardens would be available. Requested details on the proposed parking discounts for the January plenary meeting and asked that following ministerial clarification that local authorities could impose fines for anti-social behaviour on tenants and would the council be taking action against some of the more egregious offenders.

K. Kehoe, DoS stated that awaiting details of the arts and performance covid fund and would circulate once they were available. He added that in other elements of the support package funding would be available for air filtration in venues which could be applied for including for some of the councils' own venues. He clarified that the housing roles that were being approved were in the areas of engineering, quantity surveying, architecture, clerks of works, technicians, and administration. He also stated that the recruitment for the extra maintenance staff approved in the budget would be starting immediately.

P. Johnston, A/DoS confirmed the recruitment is in the Housing Delivery Office and Social and Affordable Housing, maintenance staff and standards in private rentals functions. Fining tenants for anti-social behaviour could be considered and this would need to be discussed separately. He clarified that the recruitment process for the additional housing staff was underway. K. Kehoe, DoS explained that sanction from the Department had already been sought and he was hopeful of filling the positions in the coming months.

F. Galvin, DoS said he had not seen the details of the new Biodiversity Funding, but the Tree Management policy was being formulated and there had been discussion with an Arborist and the results will be reported back through the SPC. He stated that the parking discount was essentially an extended parking pass or permit for certain areas and he would report back on it for the January Plenary.

Cllr. Daniels requested information on four sites, land purchased from Glanbia near the Riverwalk that is being used by staff at UHW as a carpark enquiring if carpark would continue to operate; any plans for the HSE lands purchased at Ballinakill; option to purchase the former Gas Company carpark site on Waterside and OPW site at Bolton Street.

Cllr. Conway enquired about the collection of levies on Derelict sites which was running at less than 7% of bills paid nationally and if there had been any follow up from the Minister.

Cllr. Hearne enquired about details of the Community Activation Fund and the Slaintecare Healthy Communities fund. He expressed his disappointment at the Community Safety Programme that replaced the JPC as there is less councillor input.

K. Kehoe, DoS confirmed that the purchase of the Glanbia site was not completed but should happen soon and that there were no plans at present to change its current use as a car park. He had no knowledge of any plans made by the HSE for the Ballinakill site and added that the purchase of the Gasworks and OPW sites could be looked at. The council had already acquired a similar OPW site in Dungarvan.

M Quinn, DoS confirmed he would share the submitted derelict site report with the members and that there had been no further contact from the Minister on the matter. He didn't expect any great improvement in the collection rate for subsequent years and stated that collecting was often a slow and troublesome process.

M. Walsh, CE clarified the position with the Community Activation Fund which would be advertised and the LCDC would assess and appraise applications. There was a call out for it now and it should come back to the LCDC in the next month. The Slaintecare funding that was approved was for three or four project and he would circulate details of them.

Cllr. Griffin raised the issue of some applicants to the new tenant purchase scheme having their applications refused due to sheds and garages they had built and asked if they could be advised how to get retention.

Cllr. Murphy raised the issue of the underutilisation of the N25 city bypass and the Thomas Francis Meagher Bridge which was adding to the traffic through the city centre. He asked for a traffic survey to assess the economic contribution to the city that the through traffic was making. He also asked if the council could talk to the operators regarding the removal of the toll that had been in place since around 2009.

Cllr. Fitzgerald raised the issue of the tender for Rock Stabilisation on the North Quays and how much it would cost and why the council were responsible for it. He also asked that consideration be given to a workshop on rural housing given there was little Part V related building in rural areas which might add to the social housing stock.

F. Galvin, DoS clarified that the Council were not party to the contract for the Toll bridge as it was a TII/NRA contract with the operator, and he believed it was due to run until 2035/36. Traffic using the bypass had increased but not at an exceptional level and he would look at doing a survey in the first half of 2022 but was unsure if it would provide much new information.

P. Johnston, A/DoS clarified that that it was impossible for the council to sign off on Tenant Purchase Applications where unauthorised developments in the form of sheds and garages had occurred. He would look at a workshop in the New Year on Rural Housing and suggested that Planning input into this would also be required.

M. Quinn, DoS clarified that the Rock Stabilisation was part of the overall URDF funding for the North Quays enabling work.

Cllr. F. Quinlan suggested that consideration be given to the use of 1100 litre bins that can take items like Pizza boxes. These had been introduced in Galway, F. Galvin, DoS will review.

Cllr. Bailey enquired who looked after requests that were made through the fixmystreet.ie website. She had been informed that many people were logging issues but that there didn't seem to be many cases fixed.

Cllr. Roche asked if the Failte Ireland Destination Plan be brought to council before submission. She wanted to know what was proposed regarding the moving of the Railway station and requested that alternatives be considered in relation to the costs for the broadcasting of the meetings in the chamber.

M. Quinn, DoS stated that the Failte Ireland Destination Plan could be looked at by the relevant SPC but as it was a Failte Ireland Plan it would not be brought before council. Confirmed that the relocation of the Railway Station was included in the current infrastructure tender which was being delivered under a single contract.

K. Kehoe, DoS clarified that fixmystreet.ie was administered by Dublin City Council who then passed the logs on to Customer Services for action suggesting that the issues could be raised directly with Customer Services. Regarding broadcasting meetings, he clarified that the recently approved budget did not provide for this.

As the Mayor lost connection the Deputy Mayor Cllr. S. Power took over the chair temporarily.

Cllr. Barry asked how many were employed in Estate management for the Council, wanted to see more emphasis on mental health and suicide prevention in the Slaintecare Healthy Community Programme and did not want to see any duplication with existing health services. He highlighted the Heritage Keepers programme for schools and wanted the Council to inform schools and promote it on social media as there were limited places available.

Cllr. Ryan asked if there was any progress directing more resources to work on Housing Adaptation Grant applications and enquired when the 2022 Roads and Footpaths programme would be in place.

Cllr. O' Leary wanted to know if Occupational Therapists input was required for all disabled persons grant applications.

The mayor regained connectivity to the meeting at this point and was restored to the Chair.

C. Hartley, SEO outlined that there were five staff in Estate Management with a line manager, three estate managers and an administration support person and Anti-Social Behaviour was part of their remit.

P. Johnston, A/DoS clarified that Occupational Therapist input was not required for all disability grant applications but was mandatory for some such as for stairlifts. The OTs were in high demand and were only used where needed. Regarding resource allocation to speed up applications he clarified that he expected that any backlog would be cleared by the end of January.

F. Galvin, DoS outlined that the Roads and Footpaths programme was likely to go to the district meetings in February assuming the allocation is received from the Department before then.

M Walsh explained that the Slaintecare Healthy Community programme had 3 elements, Capital Advancement of €250k to fund 3/4 projects which would be circulated, Healthy Community Co-Ordinator who would report back to the LCDC on areas including mental health and suicide prevention and HSE Resources that would concentrate on health outcomes via GP practices in areas like Obesity and Healthy Eating for Example.

M. Quinn, DoS agreed to help promote the Heritage Keepers programme.

Cllr. Mulligan asked if the tendered work for the North Quays would include flood works for the area down to Plunkett Station. Requested a LEO Breakdown of €733k and the nature of the companies the 26 companies that were successful. Additionally, he asked that the Affordable Housing statistics be included in future management reports, he suggested that the Best Place in Ireland to Live signage be looked at and be put on Council Vans to promote it given the IDA said it was a significant factor in recent FDI successes. Cllr. Pratt asked for an update on the Greenway extension to the West. He wanted to know if Storm Barra had caused any damage that might have financial implications for the Council. He also commended the Pride of Place winners and wished them the best.

Cllr. Phelan noted there were 267 actions from 2390 complaints on environment and if they were related and what happened to the other complaints. Asked if the Space Finder app was being considered for use by disabled drivers across Waterford. He stated that the North Quays and the N25 bypass should be included in the Management Report given their strategic nature across the city and county.

M. Quinn, DOS stated that the Flood Defences on the North Quays would meet requirements including the railway station. The LEO figures by industry type analysis would be a big manual exercise as applicants not classified in that way, he would follow up with the LEO team given that Cllr. Mulligan stated that there were only 26 recipients. The signage approaching the city for "Best Place to Live" has been requested. he would look at getting best place to live signage onto council van feet and was also hoping to have a workshop before the end of the year on the extension to the west of the Greenway,

F. Galvin, DoS stated that reviews of the damage caused by Storm Barra had commenced but it was too early to give a definitive indication of damage and possible costs. He clarified that the complaints did not correlate with the actions taken, many of the issues were resolved without the need for follow up action. He said the Space Finder app was already under consideration for roll out in 2022.

Cllr. J. Power asked about the feasibility study into the Waterford to Rosslare railway line and would it impact on the New Ross Greenway Plan. He also asked for an update on water quality in the Suir estuary. Regarding the recent convictions for illegal dumping, he wanted to know why there was no naming and shaming of those convicted and asked if Storm Barra had any impact on Winterval.

Cllr. Tobin asked if the executive could clarify if the seven new housing staff could be recruited from existing panels.

Cllr. Barron asked if there was any study done or process started to look at a Waterford to Cork Dual Carriageway.

Cllr. Kiely stated that higher use of the N25 bypass of the city would help with both decarbonisation and accessibility in the city. Regarding the Bunmahon Sewerage project and the Tramore pier and others she asked that there should be increased lobbying in light of the underspend of €100m by Irish Water in 2021. Enquired if there could be public consultation on EV charging points.

Cllr. Nugent asked if there are any plans for the N25 to bypass Castlemartyr and Killeagh and an outer ring road for Dungarvan.

K. Kehoe, DoS clarified that there were panels in place from recent recruitments for the URDF and other schemes which included Senior Executive Engineers, Architects, Clerks of Works Technician and administrative support. He also said that he was aware of damages caused by Storm Barra to the Christmas lights in Dungarvan.

F. Galvin, DoS clarified that the ongoing Railway Feasibility was for Waterford to Wexford, not New Ross and did not know when it would be published and the New Ross to Waterford Greenway would go ahead as it was not part of the review. He acknowledged that the water quality in the Estuary had deteriorated, and it was becoming a priority area for action under the Water Directive Action Plan that was currently in consultation. The stakeholders would be coming together to devise action plans for this issue. The council was advised by the Department that it could not "name and shame" those convicted of Illegal dumping. He was not aware of the current underspend by Irish Water on their infrastructure and that he does raise Bonmahon and Tramore Pier at all meetings. EV charging points will not be the primary responsibility of councils as many would be provided by the private sector. The SPC would be looking at an EV charging point strategy looking to provide points where they were needed but not commercially viable. The N25 was not included on the National Capital Plan. There are no background discussions with Cork Co Co either. The Dungarvan outer ring road was still a live prospect but currently there was no funding,

Cllr. Griffin asked if Irish Water funding could be ring fenced for Bunmahon and Tramore Pier, supported by Cllrs. S. Power and Kiely.

F. Galvin, DoS stated that the Council had no control over Irish Water project budgets and suggested lobbying nationally for these projects.

5. SPC Standing Orders

Standing Orders introduced by K. Kehoe, proposed by Cllr. Tobin, seconded by Cllr. Fitzgerald and agreed by all for adoption.

6. Audit Report 2020

B. Pollard, HoF introduced the Local Government Audit Service Audit Report.

Cllr. Barry asked for an explanation of the €4m loan that was not accounted for on the balance sheet. He asked about the arrears in Rent and Rates which continued to increase annually and the measures in place to counter this. He wanted some clarification of the €17.7m doubtful debt provision. Additionally, he sought to clarify that a Fixed Assets Register exists.

Cllr. Geoghegan referred to the outstanding Rent and Rates and highlighted the rental arrears over €10k which was getting worse year on year.

Cllr. Griffin stated that a workshop should be considered for these reports as more discussion might be needed. He suggested that perhaps a quarterly report could be provided so the members could review during the year rather than having a full year in one report.

Cllr. Phelan pointed out that there was no SPC type committee for Finance and also suggested a workshop to scrutinise further and some form of finance committee.

Cllrs. Conway, Ryan and Roche also thought a workshop might be a good idea. Cllr. Roche was also concerned about the tenants in excess of €10k rent arrears and the reasons for them.

B. Pollard, HoF clarified that the loan referred to by Cllr. Barry was relating to an approved housing body transaction where both the credit side and the debtor side had been omitted so there was no net material impact. He stated that action had been taken to ensure no recurrence. He stated that the normal collection rate was around 79% or 80% but that was up to 84% in the current year due to higher collections and the benefit of a waiver funded by central government. The Housing Loans arrears had been significantly improved through better engagement with borrowers. He would welcome a workshop in future years. He also clarified that there was an asset register in operation and work would be completed soon on disaggregation of some of the lands included in it. Additionally, Mr Pollard clarified that there was only an annual report from the auditors so it could not be reviewed quarterly. The Doubtful Debts provision included unpaid rates for businesses in receivership or liquidation. A prudent provision was made on the basis that a portion of the outstanding debt arrears would not be recovered.

C. Hartley, SEO explained that some of the rent arrears that were for the 78 accounts greater than €10k arose due to rent reviews and back assessments due to underdeclared income or circumstance changes. She pointed out that it was a small proportion of tenants, 78 out of a total of 5,000 and most paid in a timely manner. She was looking at establishing a debt management policy for these long-term debtors.

Cllr. Kiely supported a Finance Committee being set up.

Cllr. Fitzgerald asked if perhaps the auditor would present the report in person to the plenary, or a workshop as had occurred in the past.

Cllr. Daniels suggested that the two council members that sat on the audit committee could perhaps provide quarterly or half yearly briefings to the other members. He also thought the workshop would be a good idea.

Cllr. Mulligan had questions on the associated companies in section 10.1. There was €235k advanced to these companies and was this on top of their budget allocation. The €450k for Waterford Treasures was that on top of the 600k annual subvention from the council. The recommendation for an oversight body or structure to oversee all these companies and if it would be an Audit Committee responsibility He also asked if there were minutes for the meeting between the auditor and the Audit Committee. He would welcome regular updates from the Audit Committee to the Plenary.

B. Pollard, HoF clarified that the €235k was additional spend approved by the members and the €450k was the actual subvention for the year for the Waterford Treasures. The Management Team will meet and review the subsidiary companies and assess any risks associated with them. The meeting between the auditor and Audit Committee was not minuted but he was not an attendee. He agreed that the two councillors that were members of the audit committee could report back to fellow members and having a workshop for next year's report and resurrection of the Finance Committee was something that could be examined.

7. Tenants Handbook

C. Hartley, SEO summarised the details including the responsibilities of all parties to a tenancy.

Cllr. Ryan proposed acceptance of the document which he welcomed especially as it was written in plain English and addressed the multi occupancy buildings that were more prevalent, seconded by Cllr. Fitzgerald Cllrs. Hearne and Bailey expressed their support for the handbook. Cllr. Phelan asked if it constituted the tenancy agreement and if it was legally binding. He also wanted to know if a tenant was evicted were the council obliged to rehouse them. Cllr Barry, on behalf of the SPC wished to thank Henry Moloney and congratulate the team on the work they had put into the handbook. He stated that it needed to go with an Anti-Social Behaviour Policy as the two worked together.

C. Hartley, SEO welcomed the members support and stated that the handbook was in addition to the Tenancy agreement that was in place for all properties. The draft anti-social behaviour policy was the next task for the team. She also clarified the right of the Council to withdraw housing and homeless supports under the 2014 Act. This had happened in the past and would continue to be applied.

Cllr. Phelan asked for a copy of the tenancy agreement which Ms. Hartley agreed to supply.

8. Correspondence

Proposed by Cllr. Daniels, seconded by Cllr Roche and agreed by all.

K. Kehoe, DoS clarified that Civic Receptions came to the Plenary via CPG for approval and were included on the agenda under Correspondence.

9. Motions

1. Motion in the name of Cllr. Mary Roche (Deferred from November meeting)

“That this Council resolves to replace the recitation of the Opening Prayer by the members with ‘a moment of silent personal prayer or reflection’ with the duration at the discretion of the Mayor”.

Reg. No. 203 (dated, 19th October, 2021)

This motion was introduced and proposed by Cllr. Roche and seconded by Cllr. Barron.

Cllr Tobin stated he would not support the motion and spoke to propose to amend the motion to the effect that the prayer was continued to be recited. This amendment was not allowed as it was in direct opposition to the original motion.

Cllrs. J. Power and Cllr. Ryan stated their support for the motion. Cllrs. Brazil. Geoghegan, Power, Daniels, Fitzgerald, Murphy, Griffin, O’Donnell, O’Leary and Kelly expressed their opposition to the motion.

Cllr Phelan put forward an amendment adding a 30 second period of quiet reflection to follow the current prayer. This was seconded by Cllr. Geoghegan. Cllrs. Murphy, O ‘Leary, Kelly supported the amendment.

The mayor proposed a suspension of standing orders at this point so that the meeting could extend until 16:05 which was seconded by Cllr Geoghegan and agreed by all.

Cllr. Roche said she would accept the amended motion as a move forward.

The amended Motion was put to a Rollcall Vote

“This Council resolves that in addition to the recitation of the Opening Prayer by the members to add 30 seconds silent personal prayer or reflection”

Amendment motion Proposed by Cllr Phelan and Seconded by Cllr Geoghegan

Name:	Yes	No	Abstain	Absent
Ger Barron (Lab)	x			
Donal Barry (Ind)	x			
Liam Brazil (FG)		x		
Joanne Bailey (SF)	x			
Declan Clune (Ind)				x
Joe Conway (Ind)	x			
Tom Cronin (FF)	x			
Conor D. McGuinness (SF)	x			
Davy Daniels (Ind)		x		
Declan Doocey (FG)	x			
Pat Fitzgerald (SF)		x		
Damien Geoghegan (FG)	x			
Jim Griffin (SF)		x		
John Hearne (SF)			x	
Joe Kelly (Ind)	x			
Catriona Kiely (GP)	x			
Eddie Mulligan (FF)	x			
Jason Murphy (FF)	x			
Pat Nugent (FG)	x			
Seamus O'Donnell (Ind)	x			
John O'Leary (FF)	x			
Lola O'Sullivan (FG)	x			
Thomas Phelan (Lab)	x			
Jody Power (GP)	x			
Seanie Power (FG)		x		
John Pratt (Lab)				x
Eamon Quinlan (FF)				x
Frank Quinlan (FG)	x			
Seamus Ryan (Lab)	x			
Mary Roche (Ind)	x			
James Tobin (FF)		x		
Adam Gary Wyse (FF)				x
Total	21	6	1	4

The amended motion was carried.

2. Motion in the name of Cllr. Mary Roche (Deferred from November meeting)

‘Following on from the Councils’ historic and exemplary decision to broadcast Council meetings live, we now further resolve to make the recording of the meetings available online via the Waterford City & County Council website for a period of at least 12 months from the date of broadcast to facilitate those who cannot watch or listen to the live broadcast.’

Reg. No. 204 (dated, 19th October, 2021)

The motion was introduced by Cllr. Roche and seconded by Cllr Phelan.

Cllrs Hearne Ryan and J Power spoke in favour. Cllr Cronin spoke against it saying that the minutes were the record of the meeting and the media helped with the transparency. Cllr. O Donnell requested a roll call vote seconded by Cllr O’Sullivan. The vote then proceeded with the following results.

Name:	Yes	No	Abstain	Absent
Ger Barron (Lab)	x			
Donal Barry (Ind)	x			
Liam Brazil (FG)				x
Joeanne Bailey (SF)	x			
Declan Clune (Ind)				x
Joe Conway (Ind)	x			
Tom Cronin (FF)		x		
Conor D. McGuinness (SF)	x			
Davy Daniels (Ind)				x
Declan Doocey (FG)		x		
Pat Fitzgerald (SF)	x			
Damien Geoghegan (FG)				x
Jim Griffin (SF)	x			
John Hearne (SF)	x			
Joe Kelly (Ind)	x			
Catriona Kiely (GP)	x			
Eddie Mulligan (FF)	x			
Jason Murphy (FF)	x			
Pat Nugent (FG)				x
Seamus O’Donnell (Ind)		x		
John O’Leary (FF)	x			
Lola O’Sullivan (FG)		x		
Thomas Phelan (Lab)	x			
Jody Power (GP)	x			
Seanie Power (FG)	x			

John Pratt (Lab)				x
Eamon Quinlan (FF)				x
Frank Quinlan (FG)				x
Seamus Ryan (Lab)	x			
Mary Roche (Ind)	x			
James Tobin (FF)	x			
Adam Gary Wyse (FF)				x
Total	19	4	0	9

The motion was carried.

10. AOB

The meeting concluded with the Mayor thanking the members, staff and press for their work during the year. He wished the members, staff, press and media a Happy and Peaceful Christmas and a brighter 2022.

Signed: _____
Mayor

Dated: _____