

COMHAIRLE CATHRACH AGUS CONTAE PHORT LÁIRGE
WATERFORD CITY AND COUNTY COUNCIL

Special Meeting of the Metropolitan District held by MS Teams on 8th December 2021 @ 4.00pm

Present:

Cllr. Seamus Ryan, Mayor	Cllr. Eddie Mulligan
Cllr. Joanne Bailey	Cllr. Jason Murphy
Cllr. Joe Conway	Cllr. Lola O’Sullivan
Cllr. Davy Daniels	Cllr. Jody Power
Cllr. Pat Fitzgerald	Cllr. Eamonn Quinlan
Cllr. Jim Griffin	Cllr. Frank Quinlan
Cllr. John Hearne	Cllr. Mary Roche
Cllr. Joe Kelly	Cllr. Adam Wyse
Cllr. Cristiona. Kiely	

Apologies:

Cllr. Donal Barry

Officials in attendance:

Mr. M. Walsh, Chief Executive
Mr. F. Galvin, DOS Roads & Environment
Mr. K. Kehoe, DoS, Corporate
Mr. P. Johnston, SRE, Housing
Ms. H. Dunphy, Meetings Administrator
Ms. C. Hartley, SEO Housing
Mr. P. Blake, Ex. Architect. Housing
Ms. A. O’Shea, Corporate Department

Meetings Administrator carried out roll call for attendance.

The Mayor called on K. Kehoe to introduce the Part VIII

K. Kehoe, DoS outlined that following the decision of the High Court on the 23rd November the order in relation to the Judicial Review on the decision made on the 15th March regarding the Carrickphierish Part V111 now requires the members to retake that decision. He noted to the members that as regards the decision the members as per Section 179 of the Planning and Development Act have three options; firstly whereby they can decide to accept the development as recommended by the Chief Executive, modify or vary the development as recommended by the Chief Executive or to decide not to proceed with the development and confirmed that there is no change to the recommendation of the Chief Executive. In the case of the members deciding by resolution not to proceed with the developed he advised that they would need to clearly state the reasons.

Cllr. Kelly proposed that the development recommended by the Chief Executive not proceed for the following reasons:

- 1) The Traveller Accommodation Programme, the implementation of which is a clear objective of our development plan, provides in respect of Traveller Accommodation projects for ongoing consultation with Traveller families, the wider community and elected Council members. I consider that the lack of wider public consultation with the public or with the intended occupants

of the proposed development, outside of the statutory public consultation required for the Part 8, is not consistent with the development of sustainable communities and proper planning and that insufficient consideration has been given to alternative designs and accommodation types. In the context of design, I would also point out that I consider the open space provision to be sub-standard and as a consequence the design needs fundamental reappraisal.

- 2) I consider that the proposal to develop an additional site access on this primary route, which I believe to be a departure from normal roads policy, in close proximity to a number of other vehicular entrances, should be subject to a Road Safety Audit and that, in the absence of such a safety assessment, it has not been clearly demonstrated that the proposed development would not endanger public safety.

Considering the above he proposed that the proposed development as presented does not proceed at this time.

Cllr. Conway fully supported Cllr. Kelly’s reasons and seconded the proposal, Mayor requested a roll call vote.

For	Against	Abstain	Not present
Cllr. Joanne Bailey	Cllr. Cristiona Kiely		Cllr. Donal Barry
Cllr. Joe Conway	Cllr. Seamus Ryan		
Cllr. Davy Daniels			
Cllr. Pat Fitzgerald			
Cllr. Jim Griffin			
Cllr. John Hearne			
Cllr. Joe Kelly			
Cllr. Eddie Mulligan			
Cllr. Jason Murphy			
Cllr. Lola O’Sullivan			
Cllr. Jody Power			
Cllr. Eamon Quinlan			
Cllr. Frank Quinlan			
Cllr. Mary Roche			
Cllr. Adam Wyse			
Total 15	Total 2	Total 0	Total 1

The meetings administrator confirmed the result as 15 in support of Cllr. Kelly’s proposal and 2 against. K. Kehoe, DoS confirmed that the members of the Metropolitan District decided to reject the proposal, as recommended by the Chief Executive for the reasons as proposed by Cllr. Kelly, seconded by Cllr, Conway and a formal resolution as passed by the members. Confirmed that the Executive will enter a process of consultation with all stakeholders early in the New Year and bring a revised proposal to the members in order to satisfy the need for accommodation in this area.

This concluded the business of the meeting.

Signed: _____
Mayor

Dated: _____



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

**Resolution of the Elected Members
Waterford City and County Council, Metropolitan District
8th December 2021**

In accordance with the Planning & Development Act, 2000(as amended), Part XI and the Planning & Development Regulations 2001 (as amended), Part V111 with regard to the proposed development of 7 Traveller bays at Carrickphierish Road (L1524), Waterford City. The development as recommended by the Chief Executive will provide

- (a) Seven number bays, each with its own 30m² day house
- (b) Supporting development works include; (i) a single stand alone Welfare Facility, (ii) temporary construction signage; (iii) drainage and (iv) all associated site works.

CERTIFIED RESOLUTION OF THE Metropolitan District of Waterford City & County Council that the development as presented, proposed by Cllr. Kelly, seconded by Cllr. Conway and agreed by council in a recorded vote of 15 in favour and 2 against THAT THE PROPOSAL AS PRESENTED DOES NOT PROCEED due to the following reasons as set out;-

- 1) The Traveller Accommodation Programme, the implementation of which is a clear objective of our development plan, provides in respect of Traveller Accommodation projects for ongoing consultation with Traveller families, the wider community and elected Council members. I consider that the lack of wider public consultation with the public or with the intended occupants of the proposed development, outside of the statutory public consultation required for the Part 8, is not consistent with the development of sustainable communities and proper planning and that insufficient consideration has been given to alternative designs and accommodation types. In the context of design, I would also point out that I consider the open space provision to be sub-standard and as a consequence the design needs fundamental reappraisal.
- 2) I consider that the proposal to develop an additional site access on this primary route, which I believe to be a departure from normal roads policy, in close proximity to a number of other vehicular entrances, should be subject to a Road Safety Audit and that, in the absence of such a safety assessment, it has not been clearly demonstrated that the proposed development would not endanger public safety.

Signed:

**Councillor Seamus Ryan
Mayor of the Metropolitan District**

Witnessed:

**Honor Dunphy
Meetings Administrator**