

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

**COUNCIL MEETING HELD ON 11th APRIL, 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. Seamus O'Donnell
Cllr. Declan Clune	Cllr. John O'Leary
Cllr. Tom Cronin	Cllr. Cha O'Neill
Cllr. John Cummins	Cllr. Michael J O'Ryan
Cllr. Davy Daniels	Cllr. Lola O'Sullivan
Cllr. Pat Fitzgerald	Cllr. John Pratt
Cllr. Damien Geoghegan	Cllr. Eamon Quinlan
Cllr. Jim Griffin	Cllr. Sean Reinhardt
Cllr. Blaise Hannigan	Cllr. Matt Shanahan
Cllr. John Hearne	Cllr. James Tobin
Cllr. Joe Kelly	Cllr. Siobhan Whelan
Cllr. Eddie Mulligan	Cllr. Adam Wyse

APOLOGIES

Cllr. Seanie Power, Cllr. Joe Conway

OFFICIALS IN ATTENDANCE

Mr. Michael Walsh, CE, Waterford City & County Council.
Mr. I. Grimes, Director of Services, Housing, Community & Emergency Services
Mr. F. Galvin, Director of Services, Roads, Water & Environment Deputising for CEO
Mr. M. Quinn, Director of Services, Economic Development & Planning
Mr. K. Kehoe, Director of Services, Corporate, Culture, HR & IS
Mr. B. O'Kane, A/Head of Finance
Ms. H. Dunphy, Meetings Administrator
Ms. A. Maher, A/ Senior Staff Officer

1. Confirmation of Minutes

- (a) Plenary Meeting held on 14th March, 2019 proposed by Cllr. Daniels seconded by Cllr. O'Neill
- (b) Minutes of Special meeting held on 4th March, 2019 proposed by Cllr. Daniels and seconded by Cllr. Quinlan

2. Matters Arising

Cllr. Mulligan asked for update on development of bye laws to deal with noise nuisance in the City Centre. Cllr. Whelan stated that her motion to have a plenary meeting in An Rinn is withdrawn due to the associated costs.

Cllr. Cummins requested update on Clarendon Court, the resolution of the legal difficulties and progress of the CPO.

I Grimes, DoS outlined that an interested party has come forward regarding Clarendon Court, a meeting is scheduled to take place to discuss the options, and progression of the CPO is dependent on the outcome of this meeting.

F. Galvin, DoS stated that the council is waiting on legal advice in relation to required changes to the byelaws to address the issue and will revert with an update when available.

Cllr. O'Neill enquired if it is regular for someone to come forward in cases such as Clarendon Court.

I Grimes, DoS outlined that this case is complex due to the number of owners involved in the property.

Cllr. Reinhardt asked for an update on the Rebuilding Homes Scheme.

I Grimes, DoS outlined that there is no update in terms of an application but the council has had assurance from the Department of Housing, Planning and Local Government that any applications processed and approved will be covered.

3. Planning

(a) Planning lists as circulated were noted.

Cllr. Mulligan expressed disappointment over the density of the proposed development in the Paddocks and felt that the submission didn't express the sentiments of the public meeting held.

Cllr. Fitzgerald stated that the emergency legislation for planning introduced in 2016 has resulted in this situation and the executive have to work within it.

Cllr. James Tobin enquired about the appeals process and the power of the council to a right of appeal to An Bord Pleanála on their decision.

M. Quinn, DoS explained that all comments were expressed and reflected in the submission, it is difficult to reflect the sentiments in a report. He informed the meeting that the means of an appeal against An Bord Pleanála is by way of judicial review. He outlined that a judicial review is only against process and there needs to be sufficient legal justification to pursue this approach.

Cllr. Daniels outlined his concern with fast track planning and taking the council out of the decision. He stated that there was no consideration given to the residents in the Paddocks and the surrounding residents with regard to the impact on traffic, service and requested the number of units is reduced. These issues were not reflected in the report.

Cllr. Shanahan supported previous speakers and outlined his concern with the retention of the apartment block in the development and setting a precedence for height for future developments.

M. Quinn, DoS explained that there are parameters and guidelines that the Council have to adhere to when developing a report to An Bord Pleanála which includes incorporating both the views of the councillors and the executive.

M. Walsh, CE agreed that there is conflict between National Policy and local wishes. The National Planning Guidelines dictates the planning density for urban areas and developments cannot be achieved without using apartments on the development. Policy outlines that there is a need to drive density for the effectiveness of services so as not to continue urban sprawl as is evident in Irish cities. Planners are obliged in the report to reflect national policy and also take into account the views of the councillors. The density guidelines for Waterford cannot be changed and as a result developers have to design according to the guidelines.

Cllr. Wyse outlined that the council is restricted by the guidelines as laid out in National Policy and while not agreed with have to be adhered to.

Cllr. Mulligan outlined that there will be leakage from the area as people plan to move as a result of the issues with the proposed development.

4. Land Disposal

None.

Cllr. O'Neill enquired if details on price associated with land disposals could be provided to council.

M. Walsh, CE stated that this information can be provided as it is a matter of public record once sale is completed.

5. Monthly Management Report

Cllr. Murphy stated that there is a lengthy list of adaptation applications currently with the council that will take a number of years to clear and when will funding be available to address this. He enquired about the number of new housing units allocated to people with disabilities.

Cllr. Cummins enquired that where defects are found as a result of inspections and that he landlord does not carry out the necessary repairs what are the sanctions and does the council permit tenants to move. He stated that if the property is sub-standard movement should be permitted. If the property is substandard or there are issues of intimidation tenants should be allowed to move.

Cllr. Quinlan enquired if one off funding can be applied for to tackle the current backlog of repairs on council properties. He outlined that the government are looking at a scheme to incentivise people to downsize to smaller properties and release larger properties back and enquired if this scheme can be applied to. He enquired if there is an update on the further funding for the North Quays and information on Age Action programme.

I Grimes, DoS outlined that there is a time delay and backlog currently for adaptations to council stock. The Council are looking at ways of generating sales in the housing stock in order to supplement funding received from grants. Where appropriate the council may encourage some tenants to move to more suitable properties in the same area or nearby.

Cllr. Cummins enquired if the council is meeting their targets on the inspection of HAP properties.

I Grimes, DoS explained that the majority of non-compliances are minor. The council have taken action and stopped payments to landlords until the work had been completed and will revert with requested figures. Currently looking at more suitable units for elderly people and will pass on information request about Age Action to the Department of Housing

Cllr. D. Geoghegan highlighted that performance groups are experiencing high insurance costs for use of council owned facilities and may need to look for alternative venues, requested that this issue is reviewed by the appropriate SPC.

Cllr. Brennan asked for update on application for funding for the airport and the number of NAMA properties are on the vacant sites register. Requested that re-inspections of HAP properties continues as it increase standards. Enquired when groups who applied for grant funding will be informed of the outcome of their applications.

Cllr. J Kelly enquired if any applications have been made to the outdoor recreation grant scheme. Enquired about how many sites are on the current vacant sites register and how much is expected to be collected from the vacant site levy. Outlined that the LCDC advertised for the Community Weekend but it is only applicable to Local Authority Estates, he requested that private estates should also be included.

I Grimes DoS explained that the LCDC got €10,000 for this weekend and they decided to prioritise needy estates. Decisions are to be made next week so they will notify after that all those that are successful.

K. Kehoe DoS will review the insurance issue in relation to council facilities and it can be discussed at the Housing, Community, Culture, Sport & Recreation SPC.

M. Walsh, CE outlined that the council is waiting on a decision on funding and will inform council when available.

M. Quinn, DoS will revert with information on NAMA properties. There are approximately 17 properties on the vacant site register and will need to revert with detail on the income levy. The focus in relation to vacant sites is to have the sites developed rather than the collection of income. He confirmed that there have been 3 applications made to the outdoor recreational scheme to the value of €170,000. Will circulate details of 2019 applications when confirmed.

Cllr. O'Sullivan outlined that waste collectors are not collecting brown bins and requested the council to consider investment into cycling stands. Suggested that the council invests in additional dog fouling bags in an effort to address the issue.

Cllr. Mulligan thanked housing for the report on inspections, queried the costing's for remedial works to council housing stock. Enquired if there are figures on the savings as a result of the amalgamation and outlined his disappointment that the Technological University for the South East hasn't been finalised

Cllr. Pratt enquired if the review of the Tenant Purchase Scheme has taken place and requested information on the reason for refusals. Enquired if the rural regeneration fund application for Cappoquin has been submitted.

F. Galvin DoS stated there is an obligation on waste collectors to provide a brown bin collection and asked for information to be provided on areas where there is an issue. He confirmed that the council have installed new cycle stands in a number of areas and it is actively being progressed. The council continues to review dog fouling problems and is reviewing dog walking routes and advising the public of problems.

I Grimes, DoS outlined that they are currently compiling costing's for remedial works and stated that currently spend around €5m on housing maintenance. In relation to the Tenant Purchase scheme there is no update, the review has been completed by the Department and the council is waiting on the report. He stated that the scheme is still open for applications; reasons for refusals for not qualifying for the scheme is mainly based on level of earned income.

M. Quinn, DoS advised that a revised application will be made in relation to Cappoquin.

M. Walsh, CE confirmed that information on the savings as a result of the amalgamation can be looked at during the May meeting.

Cllr. Hearne advised that there are a number of rogue landlords claiming to take HAP. He complimented the current pollination project and enquired about the process. Enquired if there are new grants for reducing our carbon footprint in council properties; asked for an update on the Rebuilding Home Loans.

Cllr. Daniels asked about the Regional Spatial Economic Strategy and asked if an additional river crossing at the Tower Hotel could be included.

Cllr. Shanahan suggested a review of supporting documents used for the proposal of the expansion of Dublin airport to assist with Waterford Airport. Thanked those who visited the Cat Lab recently for the information tour and he hopes to continue to build the relationship between University Hospital Waterford and the Council. Informed the meeting that there is a seat available on the South South West Hospital Group Board and there should be a Waterford representative on it.

I Grimes, DoS outlined that any issue in relation to rogue landlords need to be brought to the attention of the council; not aware of any new SEAI grants for improvement to the council housing stock but continue to look at options to maximise the stock. In relation to the Rebuilding Home Loans the Council has received a commitment from the Department Of Housing, Planning and Local Government that any applications that are approved that funding will be allocated to cover these.

M. Walsh, CE outlined that the submission in relation to the Airport was supported by a full justification report by PWC.

M. Quinn DoS confirmed that an additional river crossing has been included into the Regional Spatial Strategy; current priority is the North Quays development but will continue to pursue the additional river crossing.

F. Galvin DoS outlined that the council is reviewing and changing how it maintains its open spaces to assist and support pollination, grass verges are been left go wild to assist the process.

Cllr. Griffin asked about process for housing allocations for transfers; asked could the council investigate option of developing a deep water port in Dunmore East; asked if grass cutting is carried out in estates that are taken in charge; suggested the upsizing of the recycling bins and downsizing of the grey bin.

Cllr. Whelan enquired if is it only through CBL site you can apply for a property; any update on provision of emergency accommodation in the West of the county and enquired where people that cannot access accommodation stay; asked for update on the outstanding housing maintenance waiting list.

Cllr. Hannigan enquired if house visits have ceased in relation to the cases of overcrowding in houses.

Cllr. Fitzgerald stated that applications for Housing Adaptation Grants are backlogged for LA stock and the process for applications for private houses seems to be a quicker, asked if process could be reviewed to improve efficiency and what is the difference in the application process.

Cllr. Reinhardt requested that the Housing SPC could look at mutual swaps between tenants if this was to be done at a neutral cost; rent review in relation to the harmonisation of rents and there seems to be discrepancies in the approach.

Cllr. O'Leary enquired if there is any contact between economic development and the IDA.

I Grimes, DoS stated that any transfers would be limited to local area. CBL is currently used for 50-60% of all allocations but we are moving to increase to 80% of allocations being done through CBL. Need to keep small number of properties to be allocated for medical cases and currently looking at ways of informing applicants when a property has been allocated. Are looking at options for provision of emergency accommodation in the West of the county and stated that the feedback is that people generally stay with family/friends when waiting on accommodation. In relation to our adaptation grants the council are looking at the process for the improved delivery to both private and council scheme. In regard to mutual swaps we do not allow but do look at some individual cases on a case by case basis, will bring to the Housing SPC for review.

Cllr. P. Fitzgerald stated that the mobility grants seem to discriminate against social housing tenants.

I Grimes, DoS stated that there are income limits applied for private grants which is used when qualifying people for the grants and housing continues to look at ways of reducing waiting time for works.

F. Galvin DoS stated that grass cutting by the council is limited to social housing estates; the introductions of pay by weight costs has incentivised use of the green & brown bins.

M. Quinn, DoS indicated that there are ongoing discussions and regular contact work with the IDA.

M. Walsh, CE stated that there are ongoing discussions on the PORT. Council continue to liaise with the port and if any opportunity did present it would be looked at.

6. Annual Report (Draft)

K. Kehoe DoS outlined that the report is for noting and any comments to be – presented to all. Can comment.

7. Replacement Appointment to Local Community Development Committee (LCDC)

Chief Executive of the Local Area Partnership Mr. Joe Stokes recently retired and was replaced by Mr. Richie Grant, the Partnership has a seat on the LCDC and he requested formal approval of Richie Grant on the committee.

Proposed by Cllr. Tobin and seconded by Cllr. Quinlan

8. Supporting Waterford Community Grants

Proposed by Cllr. Tobin and seconded by Cllr. Reinhardt

Cllr. Murphy requested that the amount allocated to Tidy Towns groups is ring fenced. A number of councillors outlined the importance of the grant scheme for all groups that apply and it was agreed that as applicants had applied under the current terms that it would not be amended for 2019.

I. Grimes, DoS stated that he will request the Community SPC to review the scheme for next year. He informed that meeting that groups can also apply for the Community Enhancement Fund.

9. Directly Elected Mayor - Plebiscite

K. Kehoe, DoS outlined the details of the upcoming plebiscite on the directly elected mayor and informed the meeting that the vote will be held on the 24th May 2019 along with the Local & European Elections and Divorce Referendum. There will be a public campaign in the coming weeks to inform the public of the details of the plebiscite.

A number of councillors felt that the directly elected mayor would undermine the role of the councillor, adding an additional layer of bureaucracy that will have a significant budgetary impact on the council. There was concern over the lack of consultation on the proposal and the lack of guidance on the qualifications required for the position. Concern was raised over the reduced number of councillors required to pass the annual budget and the reduced number of councillors that would have the honour of becoming Mayor of Waterford City & County. It was also conveyed that the electorate are being given a role in electing the Mayor which was welcomed by some councillors.

An emergency motion was submitted in the names of Cllr. Geoghegan, Cllr. Kelly, Cllr. Doocey, Cllr. Pratt, Cllr. O'Donnell, Cllr. Hannigan, Cllr. Brazil, Cllr. Carey, Cllr. O'Leary, Cllr. O'Ryan, Cllr. O'Sullivan, Cllr. Murphy, Cllr. Tobin and Cllr. Shanahan. It was proposed by Cllr. Mulligan and seconded by Cllr. Brennan to hear the motion as part of this agenda item.

"Having had no prior consultation, input or interaction on the Ministers Directly Elected Mayors with executive functions and having read and heard from the Executive, the detail policy proposals, This Council wishes to state its opposition to the Directly Elected Mayors proposal"

A vote was taken in relation to the motion and the result was

For	13
Against	3
Abstaining	3

10. Correspondence

Proposed by Cllr. Kelly and seconded by Cllr. Hannigan

11. Notice of Motions

1. Motion in the name of Cllr. Joe Conway, Blaise Hannigan, Joe Kelly and Sean Reinhardt (Deferred from March meeting).

"That this Council recognises the selfless commitment of the Irish Defence Forces (Navy, Army and Air Corps) to the people of Ireland in defence of the nation and in the protection of the internal security of the State. In particular it acknowledges the role played by the Defence Forces in multinational peacekeeping, humanitarian relief, maritime security and fishery protection. This Council in its support for the campaign for Respect and Loyalty calls on the Government to immediately take action to resolve the issues relating to the pay and conditions of service of Defence Forces Members as they are seriously impacting retention and recruitment"

Motion carried and agreed that letter to issue to the Department of Defence and inform other Local Authorities.

It was agreed to suspend standing orders for 10 minutes, proposed by Cllr. Fitzgerald and seconded by Cllr. Hearne.

2. Motion in the name of Cllr. Eamon Quinlan (Deferred from March meeting)

“That Waterford City and County Council request the Minister to change the valuation legislation/regulations to allow publicans have the option of being judged on an individual basis annually to assist in their adjustment to the new trading environment they face in light of recent national legislation.”

Motion proposed by Cllr. Quinlan, seconded by Cllr. Tobin and agreed by all.

3. Motion in the name of Cllr. Declan Doocey

“That Waterford City and County Council write to the Department of Justice and Education to include driver theory/licence in the school curriculum as a subject for all students at leaving certification level.”

Cllr. O’Ryan suggested that it was proposed to have this incorporated into the TY programme rather than 6th year, this was seconded by Cllr. Brennan and agreed by Cllr. Doocey. Letter to issue to relevant Minister.

All in favour, motion carried.

12. AOB

Cllr. O’Neill informed the meeting of the upcoming Mayors Ball on 27th April and requirement for confirmation of numbers for the event.

Cllr. Tobin proposed that the May meeting is held at 11am. Cllr. O’Ryan seconded the proposal suggested meeting is held at 2pm. An amendment to the proposal by Cllr. Reinhardt and seconded by Cllr. O’Neill to not have a May meeting.

Vote on amendment resulted in 2 For and 12 against.

Proposal for meeting to be held at 2pm was proposed by Cllr. O’Ryan and seconded by Cllr. Brennan.

Vote was 11 For,, 0 against and 1 abstained.

Cllr. Kelly requested councillors to support and attend upcoming 24/7 Cardiac Care march in Dublin on Sunday 14th April.

Signed: _____
Mayor

Dated: _____