

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

**COUNCIL MEETING HELD ON 17TH SEPTEMBER, 2020 IN PARK HOTEL,
DUNGARVAN, CO. WATERFORD.**

PRESENT

Cllr. Ger Barron	Cllr. Jason Murphy
Cllr. Donal Barry	Cllr. Pat Nugent
Cllr. Liam Brazil	Cllr. Seamus O'Donnell
Cllr. Breda Brennan	Cllr. John O'Leary
Cllr. Declan Clune	Cllr. Lola O'Sullivan
Cllr. Joe Conway	Cllr. Jody Power
Cllr. Tom Cronin	Cllr. Seanie Power
Cllr. Conor D. McGuinness	Cllr. John Pratt
Cllr. David Daniels	Cllr. Eamon Quinlan
Cllr. Pat Fitzgerald	Cllr. Frank Quinlan
Cllr. Susan Gallagher	Cllr. Mary Roche
Cllr. Damien Geoghegan	Cllr. James Tobin
Cllr. Jim Griffin	Cllr. Adam Wyse
Cllr. John Hearne	Cllr. Eddie Mulligan
Cllr. Joe Kelly	

APOLOGIES

Cllr. Seamus Ryan, Cllr. Declan Doocey, Cllr. Thomas Phelan

OFFICIALS IN ATTENDANCE

Mr. M. Walsh, Chief Executive
 Mr. K. Kehoe, Director of Services, Corporate, Culture, HR & IS
 Mr. I. Grimes, Director of Services, Housing, Community & Emergency Services
 Mr. F. Galvin, Director of Services, Roads, Water & Environment
 Mr. M. Quinn, Director of Services, Economic Development and Planning
 Mr. B. Pollard, Head of Finance
 Ms. H. Dunphy, Meetings Administrator

1. Confirmation of Minutes

Minutes of meeting held on the 9th July, 2020 were proposed by Cllr. Pratt and seconded by Cllr. Quinlan.
 Minutes of Special Plenary meeting held on 29th July, 2020 were proposed by Cllr. D. McGuinness and seconded by Cllr. Barron.

2. Matters Arising

Cllr. D. McGuinness requested update on Draft Migrant Strategy
 I. Grimes, DoS confirmed that currently engaging with consultant and will revert when ready.
 Cllr. Clune noted that at the last meeting it was requested to invite Professor Ray Griffin to address council, has this been confirmed.

Meetings Administrator will follow up as no date confirmed yet.

3. Planning

Planning lists as circulated were noted.

4. Land Disposals

K. Kehoe, DoS outlined details of the land disposals as presented and informed members that Granary Café lease deferred to October meeting.

Cllr. Tobin asked if all legal implications have been discussed and satisfied before the land disposals come to council for approval.

Cllr. Wyse asked for reason for deferral of Granary lease.

Cllr. Clune asked for copy of evaluation from estate agency to be included in the documentation circulated.

K. Kehoe, DoS confirmed that all issues in relation to the disposal of the properties is in order, the final step is bringing it before council for approval. Potential change in boundaries with regard to the Granary which will be rectified before next meeting. Guarantee that the valuation mentioned are as received, looking to create a background document in addition to what is circulated for future meetings.

Land disposals proposed by Cllr. D. McGuinness seconded by Cllr. Fitzgerald and agreed by all.

It was proposed by Cllr. Quinlan, seconded by Cllr. Roche and agreed by all to amend Standing Orders to deal with items 6, 7, 8, 9, 10, 11 & 12 ahead of item no 5.

6. Financial Update

B. Pollard, HoF outlined details of the financial report, expectation that income will drop by €3.6m with expenditure down by €1.4m resulting in a shortfall of €2.2m. Bit items on income in reduction in parking fees which will be at about €1m by year end. Planning fess reduced by €370k, licences reduced by 100k, rates reduction of €1.1m, expected collection by year end to be in region of €20m which is positive considering €28m in 2019. There is a risk in relation to getting arrears from businesses in current climate which will have a net impact of €1.1m. With expenditure expecting credit from IPB of €370k, there will be HR training and recoupmnt costs, festivals and concerts as not expended to tune of €152k.

M. Walsh, CE outlined that in order to outturn the budget positively the council needs to access additional money or not carry out certain things to the end of the year. The sector has a whole has made a case to government regarding the need for additional funding and still awaiting a response, across the country there is a shortfall of €170m. Hard choices to be made in coming weeks if additional funding is not forthcoming and the level of service needs to be reduced in the coming months if money is not accessed. There is an obligation to do all we can so that we can out turn in a positive fashion and noted that there will be similar impacts on income and expenditure next year and sought to assist with additional funding to the public realm in order to support local businesses. In unprecedented times, rates waiver scheme is assisting and hopeful that we will get some additional national funding.

Cllr. Pratt stated that it is incumbent on government of the day to assist and does this include the deficit as incurred last year as result of Irish Water.

Cllr Hearne asked if there has there been any negotiation by Mayor regarding recoupmnt of finance in relation to Irish Water.

Cllr. Daniels outline that one off allocation of additional money received last year in relation to Irish Water and asked for it to be followed up on for this year.

Cllr. D. McGuinness noted that there was a disproportionate cut imposed on WCCC last year and it will be difficult to maintain level of services and keen that any reductions don't impact on the housing budget.

Proposing and asking the Mayor with a cross party delegation to seek meeting with Minister for Public Expenditure and Local Government to discuss and resolve.

Cllr. O'Sullivan noted that need that everyone, including TDs and Senators are all working together in Dublin on behalf of and for the greater good of Waterford.

B. Pollard, HoF confirmed that the impact of Irish Water reduction is included in the gap for 2020.

M. Walsh, CE will make the case to the Department regarding the wider Irish Water rates issue and Mayor in communication with Minister, decision will be made as part of the budgetary process. All parties in Dublin have been made aware of the issues.

7. 2019 Annual Report

K. Kehoe, DoS outlined statutory function of the council to adopt the Annual Report and is formed in association with the Corporate Plan. It's a complementation of all the good work carried out by the council and requested its adoption by the council.

Cllr. D. McGuinness noted that it is a comprehensive report and highlights good work, the roads department to be commended, housing do best in narrow confines of inadequate investment in housing. Much of the focus is disproportionate to the East of the county and focuses on the city, disappointed that the Housing SPC only met 2 times in 2019 and is a worrying trend as it is one of the biggest issues to be addressed. Asked for more online meetings of the SPC housing going forward to accomplish the tasks.

Annual Report proposed by Cllr. D. McGuinness, seconded by Cllr. O'Leary and agreed by all.

8. Filling of Committee Vacancies

Waterford & Wexford Education and Training Board (WWETB)

K. Kehoe outlined that as per the legislation gender balance is required on the Board, in the case of Waterford this results in the need for two female members.

Cllr. O'Sullivan proposed Cllr Gallagher, the nomination was seconded by Cllr. J. Power. As there were no further nominations Cllr. Gallagher was deemed elected.

Southern Regional Assembly

Cllr. Tobin proposed Cllr. Cronin, the nomination was seconded by Cllr. O'Donnell. As there were no further nominations Cllr. Cronin was deemed elected.

9. Approval of Appointment to PPN

I.Grimes, DoS outlined that PPN nominated Breda Fell to sit on the LCDC

Proposed by Cllr. Pratt and seconded by Cllr. Wyse.

10. New Differential Rent Scheme

I.Grimes, DoS outlined details of the new differential rent scheme as circulated, key element is equity as up to now dealing with rent as a result of three different rent schemes across old City Council, County Council and Dungarvan Town Council. Proposing to merge into a single scheme that will operation on 2 basic principles, firstly that the household rent will be affordable and secondly that it will increase on an incremental scale. During formulation of the scheme consulted with MABS and a number of discussions with the Housing SPC and the proposed approach is to limit any increase in year 1 to for households to €7 and a hardship clause to provide for households with an affordability issue. Proposal to introduce the new scheme with effect from the 2nd November, in the interim will be in contact with all tenants to outline the details of the scheme.

Cllr. Griffin asked what way plan to advise the tenants of scheme and welcome the hardship clause.

Cllr. Kelly asked how the scheme compares to similar local authorities, in terms of the hardship clause is there an appeal process if tenants aren't satisfied with the charge.

Cllr. Barry outlined that this review is long overdue and welcomes the consolidation, disappointed that working family payment and back to work dividend is still included. The current hardship clause is greater for the city, there is a hit on single and elderly and those in Dungarvan working with supplements. Acknowledge the work of all staff in the development of the new scheme.

Cllr. Pratt supports the new scheme noting there will be winners and losers, legal obligation to bring all 3 schemes in line and welcomed that the carers allowance will be disregarded.

Cllr. Hearne would like to see this paused until after the budget and know what our own finances are.

Cllr. O'Leary asked for an example of the impact on the individual house and the district variance.

Cllr. D. McGuinness disappointed that the working family payment will be considered as total income of the family. This is a hangover from the amalgamation process and local government reform, appreciate the work that has gone into it and acknowledge the work of the staff involved. Useful to see details of case studies and impact on a number of households across the county.

Cllr. Brennan asked that tenants get appropriate notice on any increase that may happen.

Cllr. Fitzgerald note that all figures relate to how it effects the tenants and asked how if effects the finances of the council.

I. Grimes, DoS stated that will be writing out to all tenants advising them of the changes to their rents, details the hardship clause and how to engage with the housing section and MABS. Have identified a number of vulnerable tenants and will ensure they are communicated with to understand the impact of the scheme. In comparison to other LAS, rents in old city would have been the lowest in the county. Proposed minimum rent of €26 averages the lowest rent in country. Hardship clause mirrors what was in the previous scheme and will accept recommendation from MABS. There is a table in report that sets out variations and comparison of different rent levels, the inclusion/exclusion of certain categories was discussed at length and for consistency have applied incomes as set out in national legislation for the assessment of social housing needs. Currently in the process of updating rent accounts and will be in position to feed into budget discussion as to the impact on council finances.

Cllr. Wyse noted that this was discussed at length at Housing SPC and agreed that any extra income that results will be ring fenced for housing maintenance.

Cllr. Power asked that council comes back after 3 months to report on progress.

Cllr. Murphy noted that most of rents in city increasing for those at the lowest income and asked that it is phased in for those households.

Cllr. Barry suggested bringing back in family work dividend.

I. Grimes, DoS stated the impact on city households will be phased in. Each individual tenant can apply for hardship clause and will revert to council with update on implementation.

11. Local Property Tax Meeting

Mayor proposed date of LPT meeting for Tuesday 22nd September at 1pm in Park Hotel. Agreed by all.

12. Correspondence

Cllr. J. Power referred to correspondence from Leo Quinlan in relation to the Battle of Jadotville where 155 Irish Soldiers were part of a peacekeeping force in the Congo in 1961. He requested the council to formally write to the Minister for Defence, Mr. Simon Coveney; Vice Admiral Mark Mellet and President Michael D. Higgins requesting the recognition and honouring of all involved. Cllr.

Cllr. Brennan enquired if any correspondence received in relation to her motion from the last meeting regarding the still birth and death certificate register.

Cllr. Kelly supported Cllr. J. Power outlining that the treatment of the unit and survivors by national governments has been very poor. He stated that the record needs to be corrected and the members to be recognised.

Cllr. Hearne requested follow up on the motion relating to Sulky Racing to be followed up on.

Cllr. Mulligan previously submitted motion in relation to the Siege of Jadotville and would endorse a subsequent submission noting that a commemoration of the battle should be considered.

Cllr. D. McGuinness seconded and supported Cllr. J. Power proposal and request that justice is carried out.

Mayor Cllr. D. Geoghegan agreed that letters as requested would be issued and confirmed with Cllr. Brennan that no correspondence was received but would be followed up on.

Correspondence proposed by Cllr. Quinlan and seconded by Cllr. Kelly.

5. Management Report

Cllr. Tobin noted that RWE company who are proposing to build a wind farm in Tallow and asked that the council request that application and further investigations cease during the pandemic. Asked for support from all councillors and wait until people can meet to discuss the impact in person. Asked if council are buying houses.

Cllr. Brazil welcomes decision by An Bord Pleanála in relation to the housing development in Lemybrien and asked what the council are planning to do in order to progress the application. Also requested that Planning SPC meetings are held in person and not via remote means.

Cllr. E. Quinlan asked about funding for acquisitions for the housing department and asked for this fund to be increased. He stated that the amount of books that school children are expected to carry is out of control and asked for e-library support for students and requested that the minister is contacted offering Waterford as a pilot to setting to support the e-learning initiative.

Cllr. Pratt supports Cllr. Tobin and welcomed the July stimulus although disappointed with funding of only €80k out of a fund of €1.7m.

Cllr. Daniels requested clarification on the restricted hours in the Regional Sports Centre and asked for update on Winterval festival. Asked CE about activity from IDA and Enterprise Ireland about new jobs for Waterford.

M. Quinn, DoS noted that there were Irish Water (IW) issues in relation to the planning application for Lemybrien, currently liaising with IW to progress, IW need to put in place infrastructure before development can proceed. Outlined that general direction for SPC meetings is to hold them remotely. Currently working through a number of solutions for Winterval that will work and positive that it will go ahead in a reduced format. Activity from IDA and Enterprise Ireland, major organisations are currently prioritising their own business but Enterprise Ireland has been very supportive across a number of initiatives for retail and significant work through the LEO office. RWE applications and issues are driven by operator, no public meetings held in relation to the development plan and have been successfully held virtually. Need to manage remote meetings and the public's expectations but will raise concerns with RWE.

I. Grimes, DoS outlined that currently not purchasing second hand houses at present as funding available nationally for acquisition has been significantly reduced, funding into new builds rather than acquisitions. Will write to Minister to request. There was a potential difficulty in relation to the opening hours of the RSC due to staff shortage, this is being addressed and full service in place for all of the clubs.

F. Galvin, DoS applied for projects as part of the stimulus project that covered the entire county and prioritisation has to be carried out on the basis of money received.

K. Kehoe, DoS confirmed that will engage with the Department of Education to see what can be progressed with the eLearning.

Cllr. O’Leary noted at last meeting that there was a back log in relation to the Disabled Persons Grant and enquired about additional funding received and noted that additional funding for voids seems low in comparison to other authorities.

Cllr. Cronin welcomes additional funding as outlined by Cllr. O’Leary.

Cllr. Mulligan pilot shop front scheme 26 applications for small funding asked if all applicants will receive funding or will there be a short list. Asked for update on North Quays and if the council is the result for delays and is there any liability to the council.

Cllr. Clune asked if health considerations are taken in account for mobile phone masts applications and asked if a watch list function can be added to the ePlanning site.

Cllr. Barry welcomes planning for Waterford Airport extension and asked if any plans for discussions regarding strategy to attracting carrier to Waterford. Enquired if there have been any representations made to attracting the concession stores in Debenhams to returning to City Square and asked for clarification for the grants for the replacement of gas/oil boilers. Asked for council website to be upgraded to include the new single housing adaptation form.

I.Grimes, DoS confirmed that the council received an increase allocation in the Disabled Persons Grant, the department recommended the approach to the Minister that we should receive the level of funding proportionate to the number of houses in the area. Allocation of €545k which will greatly assist in tackling the back log, there is contingency funding for additional application, the council will seek to spend allocation and seek more funding. Waterford’s requirement for void funding was low in comparison to other authorities as we have an efficient system for dealing with voids. The bulk of the funding received is for long term voids and will look at bringing these units back into use. Will review and revert to Cllr. Barry in relation to website.

M. Quinn, DoS outlined that had criteria for the shop front scheme and prioritising these, investigating other funding options to increase the allocation. North Quays project proceeding according to plan and as fast as possible noting that there have been challenges along the way. In considering mobile phone masts not aware of any documented issues and evidence against them that can be taken into account. Not aware of additional functionality on ePlanning but will query with department. Confirmed that have engaged with City Square and offering support where possible.

K. Kehoe, DoS confirmed 5 submissions received and waiting to hear back from An Bord Pleanála on next steps. Negotiations on carriers will commence once planning decision is finalised.

M. Walsh, CE stated that need certainty of development in the airport before approaching the carriers. Refutes any comments that the council is delaying the North Quays project, accept delay in funding and both parties have been operating at the same time, planning permission and design need to be in place in order to commence works.

Cllr. Murphy funding for vacant properties and voids is welcome, asked if the new contract will allow local contractors the opportunity to tender for the works. Enquired about the number of houses that have been CPO’d and if it is planned that they will come back into council stock and asked what provisions are in place to allow councillors to make representation to the council staff as general access to council buildings is restricted.

Cllr. Conway asked if same condition applies to HAP as for RAS tenants if landlord is selling the property, asked if there is a date for next local government audit and what facilities are there to enable confidential consultation with the auditor. Supports and endorse Cllr Tobin that wind farm discussions re postponed until after the pandemic. Noted that archive minutes are missing for 2020 from the website.

Cllr. D. McGuinness raised issue regarding short term lets are pricing families out of the market, finding suitable rented accommodation within the rental assistance payment is near impossible and resulting in hidden homelessness. Creating difficulty and distorting the market and government needs to take into account Airbnb prices when determining rental pressure zones. Need enforcement and application for affordable housing schemes for Dungarvan.

Cllr. Fitzgerald noted in East of the county the price of property has risen disproportionately to the rest of the county and is impacting on locals being able to afford housing, need suitable schemes for these areas.

Cllr. Brennan asked for the current figure awaiting social housing and also number of medical 1 transfers, asked if long term vacant housing units can be investigated as to reason remaining vacant so long and if the tenant purchase scheme still operating. Enquired as to how much of the housing adaptation scheme funding is still available and noted that social housing applicants are being advised by council staff to contact local councillors if they want housing and this is not the case as councillors can only make representations. Requested that a dedicated boiler service/repair team is ready for the winter season.

K. Kehoe, DoS advised that councillors make representations by phone and email as there are restrictions on movements across the whole sector. Reminded members that contact details for staff is on Decision Time and outlined that invested in upgrading of City Hall and also facilities in Dungarvan. To further support members there will be a scheduling system put in place for booking rooms if necessary and dependent on restrictions. Confirmed that all minutes for 2020 are on the website and up to date.

I.Grimes, DoS confirmed that local contractors will be in a position to tender for the new framework contract for voids, will revert with details on breakdown of CPO properties and will revert, confirmed that same condition does not apply to HAP as for the RAS scheme, both national schemes and no discretion to alter. Outlined that rent pressure zones set by minister and based on regulations, are looking at social housing schemes across the city and county and awaiting details of new affordable housing scheme. Current waiting list is 1100, in addition there are 2000 HAP tenants and approximately 45 medical 1 priority. Currently 7-8 long term vacant units for which funding has been allocated from the department to bring back into stock, noted that allocation process can take some time as need to go through Garda vetting and then offers can be turned down. Grant funding for both private and own stock is fully allocated to end of the year, will follow up on communication from staff. Confirmed that boiler service framework in place and is being rolled out where possible and tenant purchase scheme is still in place.

M. Quinn, DoS confirmed letters have been issued in line with legislation to owners or properties in rent pressure zones, in many cases owners don't realise they are in this zone.

Cllr. Griffin enquired if response to applicants on Choice Based Letting can be improved, asked if need more staff in housing to speed up allocations etc.

Cllr. Roche requested update on the North Quays and pending decisions, congratulations to Spraoi for decoration of the city, acknowledged work of the businesses and noted need to animate areas such as Cathedral Square where public lights are not working and is poor across the city.

Cllr. F. Quinlan reiterated need to extend hours at the RSC.

Cllr. J. Power enquired if Waterford was successful in receiving funding for wildlife signage, thanked council for funding re river plastics. Invited the Mayor and Director of Environment to review problem with plastics on the River Suir. Requested detail and options for use on council lands and illustration of boundary lines for sites. Enquired about council position on the closing off of walking trails.

Cllr. Nugent asked if report on development plan submission will be available to the public.

Cllr. Gallagher informed members that 'Make Way Day' is scheduled for 25th September and purpose is to highlight with access to footpaths, requested information on contact for the

Cllr. Kelly outlined that public are having difficulty with accessing planning applications on line, quality of scanned documents is poor and asked for this to be looked into. Welcomed the Active Travel measures allocation and asked if areas for works have been identified. Enquired if there is a common reason why applicants are refused houses under the Tenant Purchase Scheme.

I.Grimes, DoS confirmed the RSC solution will be in place, tenant purchase applications turned down for a variety of reasons such as inadequate savings, poor payment plan.

M. Quinn, DoS will follow up on Biodiversity funding, walking trails need to be dealt with on a case by case basis as depends on the circumstances. Confirmed that the CE report on the public consultation will be made public. There is a new system for planning due which will have better functionality, noted if there are issues with quality to inform staff and appointments can be made if necessary.

F. Galvin, DoS confirmed that contact for Make Way Day is Jemma Jacob, primary focus will be engaging with traffic wardens to ensure vigilance around obstructive parking. Presentations are being given at the district meetings outlining the areas of funding under the Active Travel scheme.

M. Wash, CE noted that work on the North Quays is ongoing and hopeful to funding confirmation in coming month and working with developer and design team to keep project moving.

K. Kehoe, DoS conformed that there is a comprehensive database of council lands, continuous checks regarding what is mapped relates to boundaries on the ground.

13. Notice of Motions

1. Motion in the name of Cllr. Mary Roche (Deferred from June & July Meetings)

“That Waterford City & County Council in light of current COVID 19 restrictions and improved technology agrees to investigate how Plenary Council meetings can be broadcast live in a cost effective manner and if such can be determined agrees to broadcast such meetings for a period of 12 months after which time Council will review the decision with a view to its long term continuance or otherwise.”

Reg. No. 157 (dated 22nd May, 2020)

Cllr. Roche outlined details of motions. Noted that a number of councils including all Dublin councils and Roscommon broadcast their plenary meetings live and in the interest of transparency would be a positive move for the council. There has been no issue in other councils in relation to lack of privilege.

Seconded by Cllr. Clune, noted that the costs have previously been exaggerated.
Agreed to refer to procedures committee to investigate.

14. Notice of Questions

Noted

15. AOB

None

This concluded the business of the meeting.

Signed: _____
Mayor

Dated: _____