

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

**COUNCIL MEETING HELD ON 10th MAY, 2018 IN THE COUNCIL CHAMBER,
CITY HALL, WATERFORD**

PRESENT

Cllr. Pat Nugent, Mayor	Cllr. Jason Murphy
Cllr. Liam Brazil	Cllr. Ray Murphy
Cllr. Breda Brennan	Cllr. John O'Leary
Cllr. Tom Cronin	Cllr. Seamus O'Donnell
Cllr. Declan Clune	Cllr. Cha O'Neill
Cllr. Joe Conway	Cllr. Michael J O'Ryan
Cllr. John Cummins	Cllr. Lola O'Sullivan
Cllr. Declan Doocey	Cllr. Seanie Power
Cllr. Pat Fitzgerald	Cllr. John Pratt
Cllr. Damien Geoghegan	Cllr. Eamon Quinlan
Cllr. Jim Griffin	Cllr. Seán Reinhardt
Cllr. Blaise Hannigan	Cllr. Mary Roche
Cllr. John Hearne	Cllr. James Tobin
Cllr. Joe Kelly	Cllr. Siobhan Whelan
Cllr. Eddie Mulligan	Cllr. Adam Wyse

APOLOGIES

Cllr. D. Daniels

OFFICIALS IN ATTENDANCE

Mr. M. Quinn, Deputy Chief Executive
Mr. I. Grimes, Director of Services, Housing, Community & Emergency Services
Mr. Fearghal Reidy, A/ Director of Services, Corporate, Culture, HR & IS
Mr. F. Galvin, Director of Services, Roads, Water & Environment
Mr. J. Murphy, Head of Finance
Ms. H. Dunphy, Meetings Administrator
Ms. S. Walsh, Senior Staff Officer

1. Confirmation of Minutes

- (a) Plenary Meeting held on 12th April, 2018 proposed by Cllr. O'Neill, seconded by Cllr. Fitzgerald and agreed.

2. Matters Arising

Cllr. Cummins proposed that the Council arrange to host a summit within 30 days with relevant stakeholders, including land owners, Construction Industry Federation, lending institutions in relation to the lack of supply of private houses in Waterford.

Cllr. Fitzgerald asked will the low number of outdoor staff be increased with summer approaching to ensure that areas do not suffer.

Cllr. Griffin seconded Cllr. Cummins proposal for the summit and supported by Cllr. Conway.

I Grimes, DOS said he will discuss about the summit with the CEO on his return.

Cllr. O'Neill asked for an update on the successful Contractor for the Council's void houses.

Cllr. Roche asked if Minister John Paul Phelan could be invited to a Council meeting to discuss the boundary extension. She queried if in the oral hearing on the North Quays does An Bord Pleanala only deal with the issues raised in the valid objections or the entire scheme Cllr. Roche also asked for an update on the Waterford Regional Airport.

Cllr. Whelan asked if any of the local contractors were successful for the procurement of voids, she also queried if the Notice of Motions will be addressed at this meeting.

Mayor replied that it his intention to get through the Notice of Motions.

F. Galvin, DOS said that outdoor work schedules are reviewed regularly to maintain full service.

I Grimes, DOS said that CTS Projects Ltd were awarded the contract for the Metropolitan District, he is confident that this will significantly reduce the turnaround times. A contractor for Comeragh and Dungarvan/Lismore Districts will be appointed in the coming weeks.

Cllr. O'Neill asked where CTS Projects Ltd are from.

I Grimes, DOS stated that CTS Projects Ltd is based in Newry and the group has offices in Dublin.

Cllr. O'Neill said that local builders are suffering and will result in loss of local jobs.

Mayor said that the CE will respond re the Airport when update available and will request an invitation to issue to Minister Phelan.

Cllr. Mulligan said he has reservations on the absence of the 3rd Bridge in National Planning Framework and funding for it and supported the request by Cllr. Roche for Minister Phelan to address the Council.

Cllrs. Geoghegan and Reinhardt support Cllr. O'Neill with regard to the non appointment of local contractors.

I Grimes, DOS said that the new approach will significantly reduce the turnaround time.

M. Quinn, D/CE said there is no proposal as yet how to fund the 3rd bridge at the City.

Cllr. Kelly stated the matter regarding local contractors was raised as an issue at council of trade unions

Cllr. Quinlan enquired as to the discretion of the Council in accepting the lowest quote.

Cllr. J Murphy asked where the Council stands nationally with regard to turnaround times for voids and if targets are not met can the Council go back to local contractors.

Cllr. Fitzgerald enquired if CTS construction will they hire local labour and will the runner-up for the Contract be awarded work if the schedule falls behind.

I Grimes, DOS said there are commercially sensitive details in relation to the awarded contract but stated that it is performance based and the Council will demand that targets are met. He also said that CTS will recruit locally. He said the average turnaround time in 2016 was 21.9 wks, in 2017 it was 21.1 wks and he expects the turnaround times for 2018 onwards to be significantly lower.

Cllr Hearne asked if a clause can be put in the contract that 10% local builders/workers be used.

I Grime, DOS said that the procurement rules are set down nationally.

M. Quinn, D/CE said that the criteria for a contract is set out in the tender document, including the award criteria but there is one successful candidate and only when a candidate withdraws will it go to the next tender.

3. Planning

(a) Planning lists as circulated were noted.

Cllr. Tobin asked if a developer wants to build between two counties (i.e. Waterford and Cork) do both councils meet regarding the planning application and what happens if they have different planning policies.

M. Quinn, D/E the two planning authorities would meet and both would work within the same national planning framework.

4. Land Disposals

D667 – MRF Facility to Cappelquin Transport Limited - proposed by Cllr Doocey, seconded by Cllr Brazil and agreed.

D695 -1,158m² at Cullencastle, Tramore to Mr Oliver Fleming - proposed by Cllr Griffin, seconded by Cllr Brennan and agreed.

L850 - Sub-Lease 4,795 m² to Trustees of Causeway Tennis Club, Dungarvan - proposed by Cllr Geoghegan, seconded by Cllr Cronin and agreed.

D696 - 1m² at Bridge Street, Waterford City to Gas Networks Ireland (GNI) - proposed by Cllr Kelly, seconded by Cllr Pratt and agreed.

D650 -979m² at Townspark East, Lismore to Mr David Feeney - proposed by Cllr Tobin, seconded by Cllr Quinlan and agreed.

5. Monthly Management Report

Cllr. Roche commented that the number of clients met for LEO is reducing and enquired if this is a national trend. Asked when the capital programme was due before Council and requested an update on the development of a hostel in the city and Bilberry part of the Greenway. Requested if footpaths can be applied for under the Town & Village Renewal Scheme. She asked for a gender report on staff and committees of the council.

Cllr. Whelan asked if the Choice Based Lettings website is being updated regularly. She requested an update on the houses in Kilrush as the contractor is bankrupt. Cllr. Whelan also asked if the Council's obligation with regard to wind turbines has been fulfilled.

Cllr. Clune asked if the Council can ring-fence €1m of the €2m for the construction and repair of footpaths. He enquired if members will be getting GDPR training. With regard to ENABLE Cllr. Clune asked if the Council/Gardai can remind motorists to respect disabled parking bays.

M. Quinn, D/CE said that the level of activity in LEO fluctuates over the year, he will raise the issue with the LEO office. There is scope for footpath improvements under the Town & Village Renewal Scheme.

J. Murphy, HOF said that the capital plan will be brought to Council shortly

F. Reidy, A/DOS said a report on the gender breakdown of staff and committees of the Council will be prepared.

M. Quinn, D/CE said that 62mwatts of wind energy is the Council's target and 40mwatts have been granted to date so the shortfall is 28mwatts so there is still plenty of capacity.

Cllr Tobin asked how many pylons does this entail.

M. Quinn, D/CE said that this is a target figure not an upper limit.

I Grimes, DOS said housing is actively looking at putting CBL allocations on the website, housing adaption grant is over €1.9m up 3.7% on 2017. With regard to the housing construction at Kilrush Dungarvan, the company, Salmon Construction went into examinership but the Council has a contract with the principal contractor, Woodcrest Ltd, and they will be back on site next week re-commencing construction.

F. Galvin, DOS said the priority with the Greenway is bringing it in from Bilberry to the Clock Tower and how to get cyclists across Rice Bridge. There is no development on the hostel in the city. He said he is happy to work with ENABLE and any group to highlight the misuse of disabled parking spaces.

F. Reidy, A/DOS said the Council is preparing for GDPR and training for councillors will be provided, guidance and general principles will issue.

Cllr. Quinlan asked if the deadline for HNA applicants to reply can be changed and can applicants be reinstated to the housing list if they miss the deadline.

Cllr. Pratt asked for an update on the Community Involvement Scheme (CIS) and Clár applications.

Cllr. O’Ryan said that the funding for Storm Emma has not been received yet and this is impinging on Council budget. He also requested an update on his request for a county wide litter day with Litter Ambassadors. He stated that his understanding was the wind turbine figure was a limit.

I Grimes, DOS accepted that the HNA timelines are challenging but they are set down by the Department. They can review on case by case basis depending on the situation of the applicant but applicants should inform Council of all changes in circumstances.

F. Galvin, DOS said regarding CIS there is no update and there is no news yet on funding for Storm Emma. The clean-up day Ambassadors will be brought to SPC in June.

M. Quinn, D/CE said he will revert re Clár funding.

Cllr. O’Leary asked for an update on developments for the Kilmeaden Cheese factory.

Cllr. Mulligan said that operation ENABLE will be extended to Waterford. He said homeless figures are up again this month and is the Council assessing what is causing homelessness. He welcomed the Cultural Quarter update and asked if the Council can take a stronger pro-active role in promoting a University for Waterford and invite in the Waterford members of the steering committee to address the Council.

Cllr. Brennan stated there is an allocation of €100,000 proposed for the old Railway Station in Tramore and enquired as to what works are planned. She enquired when road lining will commence and asked for proper road signage to alert motorists regarding community/childcare facilities. With regard to HAP can the Council re-iterate to landlords what should be provided so that the property can pass inspection.

M Quinn, D/CE said that Sustainable Energy strategy set a target not a limit so applications will still be considered even if the target is reached, he will follow up on with the SPC. The Council is not aware of proposal for the old Kilmeaden Cheese factory. He said the CE is supportive of University status and will look at having workshop in this regard, the current works at the Railway Station in Tramore are for the damaged roof and windows.

F. Galvin, DOS said road lining will commence in 3-4 weeks. Childcare facilities can contact the Council in relation to signage and decisions will be taken on a case by case basis.

I Grimes, DOS said the cause of homelessness is a concern and analysis is done for each individual, he will review information presented in the management report.

Cllr. Hannigan said that the Tramore hotel is up for auction and asked the Council to consider purchasing. Cllr. Kelly congratulated Robbie Skuse of Kollekt.ie, from Waterford who came second in ‘Ireland’s Best Young Entrepreneur 2018’. He asked when the Hennibique is due to be demolished and why there is a high refusal rate for housing loans. With regard to work on Castle Street/Browns Lane were residents contacted as there are complaints of a lack of consultation. He enquired if additional signage regarding how to use the Greenway was to be installed.

Cllr. Cummins asked for an update with regard to the Town & Village renewal scheme for Faithlegg/Cheekpoint, the Browns Lane/Castle Street/Hennessy’s Road project and queried the delay on the Kilbarry/Gracedieu project. He enquired as to why Part 5’s are not taken up immediately. The Council should look at a buy to rent scheme with the Department.

M. Quinn, D/CE said he is reviewing options re the Tramore hotel. The contractor is currently on site for the demolition of the Hennebique. He confirmed that the Browns road land is currently owned by NAMA and the Council is in the process of acquiring the rights to enter the property. The LIHAF situation at Kilbarry has been delayed, the Council is acquiring land and re-working the contract, progress has been made with Gracedieu. He said regarding the oral hearing for the North Quays it will be An Bord Pleanala’s decision how to approach it.

Cllr. Roche asked if the objections are withdrawn will this resolve the issue.

M.Quinn, D/CE understands that if the objections are withdrawn this will resolve the issue and An Bord Pleanala will confirm the SDZ as it stands.

F. Galvin, DOS said he will review signage needs for the Greenway. There are some issues in relation to the Town & Renewal Village Scheme for Faithlegg/Gracedieu there are currently being resolved.

I Grimes, DOS stated staff are working with applicants regarding the housing application process. The Council works with developers to get early delivery of Part 5 acquisitions where possible. The Affordable

Housing scheme will be progressed as per the correspondence, from Mr. Eoghan Murphy TD, Minister for Housing and Local Government.

Cllr. Hearne said that Waterford Disability Network is delighted with the new wheelchair access at the bus stop in Dungarvan and are looking forward to the report on disability services, he also asked for an update on the shelter for wheelchair users at the RSC and for sports grounds in general. He requested a workshop on anti-social behaviour and stated the tendering process for Larchville has been very long.

Cllr. Geoghegan asked how are applicants for housing adaptation grants prioritised and assessed.

Cllr. Reinhardt asked how many items of wheelchair accessible playground equipment does the Council have and if upgrades are due can the Council include one piece of accessible equipment in all playgrounds. He asked if the house loan scheme can be reviewed, the current scheme is too restrictive.

I Grimes, DOS said the tender has issued for the shelter at the RSC and the reports on the disabled services and Housing Adaptation Grants will issue shortly. He said he will arrange a workshop on ASB. He agrees that the delay with the Larchville scheme is unacceptable but there were a number of issues that delayed this. He said priority for Housing Adaptation Grants is made by medical staff and operated under national guidelines, housing loan scheme is set nationally and the Council has no discretion in this.

F. Galvin, DOS said that there are 30 playgrounds in the city and county, he will do a review to identify gaps and will have a review to identify gaps.

M. Quinn, D/CE said he will bring suggestion of disabled shelters for sports grounds to the Planning SPC.

Cllr. Fitzgerald asked with regard to the change of circumstances for HNA and associated tight timeframe to return forms can a second letter be issued to the applicants before removal from the housing list.

(Cllr. Cummins in the chair for the Mayor.)

Cllr. O'Neill asked if the Greenway could start at the Plaza.

Cllr. Conway was asked at the Waterford Disability Network AGM about accessibility at the Carrickphierish Library. He suggested work at Tramore Railway Station should wait until September to avoid the tourist season and requested an update on the Airport.

Cllr. Cummins proposed there will have to be a special meeting of the Council to discuss the Airport.

Cllr. Griffin thanked Waterford City and County Council for with the 'Darkness into Light' walk. He asked if the Council could provide private interview rooms in Customer Services Section in Bailey New Street. Requested that staff are given appropriate training on how to deal with people at risk.

F. Galvin, DOS said that the intent is to bring the Greenway to the Clock Tower and he will put more information /signage in the area.

F. Reidy, A/DOS said he will meet with the Disability Network to review the accessibility issue with Carrickphierish Library and he will review requirements for training of staff.

I Grimes, DOS said that HNA timelines are tight but he will review the system to issue a 2nd letter but the obligation is on the applicant to inform the Council of any change in circumstances. He said that the Council has Welfare Officers to work with vulnerable tenants and clients and there are 3 interview rooms in Baileys New Street used for HNA and homeless assessment.

6. Audit Committee Report

Mayor welcomed the Audit Committee Chairman Padraic Doherty who addressed the Council.

Cllr. Conway asked for update on procurement report of the vans and requested minutes of the 2017 committee meetings. He queried if it was good governance to have the two elected members on the audit committee from the same political group.

Cllr. Kelly asked if the number of credit cards is too high and under what rules they are operated.

Cllr. Clune requested an explanation of the sequence of events in relation to the procurement of the vans, which financial institution involved and was the audit committee aware of a meeting that was held with a Council official where the contract figures were modified by €300,000. He queried if and members of the audit committee fall outside the minimum attendance requirement and if 4 meetings a year are sufficient. He also asked about the carryover of the workload from previous years and its affect the 2018 plan.

P. Doherty said that there is a requirement for 75% attendance and members notify the committee when they cannot attend and number of meetings are adequate. He takes on board the point about the carryover items. He confirmed the situation regarding the vans has been successfully unwound and the financial institution is on notice going forward as to what they can and cannot do.

J. Murphy, HOF confirmed the bank involved was AIB Leasing Ltd.

Cllr Clune asked who initiated the process and contacted the bank.

J. Murphy, HOF said the supplier initiated contact with the bank and he was not aware of any meeting amending the contract in January 2017. F. Galvin DOS confirmed this did not happen.

Cllr. Cummins said that some of the recommendations from the audit committee seem to indicate that staff were not appropriately trained in procurement and that there was not appropriate senior management approval. He asked if the audit committee considered the appointment of an external audit to look at this specific issue.

P. Doherty said credit cards (LVP cards) are deemed to be best value for small purchases.

M. Quinn, D/CE said regarding the number of purchase cards, they are required for day to day purchases by frontline staff, GSS, supervisors and they are for low values, the number of cards is appropriate for the Council and there are robust controls in place and it is best practice.

J. Murphy, HOF said that there is a Procurement Officer in place to provide procurement training and support for staff.

Cllr. O'Sullivan said it seems there were no procedures in place and if proper training was in place this would not have happened. She asked what grade is deemed senior management, were the vans purchased by the Council or in the name of the leasing company and asked if an external review is required.

Cllr. Fitzgerald questioned that the Passage East dredging in the Local Government Auditor's report went over budget by a €500,000 and where did the request to dredge the harbour come from.

Cllr. Mulligan confirmed he was elected onto the audit committee, he complimented the audit committee and outlined that it is a voluntary committee.

Mayor proposed to extend standing orders to 8pm. Proposed by Cllr. Cummins, seconded by Cllr. Clune and agreed.

P. Doherty clarified that senior management is the highest level in the organisation and the reference to training is a recommendation. The audit committee view is that there is no requirement for an external review.

Cllr. Quinlan said that he and Cllr. Mulligan were unanimously elected to the committee and that the Local Government Auditor audited the books, signed off and his report is gone back to the department.

Cllr. Cummins proposed an external review be carried out, seconded by Cllr. Clune.

M. Quinn, D/CE said that the external Local Government Auditor has reviewed this and discussed the issue with the relevant staff and the audit committee has reviewed it and it has been satisfactorily addressed with no financial loss to the Council.

Cllr. Geoghegan acknowledged the work of the audit committee and the Chairman which is all done on a voluntary basis.

Cllr. Conway proposed an amendment to the proposal that the Council defer an external investigation pending full sight of minutes of the four audit committee meetings.

Mayor said the members will be furnished with the audit committee minutes and thanked Padraic Doherty for his attendance.

It was proposed and agreed that the Council will defer an external investigation pending the sight of the four relevant audit committee minutes.

Proposed by Cllr. Conway, seconded by Cllr. Cummins and agreed

7. Finance

- (a) Restructuring of Shared Ownership Loans €12m – no additional loans. Redemption and Reissuing for same values.
- (b) New Home Loans €2m

Proposed by Cllr. Clune, seconded by Cllr. O'Neill and agreed.

8. Waterford LCDC Annual Report 2017

For noting.

Proposed by Cllr. Roche, seconded by Cllr. Kelly

9. Draft Control of Horses Byelaws-Re-Commencement of Process

Proposed by Cllr. Geoghegan, seconded by Cllr. Clune and agreed.

10. Draft Presentation of Waste Byelaws-Commencement of Process

Proposed by Cllr. Geoghegan, seconded by Cllr. Doocey and agreed.

11. Transportation & Infrastructure SPC – Appointment of 1 additional external PPN member

Proposed by Cllr. Kelly seconded by Cllr. Hannigan and agreed.

12. Correspondence

Conferences and Receptions proposed by Cllr. Pratt seconded by Cllr. Quinlan and agreed.

13. Notice of Motions

1. **Motion in the name of Cllr. Mary Roche (deferred from February/March/April meetings)**
“That Waterford City & County Council commits to providing an environment for safer cycling throughout the city and county. Furthermore that this council calls on the Minister for Transport to implement legislation specifying that motorists must maintain the internationally recognised safe distance of 1.5 metres when overtaking cyclists”.

Motion withdrawn by Cllr. Roche as legislation is being implemented.

2. **Motion in the name of Cllr. Eamon Quinlan (deferred from March/April meetings)**
That Waterford City & County Council calls on the Minister of Health to include those that are not Children or Young Adults in the provision by the HSE of Free Style Libre to sufferer's of Type 1 Diabetes.

Proposed by Cllr. Quinlan, seconded by Cllr. Brennan

3. **Motion in the name of Cllr. John Cummins (deferred from April meeting)**
“That Waterford City & County Council calls on the Department of Education & Skills and/or Department of Health to introduce a scheme to provide all teachers & Special Needs Assistants (who are physically able) with Occupational First Aid training, encompassing CPR”.

Proposed by Cllr. Cummins, seconded by Cllr. Tobin

4. **Motion in the name of Cllr. John Pratt (deferred from April meeting)**
 “That Waterford City & County Council calls on the Minister of Health, Deputy Simon Harris to request the HSE to review the decision to restrict the use of versatis pain relief patches, to patients who are in chronic pain, outside those who are experiencing post herpetic neuralgia and to revert back to the pre December status while the review is being undertaken”.

Proposed by Cllr. Pratt, seconded by Cllr. Geoghegan

5. **Motion in the names of Cllrs. Jason Murphy & John O’Leary (deferred from April meeting)**
 “That this Council calls on the management of UHW to introduce free parking for cancer sufferer’s and their families when receiving treatment in the hospital”.

Proposed by Cllr. O’Leary, seconded by Cllr. O’Leary
 Cllr Griffin proposed an amended to include long term seriously ill patients, agreed by all

6. **Motion in the name of Cllr. Adam Wyse (deferred from April meeting)**
 “This motion calls on Waterford City and Council to outline its proposals to reach clean energy targets to ensure we avoid any possible fine commits to having an officer in place with specific responsibility for Smart City, to ensure Waterford is utilizing the best technologies available to improve our City and County.”

Motion deferred by Cllr .Adam Wyse

7. **Motion in the name of Cllr. Siobhan Whelan (deferred from April meeting)**
 “Waterford City and County Council calls on the Irish Government to expel all Israeli Diplomats from Ireland until such time that Israel respects International law, ends the siege of Gaza and ends the occupation of Palestine. The IDF (Israeli Defence Forces) have killed 15 Palestinians as they protested peacefully against this brutal regime.”

Proposed by Cllr. Whelan, seconded by Cllr. Hearne. A roll call vote was requested.

FOR	AGAINST
Cllr Brennan	Cllr Conway
Cllr Clune	Cllr Cronin
Cllr Fitzgerald	Cllr Cummins
Cllr Griffin	Cllr Geoghegan
Cllr Hearne	Cllr Hannigan
Cllr Whelan	Cllr Kelly
	Cllr Murphy
	Cllr Nugent
	Cllr O’Leary
	Cllr O’Neill
	Cllr O’Ryan
	Cllr Pratt
	Cllr Quinlan
	Cllr Roche
	Cllr Tobin
6	15

Result of the roll call vote was 6 FOR and 15 AGAINST therefore the motion was not carried. Councillors who voted against the motion wanted it recorded that whilst they agree with the spirit of the motion they are against expelling diplomats from Ireland.

8. **Motion in the names of Cllrs. Nugent, Whelan, Geoghegan, Cronin, Tobin, O'Donnell & Doocey**

"We are calling on Waterford City and County Council to carry out a feasibility study to extend the Greenway towards Cappoquin, Lismore and Tallow

Proposed by Cllr. Pratt, seconded by Cllr. Geoghegan

9. **Motion in the name of Cllr. Joe Conway**

"Waterford City & County Council welcomes the statutory investigation into Cervical Check announced by the Minister for Health. We request HIQA to consider including in its terms of reference a lowering to twenty years to be the age of eligibility for the screening service"

Proposed by Cllr. Conway, seconded by Cllr. Roche

14. AOB

None

Meeting concluded.

Signed: _____
Mayor

Dated: _____