

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

**COUNCIL MEETING HELD ON 11<sup>th</sup> JANUARY, 2018 IN THE COUNCIL CHAMBER,  
CIVIC OFFICES, DUNGARVAN, CO. WATERFORD**

**PRESENT**

Cllr. Pat Nugent, Mayor	Cllr. Jason Murphy
Cllr. Liam Brazil	Cllr. Ray Murphy
Cllr. Breda Brennan	Cllr. Seamus O'Donell
Cllr. John Carey	Cllr. John O'Leary
Cllr. Declan Clune	Cllr Cha O'Neill
Cllr. John Cummins	Cllr. Michael J O'Ryan
Cllr. Davy Daniels	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. Adam Wyse
Cllr. Eddie Mulligan	Cllr. Siobhan Whelan

**APOLOGIES**

Cllr. Tom Cronin, Cllr. Joe Conway

**OFFICIALS IN ATTENDANCE**

Mr. L. Power, D/Chief Executive  
 Mr. I. Grimes, Director of Services, Housing, Community & Emergency Services  
 Mr. M. Quinn, Director of Services, Corporate, Culture, HR & IS  
 Mr. F. Galvin, Director of Services, Roads, Water & Environment  
 Mr. B. O'Kane, Financial / Management Accountant  
 Ms J. Cantwell, City & County Librarian  
 Ms. H. Dunphy, Meetings Administrator  
 Ms. S. Walsh, Senior Staff Officer

Cllr. Clune proposed to suspend Standing Orders and bring forward item No. 8 Notice of Motions, after item No. 2 Matters Arising, agreed by all.

## 1. Confirmation of Minutes

Plenary Meeting held on 14<sup>th</sup> December, 2017 proposed by Cllr. Doocey, seconded by Cllr. Roche and agreed.

Cllr. Roche asked that the minutes be amended to read "*the recognition of Irish Sign language as an official language in Ireland*"

## 2. Matters Arising

The Mayor confirmed that a letter was sent to the Minister of Health regarding cardiac care 24/7 services and requesting a meeting of a cross party delegation, a reply was received from the Minister which he read to Council.

Cllr. Brennan asked if the letter was sent to the Minister re the closure of the ISPC services in Waterford. H Dunphy, AO confirmed that a letter was sent but no reply received as yet.

Cllr. Cummins asked for an update on when the full report on the North Quays is expected to come before the Council. L. Power, D/CE said that it is intended to circulate the CE report on the draft planning scheme on Thursday 18<sup>th</sup> January or Friday 19<sup>th</sup> January. He plans to have a special meeting of the Council on January 29<sup>th</sup> in the City at 5pm re the Part 8 procedure to demolish the Hennibrique and a workshop to follow pertaining to the North Quays.

Cllr. O'Neill asked when will the Council get confirmation of funding for the North Quays and if it is not successful can the Council go to the European bank. L. Power, D/CE said that the Capital programme should issue at the end of January and it is envisaged that the North Quays funding and the City Centre access will be included in this plan.

Cllr. O'Neill asked if funding is not received from the Department will the Developers stay on board. L. Power, D/CE said the Developers will stay on as the funding to develop the infrastructure is not their concern.

Cllr. Griffin asked about improving the speed limits at the Orchardstown junction. F. Galvin, DOS confirmed that a funding application for low cost measures for the junction has been submitted, allocation of funding will be known in the coming weeks

Cllr. Mulligan asked for an update re the Dublin HAP model rollout for Waterford and if the Council has started to address safety issues with our Housing Stock. I.Grimes, DOS said there was no update on the rollout of the Dublin HAP model and he confirmed that the Council has started addressing the issues with Council stock.

Cllr. Daniels asked if the Michael Street development is going to work in parallel with the North Quays development and has the land been acquired by the Council. L Power, D/CE said that the Michael Street development is an intrinsic part of the development for the Developers and will be progressed in tandem with the North Quay, the Council has undertaken to acquire the lands and transfer at cost to the Developer.

## 8. Notice of Motion

### 1. Motion in the name of Cllr. Adam Wyse

"1). This Council calls on the Irish government to ratify, as soon as possible, The Convention Against Trafficking in Human Organs, which was adopted by the Council of Europe on 9 July 2014 in order to criminalize illegal organ transplantations. The Irish Government has already signed this Convention, but is yet to ratify it.

2). This Council calls on the Irish Government, as a matter of urgency to emphatically ask the Chinese Government to cease the persecution of Falun Gong and release immediately all Falun Gong practitioners and other prisoners of conscience from detention. The Oireachtas Joint Committee on Foreign Affairs and Trade, and Defence, on the 6<sup>th</sup> July 2017 heard compelling testimony from a distinguished panel of both International and Irish, medical and legal experts on the Forced, Live Organ Harvesting, and other severe human rights abuses imposed upon millions of peaceful Falun Gong practitioners”.

Proposed by Cllr Wyse, seconded by Cllr Quinlan and agreed.

## **2. Motion in the name of Cllr. Declan Clune**

“That Waterford City & County Council calls on the Minister for Justice, Mr. Charlie Flanagan, TD to commence without further delay the Commission of Investigation into the alleged cover up of sex crimes by paedophile Bill Kenneally”

Proposed by: Cllr. Clune, seconded by Cllr. Roche and agreed.

Cllr. Clune welcomed three of the survivors to the Chamber, Jason Clancy, Colin Power and Paul Walsh. He spoke about what gave rise to the motion and he read out a section of Jason Clancy’s Victim Impact Statement to the Council. He said Minister Frances Fitzgerald had commenced the commission of investigation , however the investigation was now stalled. Jason Clancy has 28 questions that he needs answers to and a commission of investigation is important in getting these answers. He said that State Agencies, HSE, Gardai, Catholic Church, Political party needed to answer questions as to why Bill Kenneally was not apprehended sooner. He welcomed the developments in last 24 hours that Minister Charlie Flanagan will meet survivors in the next two weeks and asks that the commission of investigation commence immediately and asked members of the public, politics and those in the Chamber with any information, to come forward.

Cllr. Roche who seconded the motion, commended the 5 Survivors on their bravery coming forward and she asked Fianna Fail if there was ever a formal process within the party to ascertain the fact or confirm that Fianna Fail were not aware of what happened. She will also question the Gardai at the next JPC meeting.

A majority of the members spoke and gave their support to the motion and Cllr. Clune asked that the motion be circulated to all local authorities. Cllr. Wyse said he will follow up on the question raised re the formal process within Fianna Fail with regard to knowledge about the events.

The Mayor said there was unanimous support for the motion and he thanked the men for attending the meeting. The chamber stood up in support of the motion. The men thanked all present for their support.

Cllr. Geoghegan proposed an adjournment for 5 minutes.  
The Mayor excused himself from the Chair and Cllr. Cummins Deputy Mayor replaced him.

## **3. Planning**

(a) Planning lists as circulated were noted.

## **4. Land Disposals**

Cllr. Whelan queried the disposal of land at Comeragh Crescent Dungarvan.(D676). M Quinn, DOS said this was a boundary rectification

Cllr. Kelly asked that item No.L857 Lefacio Hearn Japanese Gardens be deferred to the next meeting per request from Cllr. Conway. Cllr O'Sullivan is happy to propose this item goes forward and outlined the contribution that the Trust has made to developing the gardens. Cllr. Hannigan raised concern about the Council losing control of this property. L. Power, D/CE confirmed that the gardens are owned by Waterford City & County Council and leased to the Tramore Development Trust and the extension of the lease is to assist the Tramore Development Trust to get the funding they need from Failte Ireland for offices and audio visual and inter active facilities. The gardens will not be lost from public ownership and he recommended the extension of the lease. Cllr. Quinlan and Cllr. Griffin in support of extension of the lease. Cllr. Fitzgerald questioned what the income received from the 17,000 visitors is used for. L Power, D/CE said that not all of the visitors are paying customer, The Trust is a not for profit organisation so money goes to paying staff and maintaining the gardens. Cllr. Fitzgerald not in support of the extension of the lease for the Japanese Gardens

DMayor asked for a show of hands supporting the disposal, it was unanimously agreed.

## **5. Monthly Management Report**

Cllr. Wyse asked for an update on the refusal of a planning application at Knockboy, Ballygunner for 250 houses, asked will the Budget increase in HAP payments mean single mothers will receive an increase, and if a fence is broken on private land is it the Council's responsibility to repair it.

Cllr. Roche said congratulations were in order for Waterford achieving the cleanest city in the IBAL survey, and commended E McEaney and the Board of the Museum of Treasures on the installation of the Museum of time and the Viking sword. With regard to the National Planning Framework she has concerns that Waterford is not featuring high in the allocations committed in the plan and the Council needs re-assurance that the City is getting the relevant focus it requires.

Cllr. Clune commended the IBAL survey results, asked if an audit was taken with regard to the RSC and putting in additional disabled facilities, plus can the minimum passing law for cyclists be put into our bye-laws.

L. Power, D/CE said that the Ballygunner/Knockboy planning application was granted by the Council but the decision was overruled by An Bord Pleanala, so the developer is now dealing with Council staff to re-submitting the application. The National Planning Framework proposes that the population in Waterford will increase by 29,000 so there needs to be jobs, facilities, etc to achieve this and it focuses on Waterford City being the economic driver for the region. The purpose of the NPF is high level and the detail of the allocations will come in the regional spatial economic strategy being formulated currently by the Assembly.

M. Quinn, DOS said that damage to a private boundary fence is not the responsibility of the Council.

F. Galvin, DOS said he will pass on acknowledgment to the team re the IBAL results. He is aware of the campaign for minimum passing distance for cyclists but it is not one the council can develop a byelaw on, it will be dealt with through National Road Legislation.

I. Grimes, DOS the HAP payments were increased last year and the Council has discretion to go above the limits in certain instances, HAP is paid directly to landlords not tenants. The audit on disabled access at the RSC has not taken place but he will revert on this.

Cllr. Brennan asked about the outcome of the APB oral hearing on CPO of land for the North Quays development, the report on the provision of additional bridge on the River Suir and queried the vacant stock figures in the housing report.

Cllr. Hearne said that the Citizen Advice Bureau advised him that members of the public were having difficulty in meeting housing staff when presenting at customer service and were told to contact a Councillor.

Cllr. O’Ryan said the National Planning Framework submission is due Friday 26<sup>th</sup> January and he has previously highlighted the plight of rural residents who wish to build on their own land in rural settings and that the linear development clause is restrictive. He said figures in the management report for Environment on illegal dumping are high and has concern whether the message is being portrayed properly to the public. He welcomes that the Council got full funding for Storm Ophelia costs and hopes this continues.

I. Grimes, DOS said the housing report figures that the Councillor quoted were for the metropolitan area only, not the plenary. He confirmed that anyone presenting to customer service would be asked to make an appointment if staff not available at the time.

L. Power, D/CE said that the oral hearing for the CPO was held on 24<sup>th</sup> October, 2017 and the decision was expected early January but the board have sought an extension to March before reverting. The report has been concluded on the bridge and will be brought to Council. D/Mayor asked could the report on the bridge be brought to the special meeting and workshop on 29th January.

Cllr. Daniels asked for an update on the survey of the register of protected structures, update on money not received re Storm Ophelia and requested that the IDA should be followed up with in light of North Quays development.

Cllr. Mulligan asked for an update from the Department re the boundary extension and extension of governance and control to the north of the city, also what is the uptake on the Homeless shelter in Mary Street and supports congratulations to E McEneaney and the museum staff. Enquired if we look at putting statues of Vikings at the approaches to the city. Welcomes that they Arts section will be occupying the old Assembly building and queried the associated costs and time before it will be ready.

Cllr. O’Neill congratulated the RSC on winning the best pitch in Ireland and asked if there is anyone employed to check public lighting. Requested if issues in relation to HAP payments can be dealt with in a workshop.

L. Power, D/CE clarified that there are 900+ properties on the register, the Metropolitan District held a workshop and recommended addition and removal of some structures, wrote to owners and is compiling the information received back. Will revert to the Metropolitan meeting for resolution on the protected structures when completed. He outlined that the Council is looking at utilising the Viking brand and Viking imagery as ‘guardians of the city’ and is in early discussion with John Hayes, Sculptor.

I. Grimes, DOS said that the temporary shelter in Mary Street has been used in the extreme weather by about 5-6 people a night, he has no update on the boundary review and also he will pass on compliments to RSC staff and a discussion on HAP can be included in the workshop.

M. Quinn, DOS said there is no estimate of cost of the new Art Gallery as yet.

F. Galvin said that there were 2 applications for funding for Storm Ophelia, one for clean up and this was paid in full, the second is for long term structural damage covering about 40 different items, harbours, piers, bridges, roads, etc and the Department advised the Council to make application for grants to the relevant Departments responsible e.g. TII, OPWS. With regard to public lighting, the Council has a full time employee responsible for public lighting and is dealing with the related issues, full inventory of all lighting cross city and county just completed, there is also new software coming in to track the public lighting system.

Cllr. O’Leary asked if those who were not successful in getting LIS in 2017 would be included in 2018 scheme when announced and complimented Roads Department on roll out of scheme. Requested an update on the Airport and if the Council could meet the board of the Airport.

Cllr. Whelan asked if the Council would consider opening a toy library, and will housing officials meet with members of the public if they make an appointment.

Cllr. Kelly asked if the Housing Adaptation Grant Scheme was fully allocated for 2018 and are there not enough emergency B+B premises.

L. Power, D/CE has no update on the Airport but the CE will undertake to have the council briefed once information is available.

I. Grimes, DOS said that as Hotels and B+B's are private facilities the provision of rooms is dependent on availability, there are periods when there are not enough emergency beds available. He confirmed that the allocated funding for Housing Adaptation Grants (No.1 priorities) is all committed for 2018 as there was a backlog, figures will be included in the next report. He confirmed that Council officials will meet the public if appropriate and required.

J. Cantwell, Librarian said the Libraries do supply games like xbox and there are toys in the libraries for toddlers for use in the Library but she would welcome any model that is out there internationally that will bring more people into the library.

Cllr. Doocey asked are there funds available to change damaged timber fences at junctions to something more permanent and long lasting.

Cllr. J. Murphy stated as private rents are rising, what percentage of HAP tenants are paying discretionary payments and what is the average HAP payment. He said Choice Based Letting was very successful and asked who decides what houses go on this system. With regard to the Boundary commission for local authority areas will the Council be making a submission or is it individual submissions. He endorses Cllr. Mulligan's idea on the Viking theme at the entrance to Waterford.

Cllr. Fitzgerald stated a number of public lighting not working and reference plates on poles missing, need this reference when reporting faults. Japanese Knotweed an issue, what is the current programme for addressing the problem.

Cllr. Griffin supports the Viking branding and the Viking statues at the entrance to Waterford, he asked for a presentation on Winterval to review how it went, also asked if there is a budget for high visibility signage for wild deer around the county. He asked if the Director of Housing could go on WLR and give an overview of the work that is done in Housing similar to the overview the Director of Roads gave on Storm Ophelia.

I. Grimes, DOS said there is no accurate figure on discretionary payments as HAP tenants don't declare extra payments made to landlords, he will check and revert on the average HAP rent in the next report. With regard to CBL more properties will be put up on this as the Council will only hold back properties for medical priorities. The Local Electoral Boundary Committee focus will be on Local Electoral Areas and not on the districts, requests for submissions will be advertised next week. He said he would agree to go on WLR if required.

F. Galvin, DOS said that fencing maintenance on junctions on private property is not a Council issue, he will follow up on public lighting poles where reference plates are missing, requesting Councillors to provide details. He said that the Japanese Knotweed is sprayed once a year on the areas the Council is responsible for but it takes 3-4 years of consistent treatment to see results. He asked for a list of locations re wild deer to be sent in.

Cllr. R Murphy asked in relation to the Supporting Waterford Community Fund for 2018 will there be a workshop as it was proposed to be held before the 2018 allocation.

Cllr. Tobin said that Cllr. O'Ryan spoke about the National Planning Strategy and he asked the D/CE for this comments on this.

Cllr. Pratt seeking clarification on a HAP tenants eligibility to staying on the housing list and if their time on the housing list is taken into account when HAP tenants are allocated a house on CBL, how many HAP tenants were successful on the CBL scheme and how many have been housed through other means.

Cllr. Hannigan asked for an update on the two capital project schemes in Tramore as to why they had started and stopped.

Cllr. Reinhardt asked what the policy is on falling trees in parks after storms, do they have to be taken away.

Cllr. Brazil asked could the Council name and shame people dumping rubbish throughout the county, can a motion to this effect be brought to the Council. The property at the Old Pike Inn is in dereliction, could it be utilised as a hostel or hotel to facilitate visitors to the Greenway.

I. Grimes, DOS said that a workshop on community fund grants can be held once applications and requests for decision are brought to the Council. HAP applicants have an option to go on the HAP transfer list and if successful in CBL all their time on the housing list is taken into account, he will have the figures for the next report on the numbers of HAP tenants successfully housed on CBL. He said the housing schemes in Tramore had on-site issues which delayed works and stopped construction, he will look at the Old Pike Inn in terms of options available to develop it especially for accommodation re Greenway but would have to discuss this with Economic Development.

F. Galvin, DOS said that trees cannot be allowed stay where they fall, they have to be removed. He said the Council is actively following up on illegal dumping and the Council did write to the Minister about naming and shaming and were informed that if the fine is paid the Council cannot name and shame unless it is taken to public Court.

L. Power, D/CE said there is a need for rural housing but sustainable planning policy has be adhered to as there can't be continuous linear development. He said there is sustainable planning guidelines for rural housing imminent from the Department and the new development plan for the City & County will include rural development and the Council will have an opportunity to shape and review this. Lisa Grant, will come in and make a presentation on Winterval.

Cllr. Doocey proposed to extend Standing Orders for 5 minutes, seconded by Cllr. Geoghegan and agreed.

## **6. Presentation of Waterford's Creative Ireland Strategy 2018 - 2022**

Jane Cantwell, Librarian, made a presentation on the Strategy and requested approval from the Council to adopt the Strategy.

The adoption of the Strategy was proposed by Cllr. Tobin, seconded by Cllr. O'Sullivan

D/Mayor requested a proposer and seconder with regard to the Special Meeting on 29<sup>th</sup> January in City Hall at 5pm and workshop to follow.

Proposed by Cllr. Fitzgerald seconded by Cllr. Quinlan

## **7. Correspondence**

The Training and Conferences and Receptions included in correspondence as circulated were proposed by Cllr. Cummins seconded by Cllr. Geoghegan and agreed.

## **9. AOB**

I. Grimes, DOS said that Tom Aherne resigned from LCDC and Catherine Quinlan was put forward to take his place.

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

**Signed:** \_\_\_\_\_  
**Mayor**

**Dated:** \_\_\_\_\_