

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

**COUNCIL MEETING HELD ON 8<sup>th</sup> MARCH, 2018 IN THE COUNCIL CHAMBER,  
CIVIC OFFICES, DUNGARVAN, WATERFORD**

**PRESENT**

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

**APOLOGIES**

Cllr. L. O'Sullivan

**OFFICIALS IN ATTENDANCE**

Mr. M. Walsh, Chief Executive  
Mr. I. Grimes, Director of Services, Housing, Community & Emergency Services  
Ms C. Horan, A/ Director of Services, Corporate, Culture, HR & IS  
Mr. J. Murphy, Head of Finance  
Mr. F. Galvin, Director of Services, Roads, Water & Environment  
Mr. B. Duggan, A/Director of Services, Economic Development & Planning  
Ms. H. Dunphy, Meetings Administrator  
Ms. S. Walsh, Senior Staff Officer

Prior to the commencement of the meeting the Mayor announced that there were no valid appeals regarding the North Quays SDZ. He referred to the Civic Reception being held directly after the meeting and requested strict adherence to the allotted time for the management report. He proposed to bring forward item No. 7, Presentation on Winterval, after item No. 2, Matters Arising, agreed by all

## 1. Confirmation of Minutes

(a) Plenary Meeting held on 8<sup>th</sup> February, 2018 proposed by Cllr. Brazil, seconded by Cllr. Quinlan

## 2. Matters Arising

Cllr. Griffin wanted to acknowledge National Women's Day, in deference to the ladies on the Council and the Executive.

Cllr. Roche asked if the letters re the regional review of the 24/7 cardiac care were sent to the Minister and Taoiseach and did the invitation issue to Dr. Patrick Owens to present in Committee and asked if there was any response from Minister Flanagan re the Bill Kenneally case. She said she was disappointed with the response from Fianna Fail on the Bill Kenneally case at the last meeting and asked could they review their internal policies.

Cllr. Hearne said the Dail ratified the United Nations convention on Disability Rights, asked how is the Council dealing with it and if a report was done in this regard as it was requested a couple of months ago.

H. Dunphy, AO confirmed that letters have issued and has been in contact with Dr. Patrick Owens office to arrange a suitable date for the meeting.

I. Grimes, DOS will revert re the disability report.

Cllr. Clune said over the last two months motions were passed and letters sent to Ministers, can these be raised with the Taoiseach on his visit to Waterford as no replies have been received. Regarding the tender for the vans he wants visibility of the original tender submitted as it is not available on eTenders. He spoke to Local Government Auditor who said that the audit committee reported on the van tender to the Plenary Council but Cllr. Clune could not recollect receiving this report. In relation to the 120 credit cards used by Council staff could he have a breakdown for the top 50 users by spend.

Cllr. Whelan said that the new tendering process is causing local builders stress. She enquired if there is a date for a HAP workshop and can adequate notice of this date be given to Councillors.

Cllr. Conway raised questions re LGA report at last meeting and enquired if there is any update and when will the audit committee make a presentation to the Council and how many audit committee reports has the Council been presented with.

F. Galvin, DOS said the original van tender would be expired from etenders website now as it was back in 2015 but he said there was 5 valid tenders and the price that was got was the most competitive price at that time.

Cllr. Clune did query prices paid for vans compared to prices from the manufacturer and asked if the original tender could be forwarded on to him.

F. Galvin, DOS said the tender was for the lease hire and maintenance of vans over a 16 month period and approximately 1/3 of contract value is in respect of maintenance, tyre replacement, management systems of the vehicles was tendered for. He will forward on a copy of the original tender.

J. Murphy, HOF said the LGA report was submitted to Council as soon after it was received back from the department early in the New Year. The Audit committee submit an annual report to Council next one due for the next Plenary meeting. He will revert on the analysis of credit card spend.

I. Grimes, DOS confirmed the HAP workshop will be prior to next Plenary meeting.

Cllr. Mulligan asked for any update re governance of boundary committee/area, and asked for a report on the adaptation grants figures for priority 1 cases. Also as a member of the audit committee, the committee has not received the audit report in its entirety and will report in its annual report to the Council which is due shortly, he confirmed that the Chair of the Audit Committee is available to talk to any Council member on any of the issues.

Cllr. Wyse recognises that the Councillors are looking for justice for the victims of Bill Kenneally and agrees that the Minister needs to respond to the request from the Council but it also needs to be an independent enquiry.

I Grimes, DOS said there is no update in relation to the boundary committee report and he will follow up on the report on the adaptation grants.

Cllr. Clune wants a guarantee that the audit committee report will issue at next plenary meeting and as the Taoiseach is due in Waterford tomorrow asked that the Fine Gael Councillors ask him about the Bill Kenneally enquiry case.

Cllr. Mulligan said that the Audit Committee is waiting on one additional document in order to issue the report to Council, it is hoped to be brought to the April or May plenary meeting.

## **7. Presentation on Winterval**

Billy Duggan, A/Director of Services introduced Nick Donnelly, Chairman Winterval Committee and Lisa Grant who will be making the presentation.

Nick Donnelly gave a background to the festival saying that a new group came together last year made up volunteers from Business Sector and Community Groups. He outlined the changes made to the festival for 2017 and the ongoing challenge of sponsorship for the festival. He said the primary objective of the Winterval Festival is to raise Waterford's profile and ensure it is the number one festival in Ireland. When the presentation finished Nick Donnelly answered a number of questions from the Councillors.

## **3. Planning**

(a) Planning lists as circulated were noted.

(b) Planning Part 8 Regional Sports Centre

I Grimes, DOS proposed to defer the process to next month's plenary. Councillors asked that the process go ahead as they did not want it delayed any further. Proposed by Cllr. Cummins, seconded by Cllr. O'Neill and agreed

Cllr. Brennan enquired if a disability audit has been carried out and could a copy be circulated and asked could a weather proof shelter for wheelchair users be included.

Cllr. Daniels asked if Lottery funding was applied for in this regard.

I Grimes, DOS confirmed the Council continues to look at funding from many sources and this facility is being developed with the assistance of lottery funding. He will revert back on disability audit report. With regard to the provision of the wheelchair shelter he will review once full disability audit has been completed and overall requirements for the facility have been outlined. Report will be circulated to councillors once available.

## **4. Land Disposals**

Cllr. Hannigan asked if D688 is the site near the Council yard on the Tramore Road and enquired what the owners intentions are for the land.

C. Horan, A/DOS will revert.

Cllr. Clune asked as per the Local Government Auditor's report recommendation if additional information, valuation, zoning, business case etc. can be provided on future disposals.

Cllr. Griffin said he was familiar with the background to D688, and the property is in Riverstown, Tramore and is being developed by a new local company from Tramore to build a high end office block.

C. Horan, LGA recommendations will be looked at and will review in relation to future information to be provided on land disposals.

Cllr. O'Neill said that the three properties being disposed of this month represented huge money and enquired as to where the money goes.

C E replied that the money goes into the capital programme account.

Cllr. Cummins enquired in regard to Disposal of Ref. D699 to Sanofi/Gensyme, if there has been preliminary discussions with planning in relation to this.

CE said that this disposal is to allow for the strategic expansion of the plant, no specific detail as of yet. It is a great investment in Waterford and the company has also bought land from private landowners.

Disposals proposed by Cllr. Cummins, seconded by Cllr. O'Neill and agreed.

## 5. Monthly Management Report

Cllr. Tobin welcomes the CIS scheme and asked can CIS funding be put into community carparks and if not in the scheme can the Council ask the Department to include it.

Cllr. Cummins is delighted that there are no valid appeals lodged with An Bord Pleanala re the North Quays, enquired as to what is the current position on the CPO and also the acquisition of the Michael Street site from NAMA and what is the situation with contracts with the Al Hokair group. He said the management report says that LIHAP works on Gracedieu and Kilbarry roads are only going to tender now but yet the members were told in a previous report that works were commencing in March.

Cllr. J. Murphy asked how does the Council allocate from the Housing List to approved housing bodies (Respond, Focus, etc) and how many approved housing bodies does the Council deal with. Do these housing bodies have the same tenant management policy as the council and would the Council's anti-social behaviour unit have any involvement with them as who do their tenants go to with an issue.

F. Galvin, DOS said the Council will have to raise the question about the CIS with the Department.

CE only being informed that the CPO decision has been further deferred to April, the Michael Street site agreement with NAMA is currently with Solicitors to develop the contract, contract will be signed with Al Hokair within the next week or so. He outlined that a lot of work has still to be done, design & planning application to be lodged.

I Grimes, DOS replied that there are 16 approved housing bodies operating in Waterford, the Council has 100% nomination rights so they have to accept people who are on the Council's housing list. Each housing body have their own tenant management policies and tenants can go to them with any issues or to the Residential Tenancies Board.

Cllr. Cummins replaced the Mayor in the Chair.

B. Duggan, A/DOS confirmed LIHAF details in the report circulated, tenders ready for early April.

Cllr. Roche asked why is the CPO deferred, she would like to liaise with someone re. the Greenway. With regard to Mount Congreve what are the plans for the next year or two and in terms of the National Development Plan what exactly has been committed to Waterford in the national capital programme.

Cllr. Brennan asked if management can confirm that Aer Southeast will commence flights from Waterford Airport soon.

Cllr. Hearne said that the housing situation is at a crisis point, is there any end to it. Complimented the fact that extra time allowed for contractors tender process and extension of opening time for emergency homeless shelter and have we any plans re Brexit.

Cllr. Griffin asked how can we protect farmers and land owners who have to deal with horses going in on their land, grazing on their land etc, without permission, can the Council bring in bye-laws to protect farmers from this. The Mayor returned to the Chair.

Cllr. O'Ryan wished to compliment all Council staff re Storm Emma.

CE said that the Council does not have recourse to know why the CPO is deferred, also cannot calculate the breakdown of the NDP in specific terms and he is happy with the development of Mount Congreve and the intention will be to have the Trustees with advisory board and subsequent business plan in place over coming weeks. He said the announcement about Aer Southeast was made with no discussion with the Airport and has no merit. He said there are different elements regarding Brexit, different department are doing different things, eg. LEO engaging with companies trading with UK. He said with regard to land owners the Council has the power of removal in certain circumstances when requested by landowners, it is generally a civil issue and a matter for the civil courts.

Cllr. Griffin responded that the landowners are fearful of people putting these horses on their land due to retribution etc and the Council should look at what help can be given to them.

I Grimes, HAP workshop scheduled for next month and details of the scheme can be dealt with then. Acknowledged the homeless service facility and complimented homeless service providers and partners/agencies who worked tirelessly to ensure no one was left outside in the cold weather.

Cllr. Conway noticed that the broadband service appears to be declining, can the Council get in touch with the providers to discuss.

Cllr. Hannigan said the 32 unit development for Tramore 'An Garran' is at stage 2 level for some time and when is it going to move forward.

Cllr. O'Neill asked in relation to the new mortgage scheme, will applicants have the option to go with the previous scheme.

Cllr. Daniels said with regard to the Local Improvement Scheme there are a lot of conditions re eligibility of the road and can the Council propose any amendments, can the Council fund tunnels across the roadway to facilitate farmers/landowners. Asked if there is still funding outstanding to the Council from Storm Ophelia. Questioned if Council's parking bye-laws are in order as some local authorities had to suspend theirs.

C. Horan, A/DOS said that the Council has no control over national broadband but the Council has a broadband officer so will accept any points or feedback from Councillors in addressing issues on black spots etc., the Council is planning to develop an on-line app to identify black spots going forward.

I Grimes, DOS said that the 'An Garran' Tramore development designs will be submitted to the department in the next couple of weeks for stage 2 approval, there have been challenging issues with the site. The new mortgage introduced does replace the previous mortgage scheme from 1<sup>st</sup> February and any applications received after that date will be approved under the new mortgage scheme, but with mortgages approved before 1<sup>st</sup> February the previous mortgage scheme will apply.

F. Galvin, DOS with regard to the LIS the criteria is set nationally, the council does not provide funding for tunnel passes, plus there is no outstanding funding pending from the Department re Storm Ophelia. There are no issues with Waterford City & County Council's parking bye-laws, they have been tested in Court and there are no loopholes.

Cllr. Wyse asked what is Waterford Council's plan in relation to the EU guidelines on renewable energy, Council needs to have large scale investment plans to meet our obligations.

Cllr. Pratt said that the top two complaints in Environment are fly-tipping and illegal dumping and can the Council put CCTV in certain areas, also can the Council call to houses that do not have bin collection providers to check how the rubbish is being disposed.

Cllr. Kelly said that CBL is a very successful method to let houses, can it be expanded and more houses put on this system, also how often is the tenant handbook updated and is a new version due out soon.

CE replied that the Council has a strategy in relation to renewable energy with public lighting as the singular biggest user of energy, the plan is to replace the existing lights with LED. He will come to Council on this issue shortly as he is Chair of the national steering group for the southern region who is implementing this change.

F. Galvin, DOS said that there is a huge amount of activity in relation to renewable energy on an ongoing basis eg. grants for houses, heating, windows, and the Council has to maintain national targets. CCTV is used for fly-tipping, will continue to invest and expand it out to other areas. Under section 18 of the Waste Management Act the Council can enquire where householders are disposing of their waste if they suspect that there is no bin collection provider.

I Grimes, DOS added to what F. Galvin said about renewable energy, successful in accessing SEAI grants and that Council houses are designed to the highest energy efficiency standards. It is intended that more houses will be added to CBL in the future, the Tenants' handbook is reviewed periodically and he will consider any suggestions.

Cllr .Brazil supports Cllr Pratt re fly-tipping and is enquiring if the Council applied for any funding for CCTV for this.

F. Galvin, DOS said money was received from department re CCTV and there will be more applications in this regard in the near future.

Mayor proposed that Storm Emma report be dealt with and that Notions of Motion be deferred to next month's meeting.

## **6. Review of Storm Emma**

F. Galvin, DOS gave a hard copy report out to the Councillors and gave a short overview of the events of the week of the Storm and the serious demands it made on the Council. He wished to acknowledge all employees and contractors who assisted and were out in the extreme weather conditions to keep roads open. Acknowledged the excellent support from Civil Defence, Coast Guard, Local Farmers, Army and Defence Forces.

A number of Councillors commented and complimented the Council on the way the Storm was dealt with and everyone working together.

Mayor extended standing orders by two minutes, proposed by Cllr. Cummins and seconded by Cllr. Geoghegan.

Cllr. Brennan asked with regard to future major emergency planning could the Council involve a member of volunteer groups such as the Coast Guard and the Marine Search and Rescue and a Councillor from each area who could provide information on the ground regarding conditions etc.

CE said a letter will be sent to all involved in Storm Emma to thank them.

## **8. Correspondence**

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

## **9. Notions of Motion**

Deferred to next meeting.

Signed: \_\_\_\_\_

**Mayor**

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