

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

COUNCIL MEETING HELD ON 11TH FEBRUARY 2021 BY ZOOM

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. Thomas Phelan
Cllr. Conor D. McGuinness	Cllr. Jody Power
Cllr. David Daniels	Cllr. Seanie Power
Cllr. Declan Doocey	Cllr. John Pratt
Cllr. Pat Fitzgerald	Cllr. Eamon Quinlan
Cllr. Susan Gallagher	Cllr. Frank Quinlan
Cllr. Damien Geoghegan	Cllr. Mary Roche
Cllr. Jim Griffin	Cllr. Seamus Ryan
Cllr. John Hearne	Cllr. Adam Wyse
Cllr. Joe Kelly	Cllr. Eddie Mulligan
Cllr. Tom Cronin	Cllr. James Tobin

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
 Mr. D. Mitchell, Corporate

Meetings Administrator carried out a roll call to confirm online meeting attendance.

1. Confirmation of Minutes

Minutes of meetings held on the 14th January 2021 proposed by Cllr Daniels, seconded by Cllr Kelly and agreed by all.

2. Matters Arising

Cllr. Roche complimented the executive on the timely broadcasting of this meeting on You Tube.
 Cllr. D. McGuinness asked if district meetings could also be broadcast in this manner.

K. Kehoe (DoS) outlined that long-term options and costs are being investigated for when normal meeting resume, report will come back to council for approval. He noted that meetings will be broadcasted live, archives would not be available. He stated that broadcasting of district meetings would follow.

Cllr. Roche enquired on the progress with getting WIT to present to council on the progress with TUSE.
Cllr. Mulligan asked for an update on the signing of contracts for the North Quays project.

M. Quinn, DoS stated that he had raised it at a recent Board of Governors meeting and that a presentation would be made in the near future.

M. Walsh, CE clarified contracts not yet signed due to some legal technicalities and delays as a result of Covid 19, expects to be completed in 2 to 3 months.

I Grimes, DoS stated that a number of bodies were prevented from applying for the revised Supporting Waterford Community Fund as they could not hold AGMs in Covid. He requested that this condition was waived while the current restrictions prevailed. This was agreed by all.

Cllr. Clune requested an update on the average cost per tenancy figures.

I Grimes, DoS stated that the average rent cost was €540 per month and the maintenance cost was €700 to €800 per month per annum.

Cllr. Daniels enquired if any planning permissions had been submitted for Michael St. Development

M. Walsh, CE stated that work was ongoing with this matter.

Mayor proposed the suspension of standing orders to deal with items 5 to 9 before Item 4 on the agenda. Seconded by Cllr. Pratt and agreed by all.

3. Land Disposals

K. Kehoe, DoS listed the proposed disposals for consideration.

Cllrs. McGuinness, Pratt, Phelan, Geoghegan and Nugent welcomed the resolution of the lease issue for Causeway Tennis & Bowls Club.

Cllr. D. McGuinness queried the length of time the lease for Waterford Leader Partnership took to come to council. Cllr. Phelan asked if there could not be a shorter lease period and Cllr. Nugent queried if the Partnership had existing premises on Church St.

Cllr. Clune questioned the sale of 46 Herblain Park to a private company and asked if the new owners could apply for a grant under the Repair & Lease Scheme. He further asked for clarification on why the purchaser was paying €5,000 for 28 Lower Yellow Rd which was the top end of the valuation.

Cllr. Ryan stated that disposal of residential properties in the time of housing crisis had to be looked at.

Cllr. Brennan noted that 46 Herblain Park had been vacant for more than a decade and was extensively vandalised and would take significant funds to restore.

Cllr. Barry questioned why the council was selling on the property at St. Herblain and enquired if these cases should not go to the Housing SPC in the first instance for discussion.

Cllr. E. Quinlan expressed the view that property in St. Herblain Park could be offered to those applying for Mortgages from the council rather than sold to private companies.

Cllr. Murphy stated that there was an issue with using public money to CPO properties only to sell them back to private purchasers particularly if no commitment to restoring the units in a timely manner.

Cllr. S. Power expressed the view that the Council should continue to CPO derelict properties to get them back in to use.

K. Kehoe, DoS stated that the Leader Partnership lease was needed now to ensure there was no break in tenure as the current licence expired in September. They body needed to have security of tenure as part of its funding applications. He was unaware of the other property in Church St raised by Cllr Nugent, Cllr. Geoghegan clarified that this was premises that the Partnership previously rented. The price achieved for 28 Lower Yellow Road was accepted by the buyer when offered.

I Grimes, DoS outlined that the CPOs process was used for long term vacant properties and the majority were actually returned to council stock. Restoring the properties required funding and 46 St. Herblain

Park was too expensive to repair. He added that the Vacant Homes Action Plan would be going before the next Housing SPC. In relation to any application under the Repair and Lease Scheme he said there had been no approach from the buyers. In relation to suggestion that the properties be made available to council mortgage applicants he stated that first time borrowers would be unlikely to be able to afford it.

Cllr. Clune asked if it was possible the purchaser might apply for Repair & Lease at a later date and was there any commitment from the buyer to restore the property.

Cllr. Fitzgerald stated that he would not like to see any policy change deter the purchasing of CPO properties in the future.

Michael Walsh, CE stated that Waterford City & County Council was the only local authority in the country actively using CPOs to restore derelict homes to use and that it was a positive and innovative approach. Only a limited number will be sold back to the market and the Housing Department were doing an outstanding job of restoring the majority of units and making them available for council tenants. Those that are sold on would be prohibitively expensive to restore. The only funding source to restore these premises was the maintenance budget and if the more expensive ones were to be restored by the council then the maintenance of existing council stock would have to be curtailed. There was also a requirement to prove market value for the CPOs the Council pursued so that it is not exposed to arbitration.

Cllr. S. Power supported the view of the Chief Executive and supports the current disposals.

Cllr. Clune clarified that his enquiry was not about the initial CPOs but about subsequent disposal. He would like to know the costs estimate for restoring the properties before approving the sale.

Cllr. Murphy is concerned that some CPO and disposed properties are not being brought back into use and would like to get assurance from buyers that they will restore the buildings to residential use.

Cllr. D. McGuinness stated that he believed the correct decision was being taken on disposals given that no funding resources were being made by the Department of Housing to restore such properties.

Disposals proposed by Cllr. D. McGuinness seconded by Cllr. Fitzgerald and agreed by all.

5. Casual Trading Bye Laws – Completion of Process

M Quinn, DoS gave an overview of the process undertaken, submission received and recommendations.

Cllr. O Sullivan as chair of the Economic SPC stated that 77 submissions were received and proposed acceptance of the recommendations. She noted that there needed to be a commitment on enforcement through regular inspections outlining that there were some pitches that had been allocated without open advertisement and that any of these that occurred in the past 12 months need to be re-advertised.

Cllr. Pratt welcomed the allocations for Tallow and the opportunities that would bring. He was disappointed that the Kitchen Hole was not approved due to road safety issues.

Cllr. Phelan commended the process and hoped that the Clonea Castle end site could be revisited in the future. He gave support to the inclusion of environmental conditions with regard to single use plastics & packaging, supported by Cllrs. McGuinness, Kelly, Conway and Quinlan.

M Quinn, DoS thanked the SPC and all the members for their submissions. He confirmed the specific issues with traffic at Kitchen Hole. He pointed out that Clonea Castle end area had parking issues in addition to not having enough potential business in the immediate area and could be reviewed later. He noted that inspection and enforcement was challenging but he would endeavour to improve.

Cllr. Geoghegan added his commendation to the work done by the SPC and wanted to specifically thank Lisa Grant and Finn Brophy for the excellent work they did on behalf of the council.

Proposed by Cllr. O'Sullivan, seconded by Cllr. Mulligan and agreed by all.

6. Amendment to Development Contribution Scheme 2015-2021 – For Approval

By introduction M Quinn stated that the current scheme was due to end in February and needed to be extended until the new County Development Plan was adopted.

Cllrs. McGuinness and Phelan queried the duration of the extension and what it applied to. M. Quinn, DoS confirmed that it only applied to levies and that the Draft Plan was in process. There would be opportunity to look at future levies as part of this process. He further clarified that the new development Plan should be in place in early 2022.

Proposed by Cllr Phelan, seconded by Cllr. Wyse and agreed by all.

7. SPC Membership

Cllr. E Quinlan requested membership of the Housing and Cultural SPC. This was unanimously agreed.

8. Annual Service Plan 2021

K Kehoe, DoS noted that the biggest change this year was the requirement to adhere to the “Living with Covid Framework” in service delivery.

Cllr. D. McGuinness commended the Council on plan and its Climate Action aspect. He stated that Road Improvements such as the N72 and N25 were very important and that the lighting maintenance commitment was needed given there were frequent issues in Dungarvan & Lismore. He stated that the pier improvement works should also include dredging.

Cllr, Phelan suggested a review of the 2020 Service Plan should be included and he would like to see all the data for the current plan tabulated.

Cllr. Brennan enquired about the most impacted services resulting from Covid 19.

Cllr. Roche asked for consideration to be given to extending the opening hours of Civic Amenity Sites and considering waiving charges. She suggested consideration be given to providing the Museum lecture series online.

Cllr. Kelly brought up the quality of service provided by the current lighting supplier. He also enquired how the dredging waste was disposed of and enquired what alternative to CCTV could be used to control fly tipping.

Cllr. Gallagher enquired how the Tree Management Strategy was included in the plan.

Cllr. Ryan stated that the Development section should have included a strong statement regarding the new university and the need for the HQ to be in Waterford.

Cllr. Daniels questioned if there was enough emphasis on infrastructure improvement in the plan like the Outer Ring Road or a 3rd city Bridge.

F Galvin, DoS in response stated

- N72 and N25 improvements would commence in the current year and that TII funding was in place
- The current lighting contractor was conforming to the KPIs required in the current contract, a new tender is due to issue.
- There was no funding for dredging as part of the Piers Improvements scheme. Any waste from dredging would be controlled by the EPA.
- There is a regional review of Waste Management at Civic Amenity sites pending and that recommendations would be looked at by the council.
- CCTV was only one tool used in deterring fly tipping and that the council were fully committed to enforcement.
- The Tree Management Strategy would be coming to the Environment SPC in the Spring.

K Kehoe, DoS stated that the Annual Report contained the statistics of achievement against objectives each year. He further clarified that this Plan was a strategy document, and that the volume of data would not allow the tabulation of service data at this level, such detail was set out at sectional and team level. In relation to infrastructure improvement, he clarified that this is included in the Corporate Plan.

The Plan was proposed by Cllr. D. McGuinness seconded by Cllr Geoghegan and agreed by all.

9. Audit Report 2019

Cllr. Phelan suggested that the report should go back before the Council Audit Committee, supported by Cllr. J. Power.

Cllr. Roche raised the funding of Mt Congreve Trust enquiring if it could be supported financially.

Cllr Mulligan asked for clarification on the €889k drawn down in 2019 in advance of work on a road project, reduction in collections on House Loans, the €18.1m expensed on the North Quays and the funding deficit in Mt Congreve trust.

Cllr. Conway requested more information on the estimates for Mt Congreve Trust for 2021, the staff shortage to support the Audit Committee work and the review of the spending on LVP Cards.

Cllr. D. McGuinness asked if the Audit Committee was in a position to give a report on the Auditors Report. He requested clarity on the over and undercharging under the Tenant Purchase Scheme.

Cllr. Daniels enquired about the shortfall of funding on the An Garran development in Tramore.

B. Pollard, HoF responded as follows:

- Housing Loan collections were down 3% as there were issues with some of the proposed options with regard to arrears. A legal impediment in the form of judgement mortgages were discovered on some of the properties that were being pursued.
- The Department were informed about the €889k and work was subsequently completed.
- The LVP usage was found to constitute just 2% of the value of spend while constituting 25% of the number of transactions.

I Grimes, DoS explained that the 2015 Tenant Purchase Scheme legislation provided for two sale price calculation methods. When the Department was disseminating the circular, it omitted one of the methods which was since corrected, any discrepancies and are being dealt with on a case by case basis. The issue with An Garran was that it was on a steep slope and part of the site proved unsuitable for building on.

M. Quinn, DoS addressed the enquiries on Mt Congreve Trust and stated that Covid was a particular challenge for the site. An improvement project was in progress funded by the Council, Fáilte Ireland and the Rural Regeneration Fund which would improve the facilities for visitors and should be completed by April/May 2022. It would be a number of years before the site was self-sustaining as it needed to grow visitors to around 30,000 per annum. Current funding was sufficient to keep it operation until 2022/23 but the support of WCCC and OPW would be needed after that given that it could be 2024/25 before international tourism returns in volume to contribute. A breakdown of the €18.1m expenditure in the North Quays and associated income would be provided to all members.

6. Monthly Management Report

Cllr. Roche raised the issue of the establishment of the HQ for TUSE and the need to ensure that the new university was correctly funded so that the region could get maximum benefit. She requested that the President of WIT be officially invited to present to the members. She further asked that that the Minister for Further & Higher Education could be invited to have a Zoom meeting with the members to update them on the Governments position.

Cllr. Geoghegan confirmed that an invitation had been extended to Professor Donnelly and would ensure the same was extended to Minister Harris.

Cllr. Murphy welcomed the promised North Quays income & expenditure clarification but want to know when the developer would commence investment given the spend from the public purse to date. He further enquired about the reallocation of festival funding for events that would not be running.

Cllr. Brazil stated that the use of our beaches was to be encouraged in the current environment requesting that all public toilet facilities from Ardmore to Dunmore East are opened all year.

Cllr. E Quinlan enquired why Home Improvement Loans were not provided by WCCC as other councils such as Limerick do. The CBL Scheme did not provide applicants with updates or notice of them not being successful with their bids. He was concerned that recent report stated that Waterford had the highest level of fly tipping in the South East enquiring if private investigators could be employed to catch offenders.

Michael Quinn, DoS responded as follows:

- The North Quays Developer had already invested significant sums in design, environmental assessment and the planning application.
- As previously advised the reallocation of festival funding would occur later in the year.

F Galvin, DoS provided the following responses:

- The opening of public toilets at beaches costs €160k for the normal four month summer period. The Council would need substantial additional funding to open for longer and also for Covid compliance costs, currently no budget available.
- Measures such as engaging private investigators to counter fly tipping will not be ruled out. They have been engaged in the past for similar purposes.

I Grimes, DoS responded as follows:

- There are no Home improvements Loans available at present. He would investigate the matter further with other local authorities and report back.
- CBL applicants can see the result after an allocation has occurred. It is not possible to have automatic e-mails sent.

Cllr. D. McGuinness requested a special meeting of the council with regard to the Strategic Infrastructure Wind Farm planning application that had gone to An Bord Pleanála for sites in West Waterford and East Cork. He also noted that the roads funding allocation had not been received and asked for an update. Enquired if there is detail of jobs and nature of funding that this will bring to the city and county create from recent announcement of funding for Regional Cycling Design Offices. He requested Mayor write to the whips in Dáil Éireann regarding the need to legislate for the use of CCTV to counter illegal dumping.

Cllr. Geoghegan suggested that Cllr D. McGuinness write to him as mayor to request the special meeting. Cllr Ryan noted the €13m NTA funding for sustainable transport and in light of this he asked when the Waterford to Tramore walk and cycle way would commence. In respect of illegal dumping could the council increase the level of advertising in media and online emphasising the penalties.

Cllr. Fitzgerald asked if fire-fighters could have access to the Map Alerter Technology that the Members had. He also enquired if there was any progress with the Coastal Erosion funding applications.

Cllr. O' Leary noted the funding allocation for Sustainable Transport but pointed out there was no Winter Programme for Local Roads in operation.

F Galvin, DoS gave the following responses:

- The Roads funding programme should be announced this week, briefings will be provided to the districts.
- The Waterford to Tramore Walking and Cycle Way has €100,000 of funding to complete design work and this will commence in 2021.
- Litter Campaigns are ongoing and the council is very active in this area.
- Map Alerter is publicly available free of charge and anyone can sign up to it.
- The OPW have not opened the call for the Coastal Erosion Fund yet but the applications have all been prepared in advance so they can be submitted promptly.

- The TII Road grant was approved and the Council are approved for what they applied for and have the capacity to deliver the programme.
- The local roads requirements are being addressed with a lot of draining work and patching being on going.

Cllr. Wyse noted the €14m funding allocation for sustainable transport thanking Minister Butler and Marc Ó Cathasaigh TD for their support with it and enquired if the works could be carried out while children were out of school. Enquired when hedge cutting was to commence and if it was possible for prospective tenants to view a council house before accepting a tenancy.

Cllr. Tobin expressed his gratitude for all the messages of sympathy and support he had received in recent months. He suggested that a workshop was needed to look at the Wind Farm Planning application that had gone in to An Bord Pleanála and added that the developers involved might be invited to participate.

Cllr. Gallagher expressed her thanks for having the Management report available online in advance of the meeting. She enquired about the council's programme for Biodiversity Events and if consideration could be given to "Parklets" in Waterford similar to those in Cork.

Cllr. Kelly enquired when the developers would be on site at the North Quays, requested clarity about the role of the Land Development Agency (LDA) in taking over public lands owned by the council and how they would obtain planning permission. He also asked for an update on WAP.

F. Galvin, DoS stated that

- Hedge cutting was limited due to the restrictions of Covid, only emergency work permitted.
- The NTA allocations made on a phased basis, no guarantee of completing works while children were off.
- He would welcome examples of "Parklets" and open to their provision.

M Quinn, DoS responded that

- There was an officer with responsibility for biodiversity and would request current council initiatives to be shared with the members.
- Recent Urban Regeneration Fund application included some "Parklets" but this was awaiting funding decisions.
- The North Quays was progressing well in the circumstances and would be on site by year end
- The LDA would have to apply for planning permission in the normal way.

I Grimes, DoS responded

- Viewing of council houses was not practical but it could be discussed at the Housing SPC.
- The powers of the LDA are not known yet so he cannot comment on the takeover of council lands
- A meeting with the WAP board was requested next week to look at safeguarding SICAP and jobs. He would brief the members afterwards.

Cllr. Geoghegan proposed suspending standing orders and extending the meeting by a half an hour, seconded by Cllr D. McGuinness, and agreed by all.

Cllr. Phelan supported the need for a special meeting on the wind farm development and supported Cllr Kelly's concerns regarding the LDA. Noted the critical need for the region for the TUSE with Waterford as the capital of the region and need for council to engage on the matter. He asked the CE to conform his membership of TUSE Regional Advisory Committee. He requested detail on the number of complaints on planning enforcement and actions taken and cost for retrofitting lighting in housing and when.

Cllr. F. Quinlan enquired about the installation of EV charging points especially in Greenway car parks.

Cllr. Hearne complimented the council on getting 93% of families and 55% of single people out of emergency housing. Enquired when Viking dig in Woodstown due to commence, if the bikeways in the county would be e-scooter friendly. Noted that trail running becoming popular and asked if council could produce local maps for people. He was also concerned about the LDA in taking power from councils.

Cllr. Clune enquired if WCCC could consider an Affordable Housing Scheme similar to Ó Cualann in Fingal as an alternative to renting and subsidising private rentals. He would like to see a commitment to returning CPO dwellings to productive use. Noted his concern about housing loans & rents arrears levels

which seemed static from the previous year and raised the question of obligations for purchasers of CPO properties to bring back into use.

F Galvin, DoS in reply stated.

- Lighting retro fitting would be driven by the appointment of a contractor.
- EV charging points was under review but there might be issues in rural car parks as 3 phase power sources would be needed.
- E scooters being allowed on cycle ways would require national legislation first.

I Grimes, DoS stated that.

- It was not possible to give a timeline for housing stock retro fitting until funding is available.
- With regard to using affordable housing the council was engaged with Ó Cualann on a small project in Ardmore as well as looking at options for other areas. National Affordable Housing Scheme is also pending.
- There is no obligation for the purchaser to restore a formerly CPO property sold to them by the council but if they didn't there was the option for it to be CPO'd again.

M Quinn, DOS stated that

- There was scope to include planning enforcement and complaints in to the Monthly Management Report.
- An extensive trail running network exists. There were concerns about trail running in some areas of special conservation like the sand dunes in Tramore.

Cllr. Geoghegan clarified that an invitation letter had already issued to the President of WIT and that he was engaging with the Chair of the Board of Governors as Mayor.

M. Walsh, CE explained that he was not on the TUSE Regional Advisory Group. He clarified n that he was nominated but not selected on gender equality grounds.

Cllr. Brennan stated that she was still waiting for an RSC update. She queried the low level of housing inspection in the month and what the new format of the St Patricks Day parade might be.

Cllr. Geoghegan stated that the St Patricks Day Parade was currently being worked on and will communicate plan in due course.

Cllr. Barry raised a query with regard to the lack of availability of office space for a potential 3,500 employee corporate HQ in the county. He further enquired in the ETBs could be of assistance in training people to do housing retrofitting.

Cllr. Pratt gave support to the holding of a workshop on the wind turbine planning application. With regard to CBL he requested that better photographs of potential properties were put up on the website. He further asked about the Greenway extension feasibility into West Waterford. In respect of the WAP situation he hoped that best efforts were being made to preserve the jobs and the services offered.

Cllr. Mulligan requested an update on the pillar festivals. He also asked what could be done to bring ICT companies to the North Quays.

I Grimes, DoS replied as follows:

- RSC works was being tendered for but the costs were proving to be very high. He would get an official to update Cllr. Brennan directly.
- Housing inspection was constrained by the Covid restrictions at the moment which was reflected in the January figures.
- The CBL photos for properties would be improved in the future.

M Quinn, DoS stated that

- The council had no knowledge nor had the IDA of any opportunity to site a 3,500 seat HQ in Waterford but would engage if it did materialise.
- The West Waterford Greenway extension feasibility tender documentation was being finalised
- There would be a paper produced this year regarding the pillar or main festivals.

- There was a workshop scheduled for 18th on the Vision 2040 initiative.

Cllr. J Power stated that he wanted to extend his congratulation to the new US President and suggested that an invitation to Waterford was extended. He suggested that the Creadan Head excavation team should be invited to make a presentation to the council. There was a fund award up to €250k for artistic spaces for year-round use and wanted to know if the council could fund the difference between the 90% grant and the full cost for applicants.

Cllr. Fitzgerald enquired if there was an appeal that could be made pending the coastal erosion funding call. There were a number of houses at risk that required more immediate action.

Cllr. Griffin enquired how many tenancies had been allocated based on Priority 1 Medical Status and enquired about the tenure on CBL and if they were long term lettings.

Cllr. Daniels noted a lot of work being done on TUSE and collaboration were needed. He enquired about the economic incentives for vacant properties in urban areas and if there was a limit in terms of building footprint and when the 3 years rates relief kicks in. He asked for eligibility details of the Heritage Scheme for historic shop fronts and if the scheme for residing over shops was still operational.

F. Galvin, DoS will contact the OPW regarding the coastal erosion issues raised.

M. Quinn, DoS said in responding

- The Business Incentive Scheme has no limit on building footprint
- He will distribute details of the Heritage Scheme for Shop Fronts
- He confirmed the living over shops scheme was still available and will circulate details.

Cllr. Geoghegan confirmed that he would write to invite the new US President to Waterford and that he would be happy to invite those involved in the Creadan Head dig to present to the Council.

Cllr. Roche stated that it was not acceptable that Waterford City and County Council was not represented on the TUSE Advisory Group. The members needed to escalate as Waterford was underrepresented.

Cllr. Conway stated that the IBAL Litter report was favourable but the proliferation of pigeons around the city needed to be addressed.

The meeting was adjourned, it was agreed that the remaining answers would be e-mailed out to the councillors concerned. Items 10, 11 & 12 on the agenda to be dealt with at the adjourned meeting scheduled for 25th February 2021.

Signed: _____
Mayor

Dated: _____