

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

COUNCIL MEETING HELD ON 10TH JUNE 2021 BY ZOOM

Present

Cllr. Ger Barron	Cllr. Jason Murphy
Cllr. Donal Barry	Cllr. Pat Nugent
Cllr. Liam Brazil	Cllr. Seamus O'Donnell
Cllr. Joanne Bailey (Co-opted at this Meeting)	Cllr. John O'Leary
Cllr. Declan Clune	Cllr. Lola O'Sullivan
Cllr. Joe Conway	Cllr. Thomas Phelan
Cllr. Joe Kelly	Cllr. Jody Power
Cllr. Conor D. McGuinness	Cllr. Seanie Power
Cllr. David Daniels	Cllr. John Pratt
Cllr. James Tobin	Cllr. Eamon Quinlan
Cllr. Pat Fitzgerald	Cllr. Frank Quinlan
Cllr. Susan Gallagher	Cllr. Mary Roche
Cllr. Damien Geoghegan (Mayor)	Cllr. Seamus Ryan
Cllr. Jim Griffin	Cllr. Adam Wyse
Cllr. John Hearne	Cllr. Eddie Mulligan

Apologies: Cllr. Tom Cronin and Cllr. Declan Doocey

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. B. Duggan, Senior Executive Officer, Economic Development and Planning
 Mr. B. Pollard, Head of Finance
 Ms. H. Dunphy, Meetings Administrator
 Mr. D. Mitchell, Corporate
 Mr. C. Power Communications Department.

The Meeting Administrator, Honor Dunphy, carried out a roll call to confirm meeting attendance.

At the suggestion of the mayor, it was proposed to suspend standing orders to take Item 5 before Item 3 on the agenda, proposed by Cllr. Kelly, seconded by Cllr. Daniels and agreed by all.

1. Confirmation of Minutes

Minutes of Plenary meeting held on the 13th of May 2021 proposed by Cllr. Barron, seconded by Cllr. J. Power and agreed by all.

Minutes of Special meeting held on the 31st of May 2021 proposed by Cllr. Fitzgerald, seconded by Cllr. Daniels, and agreed by all.

2. Matters Arising

Cllr. Ryan paid tribute to the Mayor for arranging the prompt replacement of the Pride Flag on the Mall following the original being burned on Monday night. He also suggested that Waterford be declared as an LGBTQ+ freedom zone which was seconded by Cllr. Daniels and supported by the Mayor.

Cllr. Conway stated that he had written to the CEO of the IDA following last month's meeting but had received neither an acknowledgement nor reply.

Council staff and local volunteers were highly commended on their great work in often difficult circumstances on local beaches, noting incident of rescue at Bunmahon beach, commented by Cllrs. F. Quinlan, Tobin, McGuinness, Brazil and Geoghegan. Cllrs. Phelan and Barron raised the issue of the need to facilitate a longer summer season and to provide services for a longer period. Cllr. Fitzgerald pointed out that more toilets, bins and staff required to be funded at amenity areas, extra people visiting with associated impact on local areas.

Cllr. Phelan asked if the costs for the two dedicated teams would be included in the estimates for 2022. He welcomed the €92k one off grants the council received and asked how it would be spent. Additionally, he enquired about if there was still some ramping up of services to occur in other areas of the county and that services needed to be consistent.

Issues with both general and specific lack of public toilets were raised by Cllrs. O' Donnell (Dungarvan), O'Sullivan and Kelly (Tramore Pier) Murphy (City), Ryan and Mulligan (Woodstown) and F Quinlan (Greenway) while Cllr E Quinlan asked if a list of available toilets in public buildings could be made available. Cllr. Murphy suggested encouraging businesses to open their toilet facilities in return for perhaps a rate reduction. Cllr. Kelly pointed out that the cost of what was required in the beach facilities report was substantial and needed to be included in future budgets. Cllrs. Griffin and J. Power concurred. The need for both the public and local business to play their part with litter control was outlined, highlighting the need to not overfill bins and businesses to take responsibility for litter outside their premises.

Cllr. J. Power stated that raw sewerage was being discharged at Passage East, F. Galvin, DoS, confirmed that this was not the case. Cllr. J. Power asked if more litter pickers could be allocated to rural towns and villages and stated that he observed some spillages occurring when bins were being emptied. Cllr. Pratt stated that it was not just the larger urban areas that needed bins emptied more often but also smaller towns and villages.

In response F Galvin (DoS) stated that he would pass on the commendations to his team and pointed out that assistance from the Gardai was required in some cases to get the job done. He then made the following points:

- Finance was the decider regarding elongating the seasonal services. The 92K grant would allow some services to be provided into September. There was also a trade off because in some cases the rural sites were being serviced by roads staff who are diverted from road and footpath improvement works. Increased services commenced early this year after the May Bank Holiday and no increased funds were available especially as income was reduced. Any year-round services needed to be taken in to account for the 2022 budget.
- With regard to public toilets the Tramore Pier work was tendered and should be completed shortly. The options for Woodstown are under consideration and a solution should be found in the coming weeks.
- In response to Cllr. E. Quinlan he confirmed that events and festivals are already required to have waste management plans including separation of recyclables.
- Litter Pickers were focused on Blue Flag Beaches and the Greenway, no budget for more areas.
- Businesses such as Take Away/Food providers were obliged to provide clean up within 150m of their premises and they are being reminded of their responsibilities noting there is an option to prosecute persistent offenders.

5. Filling of the casual vacancy on council created by the resignation of Cllr Breda Brennan in accordance with Section 19 of the Local Government Act 2001

H. Dunphy, Meetings Administrator confirmed that a casual vacancy exists after the resignation of Breda Brennan. As Breda Brennan was a member of a registered party, namely Sinn Féin and under the provisions of Section 19 of the Local Government Act, 2001 the political party has nomination rights to the casual vacancy. It was confirmed that the required notification was received from Sinn Féin nominating Joeanne Bailey as the replacement. Cllr. Fitzgerald spoke to propose Joeanne Bailey noting her suitability for the position and shared her experiences to date, Cllr. D. McGuinness seconded the nomination and spoke in support of her nomination. The Mayor welcomed Cllr. Bailey to the council saying she was looking forward to working with her in the future.

Cllr. Bailey thanked Cllrs. Fitzgerald and McGuinness plus the Sinn Féin Cumann for her nomination and expressed her gratitude to Breda Brennan for her help and support in recent times. Cllr. Bailey stated that she was aware of the challenges of being a member and was committed to working with the Chief Executive and council staff as well as her fellow councillors.

Congratulations extended to Cllr. Bailey on her appointment by all political groupings, extending their assistance and support in her new position.

3. Land Disposals

K. Kehoe, DoS listed the proposed disposals for consideration. They were proposed by Cllr. Kelly and seconded by Cllr. Fitzgerald and agreed.

4. Monthly Management Report

Cllr. Wyse raised the issue of the lack of certainty with North Quays and said if there is no movement there is a need to move on with the reinvention of the city. He wanted to know the current timeline and if no developer is found in the timeline, then the investment should be refocussed on the city centre.

Cllr. D. McGuinness welcomed the infrastructure work on the North Quays being tendered and asked when contracts would be signed. He welcomed the increase in RAS and HAP inspections but noted noncompliance remained high. He noted 294 units of the council's own housing stock were inspected with remedial work completed on 13 but wants to know how many more of these needed work requesting these figures each month going forward.

Cllr. E. Quinlan asked for clarity about the €5.6m due on the North Quays from the developer and if this was from the previous incumbent or would someone else be paying. He also asked if the Council posts on social media could be more co-ordinated and regular. He gave the example of a local YouTuber who had posted a video of Cathedral Square that had 2m hits but was not linked with any council posts.

Cllr. Phelan asked if it was time to pause on the North Quays and solicit more local input on the way forward. He also asked if Waterford 2040 had specific targets in relation to FDI and jobs.

Cllr. Griffin stated there was a recent accident in a local park but as there is no postcode it was difficult to direct the ambulance enquiring if there was a way of allocating postcodes and putting details on signage in the parks. He pointed out that the accreditation for Dunmore Cliff walk was occurring today and wished the team well.

Cllr. Daniels asked if it might be time to ask the Waterford 2040 group chaired by Robert Finnegan to present to the plenary. He also enquired about the number of councillors that would be on the new Community Safety Partnership Committee (replacing the JPC). He enquired if funding and planning had commenced for the Michael Street development.

Cllr. Mulligan asked if it was possible to have a breakdown for the next meeting of the type of businesses that had applied to LEO under measure 1. He also commented on the sporadic posting on the council social

media accounts. Regarding e-scooters he enquired if the council were in talks with any of the investors who were intending to provide these services in Ireland.

In responding Mr Walsh (CEO) commented with regard to North Quays that work was ongoing to get it back to the market by September. He accepted that clarity was needed in a short period of time. The infrastructure development is expected to go to tender in September/October and there is no reason for any delay. Work could commence in quarter one 2022 as funding from Government was still available. The 5.6m is a cost of land aggregation and the development site is being offered to the market, there is little financial risk if the land had to be put on the open market. In respect of Waterford 2040 he would invite Robert Finnegan to present to the members and added that that an action plan with specific targets was being put in place.

M. Walsh further commented that the plenary is the ultimate oversight forum for the North Quays, but he was open to having a sub committee should the members require it. He also stated that the Michael Street development was progressing separately and should have proposals to go to market in line with the North Quays.

I Grimes (DoS) stated the following.

- He will provide inspection data for RAS and HAP for next month.
- The pilot replacement for the JPC will have seven nominees and this will be appointed at the AGM.

Cllr. Geoghegan commented that the role of public representatives on this JPC replacement has been reduced with retired civil servants being co-opted.

F Galvin (DoS) stated that:

- The council were actively engaged with the Gardai, and the Traffic Corps. New double yellow lines and signs have been added in many places and this will be reviewed next week.
- It is not possible to have Eircode's for parks as they are non-residential.
- There have been approaches from suppliers of e-scooters, but these vehicles are currently illegal pending legislation in process through the Oireachtas.

B. Duggan (SEO) stated that with regard to Tourism and You Tube he committed to taking a look at the opportunities that were there. LEO data may be difficult to breakdown as some of the information is sensitive. He will also look at improving the quality of the social media posting.

Cllr O'Sullivan asked if there was a gender balance on nominees for the JPC replacement. She thanked the executive for getting lifeguards appointed early who have already been called in to action at the weekend. She noted that advertising for camping in lower Tramore was advising the use of the council public toilets as none provided by the site. No contribution was being made for the use of these facilities provided and maintained by the council.

Cllr. Murphy asked if anything could be done to make CBL accessible for non-computer literate people, He enquired if it was possible to take legal action against HAP landlords given the high incidence of inspection and reinspection failures.

Cllr. Barry enquired if anything could be done to attract Cruise Liner business given that Dublin will be allowing less of them. He also asked about wind energy and the port of Waterford providing support to this sector. He asked if the council could work on getting Blue Flag marinas to go with the Blue Flag beaches in Waterford. He commended the council on getting the retro fit programme running but asked if the ETBs were doing enough to train people for retrofitting and green energy work.

Cllr. Roche asked for an update on the cultural quarter and URDF on the management report. She enquired about the Greenway extension to the Clocktower and asked for regular progress update on it. Regarding the purchase of property by the Council she enquired if the members can be notified in advance so that it could be discussed. She also stated that there was a loss of focus on the city in the council and asked what the

CEO could propose to do about it. She further noted that the funding application for the GPO had been unsuccessful and would like some comment on that.

Cllr. Fitzgerald enquired about the street sweepers not making it to outlying areas and if there was an impediment. He asked which estates would be included in the retrofitting programme.

Cllr. Herne expressed concern that the replacement structure for the JPC would reduce the communications with senior Gardai with the reduced number of public representatives.

In responding I Grimes (DoS)

- He credited Mary O'Brien and the council HR team with the accelerated recruitment of beach lifeguards.
- Accessibility to CBL applications for non-computer literate people is being looked at by the allocations team, a family member can be nominated to process them by the applicant at the moment.
- He noted that working with landlords and tenants to improve some of the HAP properties, in extreme cases he would look to enforce.
- The skills requirement for retro fitting has been raised with the ETBs and the list of houses to be included is being finalised with the department.
- Anti-Social Behaviours workshop area at a district level so that local gardai can be involved.

F. Galvin (DoS) stated that:

- The camping site in lower Tramore is a planning issue and had been referred to the planning department for enforcement.
- He would look at the criteria for a Blue Flag marina and see if there were suitable candidates.
- There was no change to the prioritisation of street sweeping equipment and he could take Cllr Fitzgerald's issue offline.

B. Duggan (SEO) replied:

- A meeting with the Port of Waterford regarding cruise ships was planned for last week but was cancelled. The rearranged meeting should be in the next few weeks and will report back to the members.
- There is no issue including details for the URDF and the Greenway to the Clock Tower development in the next monthly report.
- The application for funding for the Viking attraction at the GPO site was not successful and he would seek a debrief on it in the coming weeks and he can report back then.

K Kehoe (DoS) explained that property acquisitions are reported in the CE's Orders as provided on Decision Time. Given that acquisition is a commercial transaction and if the members were notified in advance, it might impact the price and availability or make the council unable to buy or complete.

M. Walsh (CEO) did not agree with Cllr Roches statement that there was insufficient city focus and is happy that there is sufficient corporate commitment to the city and every policy platform always recognises the importance of the city as the regional capital and the main economic entity and that is how it is included in any promotional activities. He recognises that there are pressures in the area of the city centre and there is a focus on it and the Michael Street developments in addition to the North Quays.

Cllr. Gallagher asked if updates on progress with retrofitting could be included in future management reports. She commended the Green Picnic Campaign and suggested that parks could display the ordinance survey co-ordinates if there were no Eircode's to direct the emergency services.

Cllr. Bailey asked what the waiting times were on the disability grant for housing adaption schemes.

Cllr. Ryan asked if there was a breakdown of the reasons for CBL refusals. He also suggested the social media campaign on dog fouling was not working and legal action should be taken.

Cllr. J. Power asked if the Traveller inter agency group and needs analysis report could be circulated as soon as it was available as it would allow better decision making particularly for accommodation. He suggested that signage for access roads to the city should state Regional Capital and it should be included in the Development Plan. He also reported that Waterford had secured bookings for 14 cruise ships in 2022. Cllr O' Leary stated that the JPC changes were a dilution of local democracy. He noted that Irish Water were taking measures to enhance biodiversity on their sites and asked if there was a financial impact on the Council.

The view that councillors should have an input into housing allocation was expressed by Cllr Pratt. He also enquired if the council had assisted in any way the Greenway bike company who were unable to operate out of the WIT Arena. Cllr. F. Quinlan informed the meeting that the use of the overflow carpark at the Arena has been looked at as an alternative for the bike company.

I Grimes (DoS) provided the following responses:

- For housing adaptations, the private grant scheme is different to the one for our own stock and is up to the individual to draw down the funds after approval. With the council's own stock, we are dependent on departmental funding which is running at about half of what we might require and there can be a two year wait due to this.
- He will look into the reasons for CBL rejections for the next Plenary and clarified those representations can be made by members for CBL allocations.
- Mr Grimes will provide the Traveller interagency Report when it is ready, we might arrange for a presentation later in the year.
- He confirmed to Cllr Tobin that tenant Garda vetting only had to be done for a single location and applicants can transfer if they then look in a different area.
- Mr Grimes confirmed that the council had relayed the fears of a dilution of local democracy in the new Community Safety Partnership Committee to the department.

F Galvin (DoS) responded as follows:

- He would look at the use of ordinance survey grid references on for parks to enable quick response from Emergency Services.
- In respect of dog fouling, patrols will be made by dog wardens and environmental inspectors and legal action may ensue for offenders.
- The biodiversity initiative for Irish Water will not cost the council anything but there may need to be some work practice changes for staff.

M Walsh (CEO) explained that adding the "Regional Capital" to signage for the city might cause clutter and confusion in the messaging as the existing signage was designed with Fáilte Ireland with a tourism focus.

6. Correspondence

Cllr. Joe Kelly commented that the response from the minister on the CETA treaty was lacking balance in terms of what adoption of the treaty might bring. He pointed out that a High Court action was in progress which was instigated by Patrick Costello TD which challenges the constitutionality of investor courts established under the treaty.

Cllr. Pratt suggested that school transport needed more than just an acknowledgement. H Dunphy (Meeting Administrator) confirmed that no further response was received, and it would be followed up.

Cllr. Barry stated that the Mayors for Peace needs to be raised on the agenda again.

Cllr. D. McGuinness commented that a response from Minister McGrath stated that the Dept of Justice would not be pursuing ringfencing proceeds of crime. He asked how the Community Safety Innovation Fund will operate and if the council would have a role. I Grimes (DoS) replied that he had not received details of the fund but would request them from the Department.

Acceptance of the listed correspondence was proposed by Cllr. Pratt and seconded by Cllr. Tobin and agreed

7. Motions

1. Motion in the names of Cllrs Seamus Ryan, Thomas Phelan, John Pratt and Ger Barron

“Adult literacy limitations can prevent people from taking a full and active part in our economy so it is vitally important that all possible supports are provided to deal with the issue. The Labour Court has made a recommendation in relation to a claim brought by SIPTU and TUI in respect of regularising the terms and conditions of Adult Education Tutors employed by Education and Training Boards. This recommendation has been under consideration by officials from the Department of Further and Higher Education; Research; Innovation and Science; the Department of Education; and the Department of Public Expenditure. It is now over 5 months since the Minister of State at the Department of Further and Higher Education, Research, Innovation and Science (Niall Collins TD) in reply to a parliamentary question in early December 2020 said that the Labour Court recommendation was still under consideration by officials, and he did not advise when this would be completed. We propose that Waterford City & County Council write to Minister Simon Harris, and cc Ministers Michael McGrath and Norma Foley, and Minister of State Niall Collins, to call for the implementation of the Labour Court recommendation to be treated with the importance and urgency that it deserves.”

Reg. No. 189 (dated, 4th May 2021)

This motion was introduced and proposed by Cllr Ryan, seconded by Cllr Phelan, and agreed including the distribution to all local authorities and relevant government departments. No motion to oppose or amend was proposed and the major moved to end the discussion, Cllr McGuinness wanted his objection noted to the Mayors action.

2. Motion in the name of Cllr. Lola O’Sullivan

“That Waterford City and County Council would write to the Minister for Foreign Affairs asking him to explore the possibility of Ireland establishing a formal partnership with an African country with a view to developing closer, mutually beneficial administrative, cultural and economic links. It is envisaged that such a partnership could provide a strong framework under which cities like Waterford and other cities and counties throughout Ireland could look to develop their own links and possibly work towards a more formal sister city / twin city relationship at some point in the future.”

Reg. No. 190 (dated, 28th May 2021)

The motion was introduced by Cllr O Sullivan, seconded by Cllr Tobin and agreed.

3. Motion in the name of Cllr. Eamon Quinlan

“That WCCC writes to the Minister for Housing and Local Government to request legal powers for Local Authorities to attach fines to any tenants rent book who are engaged in anti-social behaviour. The fines would be equal to the cost in Council staff hours salary devoted to dealing with the anti-social behaviour at the specific premises. ”

Reg. No. 191 (dated, 28th May 2021)

This motion was deferred to next meeting.

8. AOB

Cllr. Roche stated that a new chairman had been appointed to the Commission of Investigation relating to allegations of child sexual abuse made against Waterford man, Bill Kenneally. She hoped that it will be brought to a conclusion in a timely manner.

Cllr. Fitzgerald enquired as to the process for updating the electoral roll now that Councillors do not attend the claims court. K Kehoe (DoS) explained that there were dedicated resources in Corporate maintaining the register and asked Cllr. Fitzgerald to let them know of any anomalies, the claims court is still open to attendance by the members and public and was available remotely last December.

Cllr. Kelly stated that the Pride Flag was now flying over the Theatre Royal in response to the recent incident on the Mall in which Pride flags were burned. Cllr. Geoghegan stated that he hoped that many more buildings would be included in the future.

Cllr. Ryan raised an urgent issue with regard to Emergency Services access to Spring Garden Alley following a recent issue when an ambulance was unable to get to a patient. F Galvin (DoS) stated the access was under review and he would revert with proposals. He believed the incident in question was caused by a contractor inadvertently blocking access.

Signed: _____
Mayor

Dated: _____