

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

COUNCIL MEETING HELD ON 13TH May 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. Tom Cronin	Cllr. Jody Power
Cllr. Conor D. McGuinness	Cllr. Seanie Power
Cllr. David Daniels	Cllr. John Pratt
Cllr. Declan Doocey	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
Cllr. Joe Kelly	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
 Mr. Bryan O'Kane, Accountant, Finance
 Ms. H. Dunphy, Meetings Administrator
 Mr. D. Mitchell, SSO, Corporate
 Ms. Claire Hartley, AO, Communications Unit
 Mr Conan Power, Communications Unit

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

It was proposed by the Mayor to suspend standing order to address two important matters, namely update from the Chief Executive on the North Quays and Freedom proposal, seconded by Cllr. Roche and agreed by all.

Vote of sympathy extended by the Mayor to the family of the late Austin Flynn (Abbeyside), the Mayor noted that Austin was a member of the victorious All Ireland Senior Hurling team from 1959 and a well respected health board worker. A minute's silence in memory of Austin was observed by all present.

Update on North Quays

M. Walsh, CEO stated that he wished to clarify the position with regards to the North Quays development. He outlined that over recent months the Council extended the contract to May 15th, 2021 with the developer Falcon Real Estate Development Ireland (Falcon), to allow them time to put in place the necessary funding for the project, given the obvious constraints imposed by the Covid 19 pandemic. It is executives' view that it is unlikely that Falcon will be in a position to satisfy the contract preconditions in respect of funding, albeit we are informed that funding proposals will be submitted later today or tomorrow in the form of a term sheet. The rescission date under contract is Saturday, May 15th. In the circumstances we would not propose to comment further until Monday next at which time the members would be briefed.

A plenary meeting (in committee) has been called for 9.00am Monday 17th May for this purpose. This was proposed by Cllr Geoghegan, seconded by Cllr Daniels and agreed by all.

Freedom Proposal

Cllr Geoghegan proposed bestowing the councils highest honour of the Freedom of Waterford City and County on Henry de Bromhead following his unprecedented training successes at Cheltenham and Aintree. He pointed out winning The Champion Hurdle, The Queen Mother Champion Chase and The Gold Cup in the same year as a unique achievement that has never before been completed by any trainer in the history of the sport. Additionally, he had the runner up in the Gold Cup and three other winners over the four days of the Cheltenham meeting. This was then followed up by winning the Grand National at Aintree with Minella Time ridden by Rachel Blackmore the first female jockey to win the race. He also trained the runner up this race that was watched by six hundred million people across the world.

This proposal was seconded by Cllr. O' Sullivan who also commended Mr. de Bromhead's family and his wonderful team in Knockeen. Several councillors commented on the achievements of Henry de Bromhead.

On the recommendation of the Mayor and the unanimous support of all council members it was agreed 'That in recognition of the unique contribution of Henry de Bromhead in his field that he be admitted Honoris Causa, to the Freedom of the City and County of Waterford'.

1. Confirmation of Minutes

Minutes of meetings held on the 8th of April 2021 proposed by Cllr. Kelly, seconded by Cllr. Tobin and agreed by all.

2. Matters Arising

Cllr Mulligan asked if he could have a further breakdown of the costs for the North Quays project regarding the €11.3m design and planning costs. M. Quinn (DoS) committed to providing a breakdown for all members.

Cllr. Conway expressed his condolences to M. Quinn on his recent family bereavement along with requesting report on the vacant site levies as previously requested.

3. Land Disposals

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

Cllr. Brennan asked about the low sale price for 32 Grange Heights.

K. Kehoe, (DoS), explained that it was a long term lease taken over by the Health Board in 1985 and used by Focus Ireland. The amount payable was due to the length of the existing lease.

Cllr. E. Quinlan asked did the council seek funds from the Department for No. 2 St Carthage's Avenue.

I Grimes, (DoS), stated that no funds had been applied for in respect of this CPO property.

The disposals were proposed by Cllr. Ryan, seconded by Cllr O Sullivan and agreed. Cllr. E. Quinlan voted against the disposal of No.2 St Carthage's Avenue.

4. Monthly Management Report

Cllr. Roche asked for details of the plan to be carbon neutral by 2040 as part of the Waterford 2040 initiative. She also enquired if the Urban Animation scheme could be used to fund the completion of works on the two 14th Century properties in the Viking Triangle. She further asked for more to be done by the Council in respect of regional development rather than relying on the IDA and enquired as to the Outdoor Seating plans post lock down.

Cllr. Brennan raised the issue of the high level of housing inspection failures and asked if funds could be withheld for the HAP properties. She noted the 201 inspections carried out on the council housing with 14 properties having had improvement works done and asked how many more needed improvement works. She also asked if consideration has been given to access for the disabled and children's buggies regarding the applications for outdoor seating.

Cllr. Daniels asked if planning permission was required for outdoor seating areas and details on the Urban Animation plans. He noted that there was a 33% increase in planning applications in the past two month over last year which was positive. He also asked if there was any feedback from the IDA with regards to them bringing quality jobs to Waterford.

Cllr. Phelan asked if any of the approved North Quay's government funding was contingent on the current developer. Enquired if the outdoor seating funding limit for second year was imposed by Fáilte Ireland or the council. Of the seven inspections of long term lets and six failed are these recent repair and leases properties or were there any commonalities. Following the announcement of extra funding to combat litter last week he asked if the council would be providing any Solar Powered Compactor Bins for areas around beaches.

Cllr. Ryan asked if the executive were aware of any vulture funds coming to Waterford to buy up housing stocks. He asked if the Bike rental scheme was on target for the late Autumn and requested details on the meaning of a decarbonised city.

M. Walsh (CEO)

- Clarified that the funding for the North Quays was not tied to a single developer.
- Regarding Decarbonisation, he suggested that a specific workshop was needed to discuss it as the planning for it would progress over the next six months. Waterford had applied for designation for this cutting edge and ambitious scheme that would improve quality of life and attract inward investment in the future. We currently produce 400k tonnes of carbon a year that would be reduced using measures such as renewable energy and insulation improvements. A team would be needed to access the local national and EU funding available for such schemes.

M. Quinn (DoS) responded as follows:

- He stated that there was engagement with Fáilte Ireland in relation to Urban Animation and that business owners would be contacted next week to validate the plans. He noted that businesses will require a section 254 licence for outdoor seating and would be responsible for their own areas with the council assisting with the equipment. He has asked for the outdoor dining funding limit imposed by Fáilte Ireland to be removed given that Waterford was in its second year.
- The IDA have infrastructure and contacts to get to investors and was open to trying a regional approach again. Waterford 2040 was an example of taking the initiative and going it alone but there are constraints on what can be achieved.
- The 14th Century houses in Cathedral Square do not fit in to current schemes and alternatives are being looked at.
- The Bike rental plan will be finalised in the next couple of weeks, and he is not aware of any vulture funds bulk buying housing in Waterford.

I. Grimes (DoS) clarified as follows:

- That housing inspections only happened on an emergency basis at the moment.
- He will revert to Cllr Brennan on inspection figures for council housing stock.
- He is not aware of vulture funds operating in the local housing market.
- Regarding long term lets not aware of any common inspection faults but age is often a factor due to recent regulation updates.

F. Galvin (DoS) stated that:

- An application for the Anti Litter Grants would be prepared next week when the terms of the scheme were known.
- Some solar powered smart compactor bins would be delivered in the next few weeks.

Cllr. Kelly concerned with the ability to cope with increased housing needs post covid, He noted a 62% increase in callers to homeless service over last year. He stated that CBL has 780 listings and 196 refusals and asked if it is this in line with national data given the amount of work and resources invested in getting to this stage.

Cllr. Barry asked if there are any discussions with the Port of Waterford regarding attracting construction and repair businesses for offshore windfarms and the associated employment it would bring. He noted there were no jobs announcement from the IDA for Waterford for years and asked if they could be invited to come before the council and report. He also asked about the potential for noise pollution with the adding of outdoor tables and chairs to venues.

Cllr. Hearne asked about the establishment of a committee and the appointment of estate managers to combat anti-social behaviour.

Cllr. O'Leary asked if there was any progress with the appointment of co-ordinator for the pilot scheme that was replacing the JPC which would have its final meeting on 14th June.

Cllr. Mulligan asked about progress with Fáilte Ireland Funding for the old sorting office and the planned Viking attraction. He also asked about the €250k outdoor seating project and what the councils' intentions were. Additionally, he enquired if more staff were needed to deal with the extra planning applications and handling the outdoor furniture grant issues.

In response I Grimes (DoS) stated

- Last year due to strict lockdown with little mobility so contact with homeless services was low. The numbers in emergency accommodation were reducing in all categories due to the great efforts of the staff and the preventative work they do.
- The coordinator post for the pilot to replace the JPC not been filled yet.
- CBL refusals have reduced from 40% pre CBL and it was leading to faster turnarounds of empty properties.
- An Anti-Social Behaviour workshop would be held with Dungarvan Lismore district next week with one to be scheduled for the Metropolitan district.

M Quinn (DoS) replied stating:

- He will contact the Port of Waterford about offshore wind farm support opportunities.
- A section 254 licence is only required if the seating is on public property otherwise it is required to be in line with the owners planning permission conditions.
- A decision is expected on the Viking attraction funding using the sorting office site in May.
- The 250k Outdoor scheme needs to be discussed with businesses and then the application will be prepared for submission the following week. Procurement preparation can occur in tandem.
- Staffing in planning is under review in line with the increased applications.
- The S254 refusals were not because of staff shortages, applicant businesses need to engage more with officials who will be happy to assist.

Cllr. E. Quinlan suggested that people were unaware that the council was a source of Mortgage finance for homes and that some promotion should be done. He also suggested that the Council consider an app

similar to the staff one for the general public to increase engagement. He further suggested that libraries would be a good starting point to build remote working hubs with the added advantage of possibly being able to provide after school care for workers children.

Cllr. Griffin stated that in the past the council had been proactive in getting towns and villages “shovel ready” to avail of new funding quickly. He asked were similar preparation being made with land for new social housing schemes so that we could get ahead when funding was made available. He also pointed out that some of the images used to promote CBL properties were very poor and needed improvement.

Cllr. J. Power asked if the €50k funding for Curraghmore House as a historical structure this year would result in double access this year for the public given that it was funded last year with no access. He also asked if the ground radar surveys of Woodstown could be made available soon. He further enquired if there were plans to decarbonise our own buildings to reduce the €2.4m spent on utilities and energy.

Cllr. Conway pointed out the IDA had not updated the pages on their website for Waterford since 2018. He wanted to know if the CBL scheme would be reviewed any time soon. He questioned if wind power companies would do business in Waterford given the opposition to Windfarms locally. He also requested response to a matter relating to an estate in Ferrybank as unable to progress it through normal channels.

Cllr. Murphy raised Anti-Social Behaviour (ASB) and asked if Estate Management had input into the allocation of housing under CBL. He feels the allocation policy is fuelling ASB by pushing problem families to a single location. Cllr. Geoghegan concurred with importance and impact of allocations.

Cllr. Gallagher enquired if there were picnic benches available that accommodated wheelchair users and if this could be an option for the outdoor dining businesses also. She asked if there were any schemes like “Life lives on the edge” which was running in Wexford. She had also been made aware of an instance of hedge cutting out of season.

In response I Grimes (DoS) stated:

- There were shovel ready but obviously there were still subject to the governance of whatever schemes were to come in to being.
- He is unaware of the Ferrybank issue and will investigate for Cllr Conway.
- The CBL Scheme has been in place since 2017 and review is ongoing.
- Estate managers do have an input into CBL allocation process and there were currently two vacant estate management posts.
- The council operated mortgage scheme was a national one and details were regularly supplied to developers plus local banks were referring unsuccessful applicants to the council.

F. Galvin (DoS) stated

- Energy use in council buildings is reducing at about 4-5% per annum over the past few years and further improvement is expected in the future.
- Picnic benches for wheelchair users are currently being considered together with appropriate sites for same.
- He asked if Cllr. Gallagher could send him the details for hedge cutting so that he could investigate.

M. Quinn (DoS) responded as follows

- He would raise the IDA outdated website page issue with them.
- He will check the status of the Woodstown ground survey with Heritage.
- The access to Curraghmore would be the same as previously agreed (not doubled)

K. Kehoe (DoS) stated that:

- Libraries were already under consideration for establishing remote working hubs.
- He would look at the possibility of an App to engage with the public and stated that there was already high usage of social media and Map Alerter (second highest user in the country) in terms of digital engagement with the public.

Cllr. Clune enquired if controversial planning applications could be suspended during Covid given that local groups or residents could not meet to discuss them. He also enquired where the provision against the

€12m of aged debt arrears was reflected in the Council accounts. He additionally wished Cllr. Brennan the best in the future.

Cllr. O Donnell asked if wet pubs needed a special licence for outdoor seating.

Cllr. D. McGuinness asked if there would be engagement with the Gardai and residents regarding traffic regulation in inland as well as the main coastal areas. This was supported by Cllr. Fitzgerald. He also asked if the Council could name and shame HAP landlords given that there was a 100% failure rate on inspections last month with one property failing twice. Cllr. D. McGuinness commended the council on their approach to outdoor seating but asked if there had been engagement with local disability organisations on the subject. He also stated that Minister Phelan, when he was in office, promised to send a high-powered IDA delegation to Waterford and this had not happened. Could we write to his successor and the IDA to get this actioned.

Cllr. Pratt asked if there was any provision for holding back certain properties under CBL to allocate to local needs. He also stated that RAS tenants did not have security of tenure and if we could get the legislation changed.

Cllr. Fitzgerald enquired if pickup zone outside Montessori and childcare facilities could be created like outside schools. He also asked could there be bike stands provided in smaller villages to allow cyclist to lock up their bikes and to encourage the use of bikes. He also enquired if there were impediments to deploying road sweeping equipment outside the large urban areas.

F Galvin (DoS) replied stating that

- There was a focus on rural traffic management issues and that they were being co-ordinated with the Gardai.
- He asked Cllr. Fitzgerald to come and talk to him about the pickup zones for Montessori schools.
- The active travel grant was being used to roll out cycle stands and there was funding this year and into the future for this.
- The Road sweepers are rostered in the big urban areas to cover specific places but there is scope for some extra equipment to be rostered that could be used elsewhere.

M. Quinn (DoS) stated the following

- There is nothing further that can be done about controversial planning permissions at the moment. A lot of the recent work has been done online.
- S254 for wet pubs relates to public spaces only and if the seating is on private land it needs to comply with planning permission.
- Engaging with disability groups has occurred in the past and it might be useful to engage again on the outdoor seating plans.

Responding to Cllr Clune B. Pollard director of Finance stated that the provisions were included on the AFS and note 5 against debtors.

The Mayor agreed to write to the IDA regarding the regional development issues raised above.

5. Audit Committee Annual Report

Mr. Padraic Doherty, chair of the audit committee introduced the report and stated that 2020 programme was limited by Covid and resourcing resulting in some activities carrying forward to 2021. The focus for the coming year will be looking at the risk register and the findings of the Local Government Auditors report. He thanked his colleagues on the committee for their great work during the past year.

Cllr. Phelan asked if the results of the follow up on the Local Government Auditors report could be provided to the members when complete. Mr Doherty agreed with this request.

Cllr. Griffin asked if there was any way that the members could have amore in depth interaction with the committee.

Cllr. Roche supported by Cllr. Geoghegan suggested that a workshop on Finance should be held.

Cllr. J. Power asked about the Fraud & Corruption Policy and B. Pollard (HoF) explained that the policy had been through the CPG and would be on the council website in the coming days.

Cllrs. Phelan and McGuinness called for increased resources for the internal audit function.

B. Pollard stated that a new team member had been appointed and would start on 7th June.

6. Annual Financial Statement and Section 104 – for Approval

B. Pollard, HoF introduced the Annual Financial Statement for 2020 and explained that there was a €634k surplus for the year which would contribute to reducing the accumulated deficit. He commented that the improved financial position was helped by the rates waiver and extra funding received for government resulting from Covid. He acknowledged the efforts of the Finance Team in processing and distributing €33m in stimuli funding under the pandemic working restrictions. He added that there would be challenges going forward as the rates waiver for 2021 would be lower due to rule changes. Many businesses may unfortunately not recover and some sectors such as hospitality and retail may struggle with legacy debts repayments. He outlined the contents of the S104 statement and variances many of which were related to the manner in which Covid reliefs were required to be recorded.

Cllr. Geoghegan proposed extension to standing orders to extend the meeting by a half an hour which was seconded by Cllr Roche and agreed by all.

The Section 104 was proposed by Cllr. Geoghegan and seconded by Cllr. Phelan and agreed by all.

9. Correspondence

Proposed by Cllr. Pratt and seconded by Cllr. Brennan and agreed by all.

10. Motions

1. Motion in the name of Cllrs. J. Pratt, T. Phelan, S. Ryan & G. Barron

“That Waterford City & County Council write to Minister Eamonn Ryan and Minister Norma Foley regarding the anomaly between Eligible and Concessionary students for School Transport.”

Reg. No. 185 (dated, 25th April 2021)

Introduced and proposed by Cllr. Pratt, seconded by Cllr. Phelan and agreed by all.

2. Motion in the name of Cllr. Damien Geoghegan

“That we the Members of Waterford City & County Council request that the Minister for the Environment, Climate and Communications and Transport, Mr. Eamon Ryan TD prioritises the planning, design and construction of the N24 Waterford to Limerick Corridor Road project within the Review of the National Development Plan. This project is critical to the development of the Southeast region and to the achievement of national targets on addressing regional imbalance by connecting the cities of Waterford and Limerick, the Southeast, Southwest and Mid-West Regions, Rosslare Europort, the Port of Waterford and existing strategic transport corridors including the M7 (Dublin - Limerick), M8 (Dublin-Cork) and M9 (Dublin-Carlow-Kilkenny-Waterford) motorways. It is further requested that this Notice of Motion be sent to the Minister for Finance, Mr. Paschal Donohue TD and Minister for Public Expenditure and Reform, Mr. Michael McGrath TD.”

Reg. No. 186 (dated, 27th April 2021)

Introduced and proposed by Cllr. Geoghegan and seconded by Cllr. D. McGuinness who also stated that he would raise it at the Southern Assembly. Motion agreed by all. The motion is being proposed by the other members of the First Citizens Forum in their respective councils.

3. Motion in the name of Cllr. Damien Geoghegan

“That this Council calls on the Government in the light of Brexit and other market influences to recognise the strategic value of the South-East Ports in Rosslare and Belview, Waterford through

- *Strategic investment in the Ports, in particular through the purchase of additional land for the expansion of Rosslare Europort and the advance construction of Rosslare Europort Harbour Access Road.*
- *Amalgamation of the ports structure and governance to create a Tier 1 port as a combined entity.*
- *Designation of the combined entity as the service port for off-shore renewables in The Irish and Celtic Seas.”*

Reg. No. 187 (dated, 28th April 2021)

Cllr. Geoghegan introduced and proposed the motion and its origins from the First Citizens Forum of the Southeast stating that the same motion would be going before the other councils on the forum. It was seconded by Cllr. D. McGuinness who spoke on the strategic importance of the ports and stated that he would bring it to the Southern Assemble with Cllr. Phelan and to the European Committee of the region’s attention.

M. Walsh (CEO) outlined that the objective was to structure the ports as two noncompeting entities that could work together to get funding at different levels. Rosslare Port is owned by Irish Rail and Waterford Port is positively disposed to this approach and the potential to bring in more freight business and maximise its strategic potential. The Minister needs to look at the ports and reconfigure for the benefit of the south-east as a whole.

The motion was passed and agreed by all.

4. Motion in the name of Cllrs. T. Phelan, J. Pratt, S. Ryan & G. Barron

“In light of the increased demand for and strain on bins and toilets at popular outdoor leisure and recreation locations throughout Waterford, which is leading to litter and other issues, we propose that the relevant Council officials complete the following in advance of the June plenary Council meeting:

- A. Provide members with a brief report as to which public outdoor leisure locations (particularly beaches) are provided with serviced toilets and bins on a year-round basis, and which are provided with these facilities on a seasonal only basis (and for what durations). In addition to the above, the report should:*
- specify the total cost for the provision of these services,*
 - include a subtotal for services provided year-round,*
 - include a subtotal for services provided seasonally,*
 - provide a projected cost for upgrading the provision of toilet and bin facilities at those locations where it is currently seasonal to a year-round basis for the remainder of this year and for a full year basis for 2022; and in both instances to a level sufficient to meet demand.*
- B. Having determined the projected cost of upgrading the provision of toilet and bin facilities from seasonal to full-time at relevant locations for the remainder of 2021, then further determine and advise members if there is any projected underspend of a similar amount in any area of our discretionary current budget, so that members can make an informed decision as to whether or not to resolve that the projected underspend so identified should be diverted to this purpose for*

the remainder of this year.

C. Having determined the projected cost of upgrading the provision of toilet and bin facilities at all current locations to a year-round basis for 2022, duly advise the Council of the full amount that would need to be allocated in next year's budget so that members can be cognisant of this figure when voting on our budget for 2022 later this year.

The government has been indicating that Summer 2021 will be all about the outdoors due to the ongoing pandemic, so we must prepare accordingly. This motion would allow us to make appropriate increased provision for toilets and bins at relevant locations for the remainder of this year if budgetary possible, and if not to at least look ahead to making provision for this upgrade in next year's budget should members decide to do so having knowledge of the costs involved."

Reg. No. 188 (dated, 28th April 2021)

The motion was introduced and proposed by Cllr. Phelan and seconded by Cllr. Barron. Cllr Griffin spoke for this motion and suggested that a workshop is needed on the topic and supported by several councillors.

The motion was passed and agreed by all.

11.AOB

The Council AGMs for Plenary and District would be held online in June after the planned monthly meetings as follows:

1. Plenary on 24th June 2021 at 1pm.
2. Metropolitan District on 21st June 2021 following the normal monthly meeting.
3. Dungarvan & Lismore District on 14th June 2021 following the normal monthly meeting.
4. Comeragh District on 16th June following the normal monthly meeting.

The Mayor spoke to express his best wishes to Cllr. Brennan and thanked for her ongoing support as this was her final plenary meeting. Representatives of the parties and independent groups in the council (Cllrs Pratt, McGuinness, Ryan, Quinlan, Roche and J. Power) also spoke to commend Cllr. Brennan on her great work and service to the people of Waterford over the years. In reply Cllr. Brennan thanked her Sinn Fein party colleagues, members of the council, the CEO, Executive and staff for their support and kind words.

Signed: _____
Mayor

Dated: _____