

Minutes of January Meeting of the Municipal District of Piltown

Venue: Area Offices, Ferrybank

Meeting Date: 13th January, 2016 at 10.00am

Cathaoirleach: Cllr. Pat Dunphy

Present: Cllrs. Fidelis Doherty, Ger Frisby, Eamon Aylward, Tomas Breathnach and Melissa O'Neill

In Attendance: Maria Melia, DOS, Anna Maria Walsh, S.E.O., Planning, Martin Mullally, S.E.O., Housing, Ian Gardner, Area Engineer, Kevin Hanley, Meetings Administrator and Laura Murphy, A/SO

Outset

At the outset of the meeting, Cllr. Doherty on her own behalf and on the behalf of all the members extended condolences to the Harrison family on the death of Paul Harrison following a farm accident.

Confirmation of Minutes

Minutes of meeting held 2nd December 2015, proposed by Cllr. Doherty, seconded by Cllr. Aylward and agreed.

Matters Arising

Recent Flooding – Cllr. Dunphy thanked the Council Officials, staff, communities and public, press and Councillors for their work and great show of togetherness following recent storms and subsequent flooding. Cllr. Breathnach recognised and acknowledged the role of the Civil Defence, Army and all volunteers. Cllr. Doherty complimented Council Staff and acknowledged that the emergency number worked well. Cllr. Aylward complimented Council Staff and noted as an example that relief work carried out at Glen Crescent, Mullinavat was successful in alleviating the problem there. Cllr. Frisby also expressed his thanks to I. Gardner and staff and hoped that all issues can be addressed to prevent re-occurrence in the future. Cllr. O'Neill thanked I. Gardner for all his highlighted the need for more diversion signage to deal with the closure of the N24 in Carrick-on-Suir due to flooding. All members passed on their thanks for all efforts made and work done.

Public Lighting, Mill Road, Mullinavat – Cllr. Aylward requested update. I Gardner advised that there was some confusion between ESB and Airtricity but same had been resolved and advised that lights should be working shortly.

Recycling facility – Cllr. Aylward requested update for facility at Newrath. M. Melia advised that a full report on all *facilities will be available for the next meeting.*

Speed Limit Signage for Housing Estates – Cllr. O'Neill requested an update. I. Gardner advised that signs have been delivered. Due to recent flooding and subsequent issues, there has been a delay in erecting same, however it is expected that some signs will be in place by the next meeting.

Ferrybank Shopping Centre – Cllr. Frisby asked for update regarding Ferrybank Shopping Centre. K. Hanley advised no further update available at present.

TII communication – K. Hanley advised that Simon Walton was in contact with TII however no update available as yet.

Unfinished & Completed Developments

Anna Maria Walsh circulated a report and outlined the current position in relation to housing developments in the Piltown Municipal District. An overview of estates for the county showed that in 2015 there were 29 unfinished estates - down from 76 estates in 2010. These estates are regularly monitored.

A detailed discussion followed, with contributions and questions from all members. In particular it was noted that there is no timeframe on developers to complete estates and consequently it can take considerable time to get to the position where estates can be taken in charge by the Council. It was noted that this can be frustrating for residents. Cllr. O'Neill suggested that for future developments a time limit be imposed to complete an estate. AM Walsh confirmed that under new legislation, a time-frame to which an estate has to be completed can be specified. Cllr. Dunphy requested that a letter be issued to developers of unfinished estates where there is a delay in completing same. AM Walsh advised that the Council is committed to advancing matters however Developers have the right to arrange required works themselves which may slow completion progress. AM Walsh will circulate reports/updates to SPC. Cllr. Dunphy thanked AM Walsh for the up-date. Cllr. Breathnach complimented AM Walsh on all work done to date and progress made.

Incremental Tenant Purchase Scheme 2016

Martin Mullally was in attendance to make a presentation on the new Incremental Tenant Purchase Scheme. He outlined the details of the new scheme and highlighted the differences between it and the previous 1995 scheme. Key points included discount on purchase price of property is linked to the tenant's income and the charge on the

property is determined by the value of discount granted at time of sale. This value is reduced by rate of 2% pa for the term of the loan. Tenant(s) can sell the property during this time, however the local authority can claw-back a percentage of sale proceeds if property is sold at a profit. Eligible tenant(s) must have a reckonable income of min. €15,000pa. Social welfare payments from the Department of Social Protection (exclusions apply) can be taken into account as a secondary earner's income. Tenants must also show that their water charges account is paid. Local authorities have the provision not to consent to sale and also have the right of first refusal to buy back the property. The sale of a property to a tenant(s) is no longer a Reserved Function of Council.

A discussion followed the presentation, with a number of matters raised and noted:-

- Cllr. O'Neill expressed her disagreement that social welfare payments cannot be included as a primary source of income and stated that this discriminates against persons in this category. M. Mullally pointed out that persons must sustain the loan. Cllr. O'Neill confirmed her opposition to purchasers having to have their water charges account certified as paid. She commented that the scheme hinders the passing on of the family home.
- Cllr. Dunphy stated household income should be taken into account regardless of its source.
- Cllr. Breathnach queried if there was an option for a Tenant Purchaser to pass on their home to a family member for an amount less than the market value. M. Mullally advised that the scheme does not allow for under-valuing of properties to facilitate this. Cllr. Breathnach also asked if a property had to be sold to a first time buyer, as previously the case. M. Mullally advised that the Local Authority has the right of first refusal however once property is sold, the Council's consent is not required for future sales. Cllr. Breathnach queried why the sale of a property under the new Tenant Purchase Scheme is no longer a Reserved Function. M. Mullally will raise this query at the next National Meeting.
- Cllr. Aylward asked if the scheme and qualifying criteria applied to tenants of approved Housing Bodies. M. Mullally advised that currently the scheme did not.

M. Mullally asked Councillors to forward on any queries they had on the Incremental Tenant Purchase Scheme and the Council will raise same at the National Meeting on 28th January 2016.

Cllr. Dunphy thanked M. Mullally for his presentation.

Flooding Update

I. Gardner circulated a map identifying flooding locations and advised that a list is being compiled to detail issues, possible solutions and their costs following recent flooding events. This list will also be used as a reference to assist with the drawdown of emergency funding from the Department. I. Gardner advised that S. Walton, Senior Engineer is meeting with all Area Engineers on Friday 15th January to discuss flooding issues. He further advised that there are likely to be more road network issues and thus it will be a while before the full cost is known. Some resolutions will involve seeking funding from the OPW and certain areas may require the involvement of consultants to identify a solution. Cllr. Dunphy commented that while he is aware of the OPW's involvement, it is important that issues don't get neglected. Cllr. Aylward agreed and added that some flooding issues are recurrent and acknowledged that where works have been carried out they have been successful in preventing houses from being flooded. Cllr. O'Neill queried if there was a deadline to draw down funds. M. Melia confirmed that there was no time-limit and advised that request for funding comprised of two parts: 1. cost of response to flooding and 2. separate on-going costs.

While discussing flooding issues Cllr. O'Neill brought up the issue of water notices issued by Kilkenny County Council. Cllr. O'Neill observed that notices can be confusing for customers as they imply that Kilkenny County Council is responsible for water supply and not Irish Water. It was also highlighted that the time-line for restoration of water services can often be inaccurate as often there is a delay. This causes much frustration for water customers. Cllr. Dunphy noted replacement of pipes needs to be carried out more promptly. M. Melia will raise these issues with Water Staff and at meeting with Irish Water on Monday 18th January at County Hall. Cllr. Dunphy proposed that these matters be put to Irish Water with a view to keeping the pressure on to get works completed. Cllr. O'Neill seconded the proposal. Cllr. Breathnach suggested that a strategic plan be put in place regarding drainage issues.

Roadworks Update

Ian Gardner circulated report to the members, detailing progress since the last meeting.

The following was discussed and noted:-

- Tybroughney – remaining works to be carried out in 2016 from maintenance budget.

- Rockshire Road - drainage works to be completed from maintenance budget.
- Creamery Road Piltown – works to be completed from maintenance budget.
- Dangan, Kilmacow - Cllr. O’Neill queried the cost of the works as it appeared high. I. Gardner advised that there were a number of landowners/householders involved and Council had to agree works individually. Costs had been under-estimated as additional works to ducting and drainage had to be carried out. Cllr. Breathnach acknowledged the goodwill of the locals and their willingness to accommodate the project.
- Speed Limit Signs in Housing Estates – to be put in place shortly.
- Bus Stop and Weighbridge Glenmore – Cllr. Doherty requested update, works to be completed this year.
- Public Lighting – I. Gardner met with contractor recently to progress works

Waterford Boundary Committee Update

K. Hanley advised that the submission period will close on Friday 15th January 2016. The Council will present a comprehensive submission to the next Boundary Committee meeting. This report has to be completed by 31st March 2016. Cllr. Breathnach acknowledged the remarkable response to the issue and queried if an extension to the time-line will be necessary to ensure that all submissions are taken into account. Cllr. Dunphy noted that given work involved with boundary review and recent floods, the work load has been incredible. He expressed that the Boundary extension proposition was unnecessary and consequently proposed that a letter be sent to Minister Kelly from PMD asking that any further deliberation on this matter be withdrawn. This was seconded by Cllr. O’Neill. All members agreed.

Correspondence from Ossory Youth

Ossory Youth requested a funding contribution of €2,500. K. Hanley advised that Brian Tyrrell, SEO, manages requests for funding. The other districts in the county also received the same request and they have forwarded it to B. Tyrrell. All members agreed.

Any Other Business

New Ross/Waterford Greenway – Cllr. Doherty requested update. K. Hanley advised it was at the public consultation period however this was deferred until after the consultation period for the Boundary Review. There also appears to be 1 or 2 ecological issues.

New Ross Bypass – Cllr. Doherty asked if the contract has been signed. I. Gardner replied that contracts are not signed however a preferred contractor has been selected and the contract is due to be awarded in January 2016.

Albatross Site – Cllr. Doherty asked if there was any plan in place to remove the cement structures. K.Hanley advised that New Ross Municipal District is the lead authority in this mater. He will write to NRMD regarding same.

Rosbercon Recycling Facility - Cllr. Doherty raised her concerns that there has been no communication regarding the relocation of Rosbercon Recycling facility to site across the road. It was agreed that this issue would be raised at the next meeting with NRMD.

Signage – Cllr. Doherty asked if an audit on signage was carried out. I. Gardner advised that this had been completed and signage procured as reported at the previous Municipal District meeting.

Taking in Charge – O’Connors Lane – Cllr. Frisby requested update. K. Hanley confirmed that this process is covered under the Roads Act, 1993. I. Gardner outlined the procedure. All members agreed to proceed with taking O’Conner’s Lane in charge.

LECP – Cllr. Breathnach advised that representatives from EIR are available to attend next meeting to discuss broadband in the area and requested that the MDP extend two invitations accordingly to Paul Bradley, Head of Communications and one other, Head of Internal Communications – name to be confirmed.

Next Meeting

It was agreed to hold the next meeting on Wednesday, 3rd February, 2016 at 10am. It was agreed to meet with the EIR representatives at 12 noon.

This concluded the business of the meeting.

Signed: _____
Cathaoirleach

Dated: _____