

**Minutes of the meeting of the Water Advisory Body meeting with the Department of
Housing, Planning and Local Government Water Division
Thursday 9 July 2020 11am**

Venue: Online meeting via WebEx Video Conferencing

Attended by:

Chairperson Paul McGowan

Members Miriam McDonald Michelle Minihan

Martin Sisk Tom Collins

Secretariat John McCarthy Neill Dalton

Darren Browne

By Invite: Feargal Ó Coigligh (Water Division)

David Flynn (Water Advisory Unit)

Patrick O' Sullivan (Water Sector Finance)

Apologies: Eamonn Waters (Water Policy)

1. Introduction

The representatives of the Water Division were welcomed to the meeting by the WAB Chairperson. The Water Division and the WAB members introduced themselves to each other.

2. New Programme for Government

Feargal Ó Coigligh discussed the New Programme for Government in respect of the Water Division and confirmed it is broadly in line with the previous programme. He confirmed that the Programme for Government did not impact on the Department of Housing, Planning and Local Government's water functions and at that point no decision had been made to delegate any particular function. He advised that the Minister would prepare a white paper for Government in September focussed on matters relating to Irish Water.

Paul McGowan enquired as to whether the Minister will look to meet with the WAB in the near future. The Water Division confirmed it would be appropriate to meet at some stage

noting, however, the particularly hectic diary in the initial weeks of Government. Tom Collins confirmed An Fóram Uisce would be willing to assist in any way it can.

Michelle Minihan commented the New Programme for Government recognises current priorities for water services and would welcome the opportunity to hear how to best move forward with the review of Irish Water's Service Level Agreements with Local Authorities.

3. COVID 19 – Impacts and Response

Paul McGowan confirmed the WAB had met with Irish Water at its last meeting and noted the despite the difficulties presented by COVID 19 it had managed to maintain critical operations for drinking water and wastewater. It is evident that Irish Water's capital programmes would be impacted due to funding being redirected to essential services and is constrained by not having access to capital markets that would allow it to borrow sufficient funds to continue these programmes. The WAB confirmed it will publish the minutes and Irish Water's presentation from the meeting. The Department welcomed the role of the WAB in highlighting investment gaps and that it was important that the need for sustained investment in our water and waste water infrastructure was understood by all.

Paul McGowan confirmed that as the work of the WAB was paused for a period of time it will produce 3 instead of 4 quarterly reports this year along with its annual report and the WAB is now continuing its work remotely and via video-conferencing.

Martin Sisk noted that Irish Water's presentation to the WAB at the last meeting acknowledged it has not planned for a second wave of COVID 19. Feargal Ó Coighligh confirmed that the Department maintained very close contact with Irish Water on Covid issues and received a daily report from the company during the height of the pandemic. He noted that Irish Water did have an emergency response plan in place.

4. Irish Water – Overall Programme Delivery

Paul McGowan confirmed the WAB has requested Irish Water to undertake a two stage process review in respect of its procurement process. He noted the Scottish Water review of Irish Water and the recommendations contained in the report. It is yet to be confirmed if this

report will be published. The WAB wants to see stability in Irish Water's programme delivery and has concerns around its Capital Expenditure and delivery of projects in a timely manner.

The Department shared these concerns and noted various projects where Irish Water's initial budget was significantly lower than what was required. The Scottish Water report presented a great opportunity to progress Irish Water's journey towards an efficient and fully mature national water utility. Irish Water's SLA structure, the funding model and programme delivery were also factors in this regard. The Department was also working with Irish Water and NewEra regarding the implementation of the new Public Spending Code in bringing greater certainty and transparency to programme delivery.

Paul McGowan also noted with interest how improvements stated in the Scottish Water report, when implemented, would feed into improvements in delivery of Irish Water's projects.

Tom Collins noted concerns about de-risking the Dublin water supply, wastewater treatment facilities and the impact on the river basin management plan and water quality. COVID 19 has highlighted the funding constraints placed on Irish Water.

Martin Sisk noted that at previous meetings with Irish Water the company focused on the positives of its work and he would be concerned that the WAB are not getting a full and comprehensive view as to the areas Irish Water needs to improve on.

5. Update on the Outputs Monitoring Group

David Flynn provided an overview of the Outputs Monitoring Group. He confirmed the structure of the group is under review which may lead to updating its Terms of Reference and a copy of this would be provided to the WAB.

Michelle Minihan gave an overview of her time on the group in her role as a representative of the Environmental Protection Agency.

Paul McGowan confirmed from the WABs perspective it was important for the group to avoid overlap with other entities and placing unnecessary reporting burdens on Irish Water. He advised the WAB does not have any interaction with the group.

6. Any Other Business

The WAB and the Water Division meeting was very beneficial and agreed to meet again sometime in the Autumn.

The meeting was brought to a close.

Agenda Item No:	Action	Decision
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1.	Water Division are currently reviewing the OMG and its TOR.	Water Division to provide a copy of the updated TOR to the WAB.
2.	Next meeting between the WAB and the Water Division.	Agreed to meet again in the Autumn.

Minutes of the meeting of the Water Advisory Body Meeting

Thursday 9 July 2020 12.15pm

Venue: Remote Meeting via WebEx Video Conferencing

Attended by:

Chairperson Paul McGowan

Members Miriam McDonald Michelle Minihan

Martin Sisk Tom Collins

Secretariat John McCarthy Neill Dalton

Darren Browne

1. Minutes of meeting from 11 June 2020

The members asked the Secretariat to circulate a copy of the minutes that included all the suggested amendments. The final minutes would then be approved by email.

2. Declaration of any conflict of interest

There was no conflict of interest reported.

3. Discussion on Department meeting/presentation to WAB

The WAB discussed today's meeting with the Department of Housing, Planning and Local Government Water Division. The following points were noted by the members:

- The meeting was worthwhile and the WAB will continue to meet with the Water Division regularly;
- The Department noted that the WAB play an important role in providing constructive criticism of the work of Irish Water, while also noting the good work it does;
- The WAB noted the potential risk of conflicting data about the performance of Irish Water;
- The WAB noted that Irish Water has numerous oversight bodies analysing its performance; and

- The WAB welcomed the information provided about the Outputs Monitoring Group and that it would seek further details of the group if necessary.

4. WAB Quarterly Report No.2 of 2020

The Secretariat confirmed it was yet to receive data on various aspects of the report and agreed to send an updated list to the WAB noting what was outstanding. It noted that at this point it was likely the report would publish in August. The Chair will update his draft foreword for the report and Michelle Minihan confirmed updates from her will issue to the Secretariat as soon as possible.

Michelle Minihan noted that some metrics are updated annually and gave an example around Urban Waste Water Treatment sites noting the fact that a material change will only occur when the upgraded Ringsend plant becomes operational. The WAB members noted the report should include some text around this and Michelle Minihan agreed to develop relevant additional material.

Miriam McDonald emphasised the importance that WAB reports should convey findings that highlight issues regarding Irish Water's performance to the Minister.

The members agreed that the foreword in the report would be more expansive and would be included as part of the cover letter to the Minister along with the report itself.

The Secretariat reminded the members that the next WAB meeting is not until September and sought clarification as to how the final report would be approved. The members agreed to approve the report by email.

5. Approve WAB report process document

The members approved the document as final and noted any further amendments, if required, will be forwarded to the Secretariat.

6. Review of Irish Water Procurement procedures – Update

The Secretariat gave an overview of progress to date noting package 1 has commenced and Irish Water have agreed to provide an updated on package 2 by the end of the month.

The Chair noted Irish Water have engaged with the WAB's nominee in the process, Caroline Johnston (CRU). He confirmed he will discuss the exact role with her advising she will be part of the panel evaluating tenders received for the work. He noted this position gives the WAB a layer of comfort around the work.

The Secretariat sought clarity on whether the Scottish Water report would be published. The Chair confirmed he will provide an update on this in due course but that he expected this to be the case.

7. Next three meeting dates

The members agreed on the next three meeting dates as follows:

- 4 September 2020;
- 1 October 2020; and
- 18 November 2020.

The Secretariat noted Irish Water have been put on notice that an invite will issue to them to attend the September meeting. The WAB agreed and confirmed an Agenda will need to be developed in advance of the meeting.

8. Any Other Business

The Secretariat advised the WAB it was arranging a SharePoint facility for the WAB to access documents. The members agreed this would be very useful, particularly in the context of editing reports.

The meeting was brought to a close.

Agenda Item No:	Action	Decision
1.	Amendment to minutes from 11 June 2020.	<ul style="list-style-type: none"> • Secretariat to circulate draft minute including all suggested changes to members.
4.	Outstanding data and text for next report.	Secretariat to send details (table) of outstanding pieces to the Chair and Michelle Minihan. All to revert to Secretariat with finalised text and data as soon as possible.
7.	IW meeting at September meeting.	Agenda to be developed.
8.	Share point facility for the WAB.	Secretariat to roll out to members when ready.