



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 24th April, 2017.

ILATHAIR

Comhairleoir S. MacCraith, Méara Chontae

Comhairleoiri Mac Seafraida, Daltúin, Ní Fhúarthain, Ní Dheasmhumhnaigh, Ó Cainte, S. Ó Coileán, M. Ó Murchú, Ó hEarchaí, R. Mhic Cárthaigh, Ó Colmáin, Lombard, C. Ó Murchú, S. Ó Donnabháin, Críod, Ó Gráda, Ó Luasaigh, Ó Riain Ó Conbhuí, P. Ó Suilleabháin, C. MacCárthaigh, Sheppard, De Barra, Ó Cadhla, Rasmussen, N. Ó Coileán, A. Ó Suilleabháin, Ó hEigearthaigh, S. NicCárthaigh, Léanacháin-Foghlú, N. MacCárthaigh, Ní Bhrian, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, J. Uí Mhurchú, Ó Sé, G. Ó Murchú, G. Ó Murchú, B. Ó Muimhneacháin, T. Ó Coileán, D. Ó Coileán, Ó Cearúill, J. Ó Suilleabháin, P.G. Ó Murchú, Uí hEigearthaigh, Ó hAodha, Ó hUrthuile.

PRESENT

Councillor S. McGrath, County Mayor presided.

Councillors Jeffers, D'Alton, Forde, Desmond, Canty, J. Collins, M. Murphy, Harris, R. McCarthy, Coleman, Lombard, K. Murphy, J. O'Donovan, Creed, O'Grady, Lucey, Ryan, Conway, P. O'Sullivan, K. McCarthy, Sheppard, Barry, Ó Cadhla, Rasmussen, N. Collins, A. O'Sullivan, Ml. Hegarty, S. McCarthy, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, O'Shea, G. Murphy, G. Murphy, B. Moynihan, T. Collins, D. Collins, Carroll, J. O'Sullivan, P.G. Murphy, Hegarty, Hayes, Hurley.

Chief Executive, Senior Executive Officer, Director of Planning, Senior Planner.

CONFIRMATION OF MINUTES

1/4-2

Suspension of Standing Orders – Local Area Plans

Mayor Seamus McGrath proposed, seconded by Councillor Padraig O'Sullivan the suspension of Standing Orders to discuss and agree the Minutes with particular reference to two resolutions of Council, adopted at Council Meeting on 27th March, 2017.

It was agreed that this matter would be taken at 1.pm.

VOTES OF SYMPATHY

2/4-2

TO: The family of the late John Donovan, former employee of Cork County Council (Kinsale Area)

TO: The family of the late Sean McEniff former County Councillor in Donegal.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposal.

DISPOSAL OF PROPERTY AT CAMDEN FORT MEAGHER, CROSSHAVEN.

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 12th April, 2017.

3(a) 4-2

Section 19 of the Local Government Act, 2001:

Filling of Vacancies on Housing SPC, Arts & Culture & Languages SPC and LCDC West Committees.

4/4-2

On the proposal of Cllr. Kevin Murphy, seconded by Cllr. Michael Hegarty, Cllr. John O'Sullivan was nominated to the Housing SPC.

On the proposal of Cllr. Kevin Murphy, seconded by Cllr. Michael Hegarty, Cllr. John O'Sullivan was nominated to the Arts Culture & Languages SPC.

On the proposal of Cllr. Kevin Murphy, seconded by Cllr. Michael Hegarty, Cllr. John O'Sullivan was nominated to the LCDC West Committee.

FINANCIAL BUSINESS

Capital Programme 2017 – 2019 prepared in accordance with S.135 of the Local Government Act, 2001.

5/4-2

Loraine Lynch Head of Finance gave a presentation to Members on the Capital Programme 2017 – 2019 which outlined as follows:-

Capital Investment Programme 2017-2019

Cork County Council



Capital Investment Programme 2017-2019

- Report on Capital Programme Section 135 Local Government Act 2001, as amended
- Ambitious Programme of Capital Projects proposed for 2017 - 2019 of €517.6m
 - prepared based on of the information available at the present time
 - rolling programme which will change as part of annual review
- identifies anticipated infrastructural projects summarised as follows:
 - Ongoing programme of works €389M
 - Works subject to funding/business need €128.6M



Capital Investment Programme 2017-2019

- Consideration of the programme does not confer Council approval on any project.
- The progression of any project must take account of:
 - any contractual obligations in relation to ongoing works,
 - works to be undertaken on foot of grant allocations and
 - works necessary to continue a reasonable level of advancement
- Commencement of Projects will only be allowed as per the normal statutory processes and compliance with the Public Spending Code
 - Strict adherence to the stipulations of Circular 01/15 in terms of ensuring balanced capital account and a neutral GGB position



Housing Capital Program 2017-2019 (€M)

Housing	2017-2019 Capital Program	Contract Committed 2017-2019	Non-Contract Committed 2017-2019	Grant Funding	ICR Funding	Other Funding
Social Leasing	4.4	4.2	0.2	4.1	-	0.3
ICR's	2.3	1.3	1.0	-	0.9	1.3
Other	10.9	10.7	0.2	8.0	0.7	2.1
Social Housing	160.5	131.1	29.4	155.3	0.1	5.2
Voluntary Housing	13.7	13.4	0.3	13.7	-	-
Housing Total	191.7	160.6	31.1	181.1	1.8	8.9



Roads Capital Program 2017-2019 (€M)

Roads	2017-2019 Capital Program	Contract Committed 2017-2019	Non-Contract Committed 2017-2019	Grant Funding	ICR Funding	Other Funding
Car Park	1.6	0.1	1.5	-	-	1.6
Fleet Investment	7.2	-	7.2	-	-	7.2
Footpaths	3.3	3.2	0.2	-	-	3.3
National Roads	86.7	86.3	0.4	85.8	-	0.9
Other	16.3	4.8	11.5	0.6	-	15.7
Public Lighting	4.4	4.4	-	-	-	4.4
Regional/Local roads	9.7	2.7	7.1	0.1	-	9.7
Special Development Contributions	7.1	7.1	-	-	-	7.1
LHAF	27.3	27.3	-	20.5	-	6.8
Roads Total	163.6	135.9	27.8	107.0	-	56.7



Water Services/ Co Engineer Capital Program 2017-2019 (€M)

Water Services/ Co Engineer	2017-2019 Capital Program	Contract Committed 2017-2019	Non-Contract Committed 2017-2019	Grant Funding	ICR Funding	Other Funding
Coastal Protection	6.4	0.3	6.1	1.9	-	4.5
Flood Relief	35.3	32.3	3.0	32.6	-	2.7
Other	0.4	0.4	-	0.4	-	-
WSIP	0.3	0.3	-	-	-	0.3
Water Total	42.3	33.2	9.1	34.8	-	7.5



Other Areas of Expenditure Capital Program 2017-2019

Other Areas of Expenditure	2017-2019 Capital Program	Contract Committed 2017-2019	Non-Contract Committed 2017-2019	Grant Funding	ICR Funding	Other Funding
Burial Grounds	2.9	0.5	2.4	-	-	2.9
Co Hall Campus	1.7	1.3	0.5	-	-	1.7
Environment	5.7	0.8	5.0	0.7	-	5.0
Fire	8.1	7.4	0.7	4.6	-	3.5
Haulbowline Remediation	37.4	37.4	-	37.3	-	0.0
Industrial Development	1.4	-	1.4	0.2	-	1.3
Libraries	2.7	-	2.7	-	-	2.7
Other	5.5	1.3	4.2	1.7	-	3.8
Public Realm	12.2	1.6	10.6	0.0	-	12.1
Recreation and Amenities	27.1	3.4	23.7	1.2	0.0	26.0
Tourism	10.8	2.4	8.4	6.1	-	4.7
Traffic & Transportation	4.5	3.4	1.1	3.2	-	1.3
Other Total	120.0	59.3	60.7	55.1	0.0	64.9



Other Areas of Expenditure

Municipal District Expenditure

- Burial Grounds Program
- Recreation and amenity projects including playground, skate-park, waterway and greenway projects
- Public Realm works
- Capital works to theatres
- Council leisure centres
- Libraries

Environment

- landfill capping & Civic Amenity Sites

Tourism

- Development of Camden Fort Meagher, Dursley Island Cable Car



Other Areas of Expenditure

Traffic and Transportation

- Close out of NTA 5 year investment program
- Douglas LUTS continuation

Fire Services

- New fire HQ, 3 new stations and Fire services fleet investment

Information Technology

- Updating corporate WIFI & Replacing dated legacy systems

County Hall Campus

- New business growth hub facility

Personnel

- Capital investment in the Regional Training Centre Ballincollig
- Upgrade of HR and Payroll system

Industrial Development

- development of units to aid growing businesses



Funding the Capital Program

- Government Grants
- Borrowing
- Development Contributions
- Internal Capital Receipts
- Capital Reserves
- Provisions in the Revenue Budget



Summary of Funding

	Expenditure	Grants	Bridging	ICR's	Other
Housing	191.7	181.1	-	1.8	8.9
Roads	163.6	107.0	-	-	56.7
Water Services	42.3	34.8	-	-	7.5
Other Works	120.0	55.1	-	-	64.9
Total	517.6	377.9	-	1.8	138.0

Regarding the €138m in 'Other' funding:

- €45.5m relates to ongoing work programs
- €92.5m is associated with works that may be progressed based on a business need and funding availability



Conclusion

- Significant analysis completed by each directorate
- Progression is based on existing capital commitments & compliance with Public Spending Code
- Ambitious €517m 3 year program
- Thanks to all directorates for their input



2016 Capital Expenditure (Draft AFS2016)

Capital Program Group	Final 2016 Exp
Housing & Building	39,624,500
Road Transportation & Safety	16,325,801
Water Services	(1,217,906)
Development Management	15,768,789
Environmental Services	8,669,997
Recreation & Amenity	5,025,129
Agriculture, Education, Health & Welfare	1,056,444
Miscellaneous Services	8,605,032
Total	93,857,785



Housing Targets 2017-2019

Type of Scheme	Estimated no of Units 2017-2019
Construction	346
Acquisition	119
Turnkey	392
Voids & derelictions	84
CAS	17
Part V	4
Social Leasing SCHEP	233
Total no of Units	1195



Roads Services Summary

- National Roads
- Regional and Local roads
- Footpath Program
- Bridge Rehabilitation
- Fleet investment
- Public Lighting Program
- Projects under Local Infrastructure Housing Activation Fund (LIHAF)



Water Services Summary

- Coastal Protection projects
- extension/repairs existing coastal infrastructure
 - Installation of new costal infrastructure
 - Planning and foreshore licenses
 - Storm damage repair
- Flood Projects
- OPW major and minor projects



Recreation and Amenity further analysis

Recreation and Amenity	2017-2019 Capital Program	Contractually committed 2017-2019	Non-contractually Committed 2017-2019	Grant Funding	ICR's Funding	Other Funding
EU Projects	1.6	1.6	0.0	-	-	1.6
Other Rec & amenity	5.9	0.2	5.7	-	-	5.9
Parks/Walks/Green way	4.4	0.0	4.4	-	-	4.4
Playgrounds	2.8	0.0	2.7	-	0.0	2.7
Swimming Pools	2.4	0.2	2.2	-	-	2.4
Venues	4.9	1.3	3.7	1.0	-	3.9
Waterways/Blueways/Beaches	5.2	0.2	5.0	0.2	-	5.0
Total Rec and Amenity	27.1	3.4	23.7	1.2	0.0	26.0



Lorraine told Members the programme is a three year rolling programme, the budget is divided into contractual and non – contractual, the ongoing programme of works is contractual and included housing, roads, water, and recreation. There is a further €129m which will be used for schemes we want to progress but we have to go through statutory processes and we have to make sure funding is in place before we can progress these. These schemes don't require Council approval. We need to get as much grant funding as we can. Internal capital receipts comes from tenant purchase of houses, we reinvest this. Social housing is the biggest area of proposed investment and this ties in with commitment under Rebuilding Ireland; this includes €131m contractually committed. Part V is included in these turnkey developments, energy efficiency, social housing construction. €29m not contractually committed is for single house and land acquisition, if we need to buy land for housing we will be borrowing. Burial grounds: at the moment we have funding of only €0.5m we would like to improve them further. We have provisions in place for three fire stations. We would need to source funding for our libraries.

The Mayor thanked Lorraine for the presentation and the welcomed programme.

The CE told Members we are required to bring a capital report showing proposed expenditure, there are lots more things we would like to progress. The process of advancing projects will be before Members, at such a time when funding becomes available.

During a discussion Members made the following points:-

- Welcomes the report in particular recreation and amenity.
- Would like to see the playground improvement programme discussed at Municipal District level and how it will be implemented.
- Welcomes the funding for footpaths but thinks the commitment to footpaths should be more as this only works out at €125k per Municipal District per year.
- The €2.6m extra mentioned from the Southern Assembly between 2018 – 2021. Cooperation between the three cities in the southern region is critical. Some of the €2.6m should be spent at the discretion of the local authorities, would like to see priority be given to rural towns and villages.
- Thought we were renting / leasing our fleet. What is the fleet investment about, also what is the €4.2m on the second slide for?
- Huge increase on previous programme, the rolling programme is to be welcomed. Is there any money to be transferred from the capital budget to revenue?
- In the last three year programme there was 12.1m put into affordable housing, has that come to an end. Also the DPG grants there was €700k committed before, cannot see it committed now.
- Regarding the housing programme in 2015 we were given figures of 469 units provided in the county, 168 were under social leasing, but the national oversight and audit committee report says it is 52 short of the figure we were given last year. Why is this?
- The delivery of 429 units is very welcome. LIHAF €27.2 is contractually committed but we've received funding for €15m and we have to come up with €5m. That is €20m so where is the €27.3 coming from?
- Footpaths and roads are both included under the roads category. Cyclepaths and facilities for bikes are always included in "recreation and amenity" or in something else. Could they be included under roads also because unless we start the mindset of planning for them from the outset, they will never be a real alternative to the car?
- We need to improve the appearance of our town centres. Many are blighted by dereliction which we can put right using compulsory purchase. It would be good to see provision for CPO in the capital budget. Last year's capital budget was for a spend of €165, with €50k of required funding to be found through grants and other means. Would like to know how much of that €50k we succeeded in getting.

- Welcomes long term planning for quality of life. Voids are taking too long to turn around. Parking in estates especially older estates is a big issue. Regional and Local roads funding is back at 10%.
- Playground programme is very welcome, there was serious damage done to the playground in Fermoy recently, and perhaps there should be CCTV put in.
- Would like to thank Michael Lynch on the work that is done on the Mallow Relief Road and the M20. Would like to ask the Mayor is there any update on when we can meet the Minister.
- Roads in West Cork badly need funding. They are below the standards that you find around the rest of the county. Hopes the Council has a submission made for some of the €2.6bn given by the government.
- There are a lot of villages and towns losing out because of the lack of LEADER money.
- Would like clarification on the housing element. If we need to borrow for land purchase, is it also built in that the Council would borrow for construction of houses also? There are good sources of borrowing funds available now like the Credit Unions.
- Welcomes the number of projected housing completions but think it is completely inadequate in terms of the need. It is one of the biggest crises in our society. If it means borrowing money to deliver houses then this is what we should do.
- Welcomes the Municipal District funding in particular, especially footpaths, parks and playgrounds improvements. The need for the M20 is vital. Maybe some of the €2.6bn could be used in the short term to provide relief roads to the like of Charleville and Mallow.
- Maintenance and upgrade of national secondary routes is never mentioned. €680k for the county is inadequate. Thinks this should be increased to several million.
- Mallow relief road is badly needed.
- National roads budget is €86m. Regional roads and local roads is €9m. Understands TII is the national roads authority but wonders why while there is a huge investment needed in national roads the smaller roads are suffering.
- Would like year on year figures for transfer from revenue to capital over three years.
- Can the Council put together a programme for investment in housing to respond to the housing crisis?
- Can we as a Council bring forward a housing proposal?
- LIHAF – this is for infrastructure. In a town like Charleville which is zoned for 800 houses or so, we will never have the infrastructure. Is it possible to get some of that funding towards infrastructure of this nature.

The head of finance Loraine Lynch told Members regarding fleet investment, we are progressing to leasing smaller vehicles but not the bigger ones like velocity patchers and bigger trucks as it is more economical to purchase them. We have to maintain the fleet as a lot of it is over 10 years old. We transferred about €13.6m from revenue to capital over the 2014-2017 period, and that goes across areas from coastal protection, tourism, housing etc. If money isn't spent in the capital account, it goes into the revenue account but this rarely happens. We have provision in the capital programme for DPGs of around €4m. Regarding housing figures these will need to be clarified and she will revert to Members.

Cycleways will be included under the greenways and the NTA schemes. Dereliction and public realm funding is part of the revenue budget. Any borrowings we take on needs Council approval and then departmental approval, perhaps some of the LIHAF will come from borrowing. Non national roads grant allocation would be included in the revenue budget, the imbalance is perceived but it is actually included in the revenue budget. €517m is the intent from taking on board what the directorates have said and taking on board what came through the Municipal Districts. We may not reach the €517m over three years. The year on year figures from the revenue to capital programme will be sent to Members.

Lorraine told Members there are three housing schemes which haven't progressed and these are in Kanturk, Cobh and Mogeely. They are not included in 2017 but there are others coming in under social leasing.

The CE told Members we have to fund 25% of the €20m. The LIHAF doesn't fund land purchase. And what we do with housing is governed by a six year housing strategy. It covers a whole range of housing options. Our funding comes directly from the department and we try to achieve the targets set by that six year programme, which deal with the level of need over that term.

Members said the Council has its own revenue. Is it ok for us to put together a far more ambitious programme? There is a separate capital fund in the housing department to build roads to facilitate development. If there are 750 planning's in Charleville, there should be funding from the housing department because there is a general acceptance that those houses cannot be built until the traffic problem in Charleville is solved.

The CE said the programme would have to be brought to Council for approval. When there is a funded government strategy in place, another proposal to Council cannot be brought forward. The Government has account of our need and requirement and will fund that through the various forms of social housing supports. Regarding LIHAF borrowing to pay for infrastructural deficits in towns like Charleville, etc would be based on our capacity to borrow. If there is another round of LIHAF, we will go back in and look for more from Charleville and other towns like it.

The Mayor said this year's capital budget represents a good sum of money and a nice increase in last year. We have a provisional date with Minister Ross towards the end of June. Request was in since last October. We have asked that it would be brought forward, and he confirmed that it was his intention that a cross-party delegation would meet the Minister.

REPORTS & RECOMMENDATIONS OF COMMITTEES

Ballincollig / Carrigaline Municipal District:

MANAGER'S REPORT UNDER SECTION 179, PLANNING AND DEVELOPMENT ACT, 2000:

6/4-2

On the proposal of Cllr. Derry Canty, seconded by Cllr. S. McGrath, the recommendation from the Ballincollig/Carrigaline Municipal District, was deferred to the next Council Meeting, as follows:-

Proposed Development of Pedestrian and Cycle Greenway and Ancillary Works from Glenbrook to Raffeen Bridge.

Bandon / Kinsale Municipal District:-

MANAGER'S REPORT UNDER SECTION 179, PLANNING AND DEVELOPMENT ACT, 2000:

7/4-2

Proposed by Councillor K. Murphy

Seconded by Councillor J. O'Donovan

RESOLVED:

“Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice is hereby given that Cork County Council proposes to carry out the following development L6506 Ferney Road Improvement Scheme, Carrigaline, Co. Cork.

REPORTS FROM THE INTERNATIONAL & EU AFFAIRS COMMITTEE:

8(a)/4-2

Report on proposed Sister Agreement with Miami Dade County.

Proposed by Councillor Alan Coleman

Seconded by Councillor Michel Hegarty

Cllr. Coleman said it is twenty years since we last signed a sister agreement, that was with Cook County and it has been very successful. The most critical thing Miami Dade brings is knowledge and expertise of the cruise industry. It is the heart of the cruise industry and we will see seven cruises coming to Cork this year. That is as a result of the hard work of the County Council. Food ingredients is a big area too as is pharma and agriculture. Cllr. Coleman hopes this Council will endorse the signing of a sister agreement and hopes if it progresses well, it will move forward to a formal twinning.

Cllr. Michael Hegarty said if it was only a quarter as successful as what we have with Cook County, it will be phenomenal. We have many similarities and will give us lots of opportunities to grow our links.

Cllr. Mary Hegarty welcomes the report and said from West Cork's point of view we welcome the seven cruise liner visits. Would like to see more relationships with Port of Cork developed also.

The proposal to sign a sister agreement was approved.

Report on Tourism and Trade Mission to the U.S.

8(b)/4-2

Members approved the report on Tourism and Trade Mission to the U.S.

CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS

DEPARTMENT OF AGRICULTURE, FOOD AND THE MARINE:

9/4-2

Members noted letter dated 16th March, 2017 in response to Council's motion of 27th February, 2017 regarding bird flu virus.

The response was welcomed.

DEPARTMENT OF JUSTICE & EQUALITY:

10/4-2

Members noted letter dated 16th March, 2017 in response to Council's motion of 13th February, 2017 regarding amendment of the Valuation Act 2001.

Members were disappointed with the response and commented as follows:

- Extraordinary irony that the issue the Oireachtas is concerned with is ensuring there is no discrimination between Members of the Oireachtas. They are forgetting about the discrimination between Members of the Oireachtas and the public. If they want parity and not to support discrimination, rates should be payable on all constituency offices whether within the Oireachtas or not.

- We received a letter from Minister Coveney saying he would be bringing forward legislation on rates. Has the Council made a submission on this?
- Councillors have to pay rates if they have constituency offices. That is discriminating to us too.
- We should treat all public representatives the same.

The CE said the proposed legislation from Minister Coveney is being drafted to strengthen local authorities' powers in relation to rates.

Cllr. Marcia D'Alton asks that the legislation would be relooked at so that it doesn't support discrimination between Members of the Oireachtas and the public. Rates should be imposed on all constituency offices regardless of where they are located, but if they are adamant they won't relook at the legislation then the least they can do is to produce legislation which is equally supportive of all public representatives.

It was agreed we write back to the Department.

DEPARTMENT OF COMMUNICATIONS, CLIMATE ACTION & ENVIRONMENT

11/4-2

Members noted letter dated 24th March, 2017 in response to Council's motion of 20th February, 2017 regarding a moratorium on solar energy power plants in County Cork.

Members were dissatisfied with the response they received from the Department. Members don't agree that the planning code is sufficiently robust. The guidelines should be included in the framework. Members said they are not discouraging renewable energy, they just want to control development within the sector and guidelines would provide greater clarity. Solar farms are new to our planning department, they are various sizes, scale and we have no understanding of the effects they may have on our rural areas. The Planning Policy Units could do pilot guidelines on solar farming.

The CE assures the Members that these applications are always assessed against the various policies. Any level of development that is approved will be appropriate and as there are no national guidelines the CE doesn't see that Cork County Council should develop guidelines.

It was agreed we write back to the Department with our concerns.

DEPARTMENT OF HOUSING, PLANNING, COMMUNITY AND LOCAL GOVERNMENT:

12/4-2

Members noted letter dated 29th March, 2017 in response to Council's motion of 27th February, 2017 regarding designation of the southern side of Carrigaline as a Rent Pressure Zone.

Cllr. Eoghan Jeffers thanked the department for writing back but is not happy with the response. The response doesn't support the people on the south side of Carrigaline. Cllr. Jeffers asked we write back to the Minister and ask that the criteria from rent pressure zones would be changed so that other areas in County Cork could be included. The Mayor supports calls to raise this issue further. It was agreed we write back to the Minister.

DEPARTMENT OF HOUSING, PLANNING, COMMUNITY AND LOCAL GOVERNMENT:

13/4-2

Members noted letter dated 29th March, 2017 in response to Council's motion of 27th February, 2017 regarding a resolution of the Council in relation to Affordable Housing Purchase schemes.

Members were disappointed with the response they received. Members said people can't afford to buy privately whilst at the same time they don't fit the criteria for social housing. It is important to have a scheme for couples who are falling through the hoops. Members also said the Minister has to either make affordable housing available or raise the threshold for social housing.

It was agreed we write back to the Minister.

DEPARTMENT OF HOUSING, PLANNING, COMMUNITY AND LOCAL GOVERNMENT:

14/4-2

Members noted letter dated 29th March, 2017 in response to Council's motion of 9th January, 2017 regarding the plight of older separated men and women with marital and relationship problems in their quest for social housing.

DEPARTMENT OF HEALTH:

15/4-2

Members noted letter dated 11th April, 2017 in response to Council's motion of 13th February, 2017 regarding an opt-out system of consent for organ donation.

Suspension of Standing Orders

The Mayor proposed a five minute recess to meet with party leaders with the CE, the Senior Planner and the Director of Services, Planning and the SEO. The proposers of the two amendments in relation to Little Island and Passage West to be present also.

When the Meeting reconvened, Mr. Michael Lynch Senior Planner told Members Section 20 of the P & D Act 2000, as amended, provides the legislative framework informing processes and procedures for the consultation and adoption of local area plans.

In accordance, with the provision of the P & D Act as amended, Section 20.3.f the proposed amendments have been subject to Stage 1: Screening for Appropriate Assessment. The Screening determined, pursuant to Section 177U.4, the possibility of negative impacts on species protected under the Cork Harbour SPA designation could not be screened out in the case of 2 no. Proposed amendments.

Accordingly full Appropriate Assessment would be required.

- The Amendments relate to winter feeding grounds for bird species and accordingly it appeared likely the necessary Stage 2: Appropriate Assessment would be required to take place during the Winter Months.
- The Stage 2: Appropriate Assessment would not be concluded before Amendments went on public display in May 2017 or before adoption of the LAPs in July 2017.
- It was estimated the Appropriate Assessment process would take between 12 -18 months to conclude.

The Elected Members were advised a period of 12 – 18 months will likely be required to complete Stage 2: Appropriate Assessment in both instances. Having regard to Section 20.3. (h) The PA is required to publish notice of the proposed material alteration and in the circumstances, the making of a determination that an assessment referred to in paragraph (f) is required, in at least one newspaper circulating in its area.

The Planning Authority is required to arrange for the appropriate assessment of the proposed Amendments (1 no. In Little Island and 1.no in Passage West), and in the meantime both the Cobh MD LAP and Ballincollig / Carrigaline MD LAP would be on –hold until the Appropriate Assessment is concluded: the Appropriate Assessment would conclude whether the amendments were acceptable or not having regard to the requirements of Habitats Directive Assessment.

Elected Members were referred to Section 177V.3 which states: Notwithstanding any other provision of this Act, or, as appropriate, the Act of 2001, or the Roads Acts 1993 to 2007, a competent authority shall make a Land use plan or give consent for proposed development only after having determined that the Land use plan or proposed development shall not adversely affect the integrity of a European site.

The Senior Planner confirmed the entire LAPs in both instances would be put on hold because 1 proposed amendment in each case required Appropriate Assessment.

The CE told Members where an amendment proposed is deemed to require Strategic Environmental Assessment, the CE must publish the amendments as proposed but must also publish the period by which the Appropriate Assessment will be undertaken. When the draft Local Area Plans are published next week, I will be specifying that SEA will be required for both of these amendments and that the period to undertake these will be 12 – 18 months. So the full LAP for the Cobh Municipal District and the Ballincollig /Carrigaline Municipal District will not be coming back for adoption until the AAs are complete.

The Mayor Cllr. Seamus McGrath proposed one of the amendments to revoke the resolution relating to CB 0306.20.

The Senior Executive Officer told Members that if they wished to either revoke or amend the resolutions, in accordance with Standing Orders, then a special meeting would have to be held. Notification would have to issue today. Intention to amend the resolution of Council would have to be given. One third of Members would have to sign this. Two thirds of the Members present at the Friday meeting would have to vote in favour of carrying the revocation or amendment.

Cllr. Pdraig O’Sullivan proposed the second amendment, to amend the resolution relating to CB 0306.11

Cllr. Deirdre Forde asked what is the cost of doing the AA for both amendments.

Cllr. Marcia D’Alton said she doesn’t understand how, when the site in question in the Little Island amendment is 450 metres from the Cork Harbour SPA and the development that is proposed is 10 serviced sites that AA is being required, yet in other areas of Little Island and in Ringaskiddy in particular we have a list of sites zoned for industrial development right down to the water’s edge, noted in the Local Area Plan as interacting with the SPA but they do not need AA.

The Senior Planner said these are existing zoned land. The reports relating to those are publicly available. They would have been screened at draft stage and those reports are available.

Cllr. D’Alton asked will the provisional screenings of the amendments also be made available.

The Senior Planner Michael Lynch confirmed that we can also see the screening reports on the two proposed amendments; he also said we don’t have a cost for doing the AAs for the amendments.

The CE said we may have to go to tender. There are two AA's which would have to be undertaken. So we don't know how much that will cost yet.

The Senior Planner said these are existing zoned land, the reports relating to those are publicly available. They would have been screened at draft stage and those reports are available. We can also see the screening reports on the two proposed amendments.

Cllr. D'Alton said in two of the sites in Ringaskiddy listed as being industrially zoned, the draft Local Area Plan clearly states "this area may be used as a feeding ground by bird species for which Cork Harbour SPA is designated" and in another it says "this zone is adjacent to the Cork Harbour Special Protection Area". Why is it not possible to include the two amendments in the same way, noting that there may be impacts on the SPA and assess those impacts subsequently through, as you would suggest yourself, development control.

The Senior Planner said the amendments failed the screening. That's what our ecologist advised.

The Mayor Cllr. Seamus McGrath proposed, seconded by Cllr. Padraig O'Sullivan a special meeting to be held on Friday 28th April, 2017 at 9.15am for the Local Area Plan Motion to revoke resolution of the Council, adopted at Council Meeting on 27th March, 2017 and a Motion to amend resolution of Council, adopted at Council Meeting on 27th March, 2017.

This was agreed.

VOTE OF CONGRATULATION

TO: Councillor Danielle Twomey on the birth of her baby girl.

ANY OTHER BUSINESS

Opening of Tenders:

The following Tenders were opened at the Meeting:-

- Old Motor Tax Building Furniture Fit Out. 2 No.

It was agreed that the remaining items on the Agenda would be deferred to the Council Meeting on 8th May, 2017.

This concluded the business of the Meeting.