COMHAIRLE CONTAE CHORCAÍ

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**Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 13th May, 2019.**

**I LATHAIR**

Comhairleoir P.G. Ó Murchú, Méara Chontae

Comhairleoiri MacCraith, Mac Seafraida, Daltúin, Ní Fhúarthain, Dheasmhumhnaigh, Ó Cainte, M, Ó Murchú, R. Nic Cárthaigh, Ó Colmáin, Lombard, C. Ó Murchú, Ní Cochláin , J. Ó Donnabháin, Críod, Ó Murghaile, Ó Luasaigh, Ó Riain, P. Ó Suilleabháin, MacCárthaigh,

Ó Ceocháin, Sheppard, De Barra, Rasmussen, Ó Cadhla, N.Ó Coileán, Ó hEachteirn, Uí Thuama, Ó hEigeartaigh, S.Nic Cárthaigh, Léanacháin-Foghlú, Ní Bhrian, N. MacCárthaigh, Ó Floinn, Ó Dúghaill, Nic Dháibhí, Ní Mhurchú, Ó Sé, Gearoid. Ó Murchú, G. Ó Murchú, T. Ó Coileán, D. Ó Coileán, P. Ó Suilleabháin, Uí hEigeartaigh, Ó hAodha, Ó hUrthuile.

**PRESENT**

 Councillor Patrick G. Murphy, County Mayor presided.

# Councillors McGrath, E. Jeffers, D’Alton, D. Forde, Desmond, Canty, M.Murphy, R. McCarthy Coleman, Lombard, K. Murphy, Coughlan, J. O’Donovan, Creed, Morley, Lucey, Ryan, P. O’Sullivan, K.McCarthy, G. Keohane, Sheppard, Barry, Ó Cadhla, Rasmussen,

# N. Collins, Ahern, Twomey, Ml. Hegarty, S.McCarthy, Linehan-Foley, O’Brien, N. McCarthy, O’Flynn, Doyle, Dawson, J.Murphy, O’Shea, Gearóid Murphy, Gerard Murphy, T. Collins, D. Collins, Mary Hegarty, Hayes, Hurley

Chief Executive, Senior Executive Officer.

**CONFIRMATION OF MINUTES**

**1/5-1**

 Proposed by Councillor Mary Hegarty

 Seconded by Councillor Derry Canty

**RESOLVED:**

“That the minutes of the meeting of the Council held on 23rd April, 2019, be confirmed and signed by the Mayor.”

**VOTES OF SYMPATHY**

**2/5-1**

There were no Votes of Sympathy passed.

**FINAL MEETING OF THE COUNCIL TERM**

The Mayor tanked all members for their co-operation and diligence over the past year and during the five year term of the Council. He stated that it had been a very fruitful and busy year with many challenges that were got through smoothly.

He acknowledged those members who were not running in the County Council and those transferring to the City Council, seventeen in all. He then read their names:

# Councillors Eoghan Jeffers, Deirdre Forde, Daithí Ó Donnabháin, Mary Rose Desmond, Joe Harris, Derry Canty, John A. Collins, Kevin Conway, Rachel McCarthy James O’Donovan, Bob Ryan, Ger Keohane, Kieran McCarthy, Diarmaid Ó Cadhla, Michael Ahern, Timmy Collins, Mary Hegarty

The Mayor also thanked the previous Mayors, Cllr Alan Coleman, Cllr John Paul O’Shea, Cllr Seamus McGrath and Cllr Declan Hurley.

The Chief Executive stated that he concurred wholeheartedly with the Mayor’s remarks and he wished the thirty eight sitting Councillors running again all the best in the upcoming election.

He added that there had been significant changes over the five years of the Council term, including the abolition of the Town Councils and the establishment of the Municipal Districts, a new County Development Plan, the introduction of the Property Tax, the adoption of significant budgets.

He stated that going forward the Municipal Districts required more development and would get stronger and stronger as time went on.

He added that he hopped that those members not returning would continue to engage with Cork County Council into the future.

Members then added the following comments:

* This is a big change for all and we must look forward now
* Thanks to the Mayor, a great advocate and very fair to all
* Thanks to other members for their support and cooperation across the parties
* Thanks to the Chief Executive and staff for their courtesy and assistance
* Would like to thank staff for making the Council a lovely work environment
* Grateful for the mandate and the trust given by the electorate over the years
* Many great friendships formed over the years in local government
* The Mayor has been very inclusive across the parties

**STATUTORY BUSINESS**

**Section 183 of the Local Government Act, 2001:**

Members noted the following disposals.

**MUNICIPAL DISTRICT OF BALLINCOLLIG CARRIGALINE**

**DISPOSAL OF SERVICED SITE AT NO. 1 TUAIRIN GLAS, GREENFIELDS, BALLINCOLLIG, CO. CORK**

 **3(a)/5-1**

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 3rd May 2019.

**Situation: Disposal of Serviced Site at No. 1 Tuairin Glas, Greenfields, Ballincollig, Co. Cork**

**Area: 0.1513887 hectares.**

**Consideration: €210,000.00**

**LEASE OF PROPERTY AT 16 MAULBAUN, PASSAGE WEST, CO CORK.**

 **3(b)/5-1**

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 3rd May 2019.

**Situation: Lease of Property at 16 Maulbaun, Passage West, Co Cork.**

**Area: As contained in Folio no. CK51715F**

**Consideration: €100 per annum**

**DISPOSAL OF SERVICED SITE AT NO. 2 TUAIRIN GLAS, GREENFIELDS, BALLINCOLLIG, CO. CORK**

 **3(c)/5-1**

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 3rd May 2019.

**Situation: Disposal of Serviced Site at No. 2 Tuairin Glas, Greenfields, Ballincollig, Co. Cork**

**Area: 0.13234 hectares.**

**Consideration: €205,000.00**

**MUNICIPAL DISTRICT OF BANDON KINSALE**

**DISPOSAL OF FREEHOLD INTEREST AT 3 CLOUGHMACSIMON, ARDAN NA N-OGLACH, BANDON, CO CORK**

 **3(d)/5-1**

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 12th April 2019.

**LAND HELD UNDER**

**LEASEHOLD INTEREST:** 3 Cloughmacsimon, Ardan na n-Oglach, Bandon, Co Cork

 Folio No. 10777L

**FREEHOLD INTEREST:** Folio No. CK164063F

**CONSIDERATION:**  € 350.00 inclusive of administration charges

**COVENANTS, CONDITIONS** Conditions pursuant to Housing Act, 1966 and

**AND AGREEMENTS:** Landlord & Tenant Acts, 1947 – 1984.

**GRANT OF A LICENCE OF LAND AT BALLINCUBBY, KINSALE, CO CORK**

 **3(e)/5-1**

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 3rd May 2019.

**Situation: Grant of a licence of land at Ballincubby, Kinsale, Co Cork**

**Area: 0.206 hectares/ 0.509 acres**

**Consideration: €1**

**MUNICIPAL DISTRICT OF KANTURK MALLOW**

**DISPOSAL OF HOUSE AND SITE AS CONTAINED IN FOLIO CK1698F AT KNOCKACLUGGIN, NEWMARKET, CO CORK**

 **3(f)/5-1**

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 3rd May 2019.

**Situation: Disposal of House and Site as Contained in Folio Ck1698f at Knockacluggin, Newmarket, Co Cork**

**Consideration: €37,000**

**Municipal District of COBH**

 **4/5-1**

**Resolution under Section 179 of the Planning Act 2000, as amended**

Members noted the Part 8 Report for the proposed development of a Marina at Whitepoint, Cobh, Co Cork.

**Proposed by Councillor Sinead Sheppard**

 **Seconded by Councillor Cathal Rasmussen**

**Resolved:**

“*Noting that in accordance with Article 83, Part 8 of the Local Government Planning and Development Regulations, 2001 as amended, notice of the proposed development was published, 3 No. submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:*

 **The development of a Marina at Whitepoint, Cobh, Co Cork.**

**Municipal District of WEst Cork**

 **5/5-1**

**Resolution under Section 179 of the Planning Act 2000, as amended**

Members noted the Part 8 Report for the proposed conversion of disused Mercy Convent, Bantry, Co Cork into social housing units.

**Proposed by Councillor Mary Hegarty**

 **Seconded by Councillor Danny Collins**

**Resolved:**

 “*Noting that in accordance with Article 83, Part 8 of the Local Government Planning and Development Regulations, 2001 as amended, notice of the proposed development was published, 1 No. submission was received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:*

 **The conversion of the disused Mercy Convent, Bantry, Co Cork, into social housing units.**

FINANCIAL BUSINESS

**Unaudited Annual Financial Statement Cork County Council for year ended 31st December, 2018.**

**6/1-5**

Members noted the Unaudited Annual Financial Statement Cork County Council for year ended 31st December, 2018, including the report on additional expenditure for that year ended per Local Government Act 2001 - S104 (as amended), as follows;

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| **Financial Review** |
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| **Annual Financial Statement for Financial Year ended 31st December 2018** |
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| The Annual Financial Statement (AFS) for Cork County Council for the financial year ended 31 December 2018 is presented in accordance with the Local Authority Accounting in Ireland Code of Practice, Accounting Regulations, and the directions of the Minister for Housing, Planning, and Local Government.  |
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| The 2018 AFS is prepared on the accruals concept and includes income for most of the principal income streams, such as commercial rates, rents, fire charges, development contributions and some minor income streams. Realised income however underlines the financial standing of the Council and the impact of accrued income will be outlined in the relevant sections. |
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| The Statement of Accounting Policies (pg. 11-14)outlines the main principles upon which the AFS has been prepared. The notes supporting both the Statement of Comprehensive Income & Expenditure and Statement of Financial Position form part of the financial accounts. The purpose of the notes, together with the additional appendices, is to provide a more detailed analysis and explanation of the figures included in the Income and Expenditure Account and particularly the Balance Sheet. The Annual Financial Statement is subject to external audit, by an auditor of the Local Government Audit Service, whose purpose is to form an independent opinion of the accounts. |
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| The AFS reports on the day to day activity of the Council in the form of the Statement of Comprehensive Income & Expenditure, summarised by Division. The Statement of Financial Position outlines the Council's overall financial position as of the 31st December 2018. Comparatives with 2017 are provided as appropriate. |
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| **REVIEW OF YEAR-END FINANCIAL POSITION** |  |  |  |  |
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| **Statement of Comprehensive Income (Income & Expenditure Account)** |  |  |  |
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| This account, as outlined above, represents expenditure and income on the day-to-day running of the Council. Operational costs such as maintenance of housing, roads, environmental services, recreation & amenity, economic development and water services, together with administration and support costs are reported in this statement by Division. Activity on the account for 2018 is as follows: |
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|   |   | **2018** | **2017** | **Movement** |  |  |  |
| **Income** |   | €336,403,868 | €314,056,300 | €22,347,568 |  |  |  |
| **Expenditure** |   | €309,771,946 | €290,143,838 | €19,628,108 |  |  |  |
| **Transfers to Capital** |   | €26,586,873 | €29,347,881 | (€2,761,008) |  |  |  |
| **Exceptional Item** |   |   |   | €0 |  |  |  |
| **Surplus/(Deficit) for Year** |   | €45,048 | (€5,435,419) | €5,480,467 |  |  |  |
| **Prior Year Adjustment** |   | €0 | €0 | €0 |  |  |  |
| **Opening Revenue Reserve** |   | €7,343,576 | €12,778,996 | (€5,435,420) |  |  |  |
| **Closing Revenue Reserve** |   | €7,388,624 | €7,343,576 | €45,048 |  |  |  |
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| A budget loss of €2,974,522 was provided for in 2018. Due to continuous budgetary control monitoring during the year together with maximisation of income there was an overall reduction in the budgeted loss of €3.02m. This resulted in an overall reported surplus of €45,048 for 2018. The reported surplus was mainly due to surplus over budget income for NPPR of €1.84m, together with a rates gain due to increased collection performance in 2018. |
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| **Revenue Income By Source** |  | **2018** | **2017** |  |  |  |
| Goods & Services |  |  | €92,489,436 | €89,929,106 |  |  |  |
| Grants & Subsidies |  | €93,854,365 | €76,579,306 |  |  |  |
| Other Contributions |  | €1,277,903 | €1,249,755 |  |  |  |
| Rates |  |  | €132,210,905 | €129,772,050 |  |  |  |
| Local Property Tax (discretionary) | €16,571,259 | €16,526,083 |  |  |  |
| Pension related deductions |  | €0 | €0 |  |  |  |
|  |  |  | **€336,403,868** | **€314,056,300** |  |  |  |
|  |  |  |  |  |  |  |  |
| The majority of Income and Expenditure is reported on an accruals basis in the AFS. However some of the Council's smaller income streams are still reported on a cash basis. |
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| **Transfers to Capital (Note 14) Total €26.6m** |  |  |  |  |  |
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| Transfers to Capital account for provisions in the 2018 Budget being carried out through the capital account, loan repayments and also the provision of reserves to fund specific projects. In addition unspent GMA/Town Development Fund, Pay Parking Dividend have been ring fenced and capitalised to 2019. |
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| Transfers comprise of budget provisions, as adopted at Budget, together with additional year end transfers of €5.2m of which the main year end transfers are outlined below: |
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|  |  |  |  | **€** |  |  |  |
| Coastal Protection |  |  |  250,000  |  |  |  |
| GMA/TDF capitalisations |  |  |  2,800,000  |  |  |  |
| Town loan repayments |  |  |  400,000  |  |  |  |
| IronMan |  |  |  |  500,000  |  |  |  |
| Plant & Machinery A/c |  |  |  460,000  |  |  |  |
|  |  |  |  |  |  |  |  |
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| Included are transfers to the Plant & Machinery Account which will be utilised for replacement of Plant. Transfers to Coastal Protection will be utilised in funding the three year Capital Programme and help to reduce the requirement to provide for this spend in future Revenue Budgets. Legacy town loans have been reduced to a level that will allow for full redemption in 2019. Additional funding has been set aside for IronMan given its significance on the 2019 calendar. Provision has also been made through Revenue and Capital towards the Capital Programme (loan and grant) co financing following approval of Members of this borrowing.  |
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| **REVIEW OF FINANCIAL PERFORMANCE** |  |  |  |  |  |
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| **Revenue Reserve Summary** |  |  | **€** |  |  |  |
| **Opening Revenue Reserve 01.01.2018** |  |  7,343,576  |  |  |  |
| **Net reported profit for 2018** |  |  |  45,048  |  |  |  |
| **Closing Revenue Reserve 31.12.18** |  |  **7,388,624**  |  |  |  |
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| The balance on the Reserve account is considered prudent and satisfactory. |
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| **SUPPLEMENTARY BUDGETS** |  |  |  |  |  |  |
| Report on additional expenditure for year ended 31st December 2018 Local Government Act 2001 - S104 (as amended). |  |
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| During the year additional expenditure to that provided in the Annual Budget was incurred. Set out below is a list of Supplementary Budgets. These additional expenditures have been funded in one of the following manners: |
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| 1 | Additional Grants |  |  |  |  |  |
| 2 | Savings in Budgeted Expenditure |  |  |  |  |
| 3 | Additional Income |  |  |  |  |  |
| 4 | Transfer from Reserves |  |  |  |  |  |
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| Note 16 of the Financial Statement outlines this additional expenditure. |
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| **Description** |   |   | **Comment** |   |   | **€** |  |
|   |   |   |  |   |   |  |  |
| **Roads, Transportation & Safety** | Additional roads grant spend covered by increased allocation. |  *9,326,932*  |  |
|   |   |   |  |   |   |  |  |
| **Recreation & Amenity** | Swimming Pools, Parks & Open Space, Storm Ophelia, Playgrounds, Capitalise Town Development Fund/GMA/Pay Parking Dividend  |  *2,699,492*  |  |
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|  |   |   |  |   |   |  |  |
| **Miscellaneous** | Increases in Plant & Machinery A/C (contra), Insurance, Additional transfers to fund Capital Programme (contra), legal provision, coupled with reduction in Rates bad debt |  *16,344,391*  |  |
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| **Explanations of Significant Variances** |  |  |  |  |  |
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| Additional road grant allocations allowed for some of the increased budget on roads. The supplementary expenditure on the Town Development Fund/GMA etc is as a result of the capitalising of 2018 unspent funds into 2019, again this is matched with income. The supplementary expenditure in the additional transfers for Capital and other costs is funded mainly due to the NPPR and rates gain together with the reduction in the bad debt provision for rates due to increased collection performance in 2018. |
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| **STATEMENT OF FINANCIAL POSITION ( Balance Sheet)** |  |  |  |  |
|  |  |  |  |  |  |  |  |
| The total financial activity of the council for the year together with comparative year figures are summarised in this statement. |
| The statement includes assets and liabilities as follows: |
|  | Assets both recently constructed/purchased and historical assets |
|  | Work in progress and preliminary schemes- mainly roads and housing |
|  | Long Term Debtors – housing loans |
|  | Current Assets- including Stock, Debtors, Cash at bank |
|  | Current and long term liabilities- mortgage and non-mortgage loan borrowings. |
|  | Various Reserves/Balances  |
| The Net Assets at the end of 2018 total €8.2 billion. |
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| **CAPITAL ACCOUNT** |  |  |  |  |  |  |
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| The capital account records income and expenditure in respect of the acquisition and provision of assets related to services provided by the Council. |  |
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| **Activity for the year is as follows:** |  | **€** |  |  |  |
| Expenditure |  |  |  |  151,076,577  |  |  |  |
| Income  |  |  |  |  |  |  |  |
|  | Grants |  |  |  123,730,810  |  |  |  |
|  | Borrowings Non- Mortgage Loans |  -  |  |  |  |
|  | Other |  |  |  31,389,899  |  |  |  |
| **Net Expenditure** |  |  |  |  (4,044,132) |  |  |  |
| Transfers to/ from Revenue |  |  |  (15,060,363) |  |  |  |
| Opening Credit balance |  |  |  (112,152,608) |  |  |  |
| **Closing Capital Credit Balance** |  |  **(131,257,103)** |  |  |  |
|  |  |  |  |  |  |  |  |
| **The above closing credit balance net of transfers is represented by the following:** |  |  |
| Work in Progress and Preliminary Expenditure  |  10,351,359  |  |  |  |
| Voluntary/Affordable Housing  |  |  |  1,215,758  |  |  |  |
| Completed Schemes  |  |  |  10,141,466  |  |  |  |
| Reserves of the Council |  |  |  91,127,575  |  |  |  |
| Development Levy contributions \* |  |  18,420,945  |  |  |  |
| **Closing Capital Credit Balance** |  |  **131,257,103**  |  |  |  |
|  |  |  |  |  |  |  |  |
| \* Development levy contributions are accounted for on an accrual basis and include income from historical levies not yet collected. |
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| Main expenditure areas in the capital account reflect the Council's increasing investment in the Housing programmes particularly in the area of Turnkey social housing schemes and spend on Road & Transportation schemes. Housing expenditure reflects spend under the Government's Social Housing Strategy. Some of the other key projects progressed as part of the Council's capital investment included Skibbereen Flood Relief works, Haulbowline Remediation Project which is near completion ,continuation of the Footpaths Programme, Douglas & Glashaboy River |
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| Flood Risk Assessment, National Roundabout upgrades and Dursey Cable Car. |
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| Appendix 5 and 6 of the Financial Statement outlines the level of activity for the year on the capital account.  |
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| **Review of Capital Balances** |  |  |  |  |  |  |
| Capital debit & credit balances are reviewed as part of AFS 2018 controls. This review resulted in an examination of capital balances and where appropriate setting off of debits & credit balances together with allocation of development  |
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| Contributions collected to projects as outlined in the Capital 2018-2020 Programme of works. |  |  |
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| **MORTGAGE HOUSING LOAN ACTIVITY (NOTE 7 and 12)** |  |  |  |  |
| Note 12 outlines the Council's Mortgage Funding position as at 31 December 2018: |  |  |
|  Mortgage Loans advanced by the Council at the end of December totalled €74,853,486 (2017: €75,280,747) |
|  Mortgage Loans drawdown by the Council totalled €65,531,054 (2017: €67,182,097) |
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| The Council endeavours to keep equilibrium on loan borrowings and the difference arising of €9,322,432 relates to year end timing differences on draw downs and redemptions. |  |
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| Notes 3 & 7 (a) outline the activity on loan advances and loan borrowings (respectively) by Council during 2018. |
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| **DEBTORS** |  |  |  |  |  |  |  |
| Net Trade Debtors decreased by €4.78m compared to 2017, summarised as follows: |
|  |  |  |  | **€** |  |  |  |
| Decrease in Government Debtors |  |  (7,568,123) |  |  |  |
| Decrease in Commercial Debtors |  |  (3,462,534) |  |  |  |
| Increase in Provision for Doubtful Debts |  |  (1,425,156) |  |  |  |
| Increase in Other Debtors |  |  |  7,245,421  |  |  |  |
| Increase in Current Portion of LT Debtors |  |  423,379  |  |  |  |
|  |  |  |  |  **(4,787,013)** |  |  |  |
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| **CREDITORS and ACCRUALS** |  |  |  |  |  |  |
| Creditors and Accruals increased by €6.93M compared to 2017. |
|  |  |  |  | **€** |  |  |  |
| Increase in Trade Creditors |  |  |  3,216,225  |  |  |  |
| Decrease in Other creditors |  |  |  (478,034) |  |  |  |
| Decrease in Accruals |  |  |  (2,159,609) |  |  |  |
| Increase in Revenue Commissioners |  |  882,845  |  |  |  |
| Increase in Deferred Income |  |  |  5,273,490  |  |  |  |
| Increase in Amount falling due within one year |  |  196,140  |  |  |  |
|  |  |  |  |  **6,931,057**  |  |  |  |
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| **OVERVIEW OF THE FINANCIAL STANDING OF THE AUTHORITY**  |  |  |  |
| A continued strong focus on budgetary management in 2018 ensured the Council managed within its income availability in the context of maintaining services and also progressing to meet some of the increasing needs of a growing economy. |
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| The Revenue position reflects the 5 year strategic approach, which was agreed with Council as part of the 2015 Budget adoption process, to provide for some additional service levels while continuing to maintain existing services. Our Revenue surplus remains at a reasonable level at year end. The Capital position shows the increased emphasis on the Social Housing Programme, Road infrastructure improvements together with the increasing importance of recreation and amenity investment and public realm enhancement, as echoed in the capital investment programme.  |
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| The accounts also report significant level of debt for the Council which consists mainly of Land loans, Asset loans, Recoupable Voluntary Housing Loans and Bridging Finance loans. Bridging loans relate to loans incurred on Affordable Housing currently under the Social Leasing Initiative. Loan repayments under this category are recouped from the Department as are the loan charges associated with Voluntary Housing loans. In 2018 some of the legacy town loans were redeemed thereby reducing the Revenue Budget requirement. |
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| **NOTE: Transfer of Responsibility for the Delivery of Water Services to Irish Water** |  |  |
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| The Water Services Act 2013 and the Water Services (No. 2) Act 2013 provided for the establishment of Irish Water as an independent subsidiary within the Bord Gáis Éireann Group (Ervia). From January 2014, all functions of the Local Authority relating to water services transferred to Irish Water, other than those related to rural water services, notably group water schemes and individual domestic wastewater treatment systems, together with all associated water services assets and liabilities. |
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| Cork County Council continues to deliver services on behalf of Irish Water through a service level agreement for an agreed payment. It is provided that these agreements will run for a 12 year period with reviews. This has been reflected in Local Authority revenue budgets adopted since 2014. |
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| The analysis, computation and valuation of assets and liabilities to be transferred to Irish Water are computed and agreed between Local Authorities and Irish Water. The changes agreed that affected the AFS for Cork County Council were as follows: |
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|  | Statutory Transfer of 90% of the Net Book Value of Water Assets €792m under Ministerial order for AFS 2014. |
|  | S.I. No. 13 of 2015 the Water Services (No.2) Act 2013 (Property Vesting Day Order 2015) brings into affect the transfer of functions outlined in the Act. |
|  |
|  | 10% remaining assets - Assets relating to the functions retained by Local Authorities. |  |
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| The formal transfer of assets to Irish Water began early in 2015 and has been progressing through Ministerial Orders as provided for under the Water Services (No.2) act of 2013. In the initial stages of this process Irish Water issued Cork County Council with lists of prioritised sites to transfer. At the end of 2018, 277 assets were vested and have completed the transfer process to Irish Water, a further 59 assets have been jointly agreed to progress for transfer between Cork County Council and Irish Water. These will be progressed and notified to the Department for completion of the transfer process. Further transfers under Ministerial Order will continue during 2019. |
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| **LOCAL PROPERTY TAX (LPT)** |  |  |  |  |  |
| As in previous years local authorities were allocated 80% of the Local Property Tax income paid locally. In 2018 the Council was one of the local authorities that received greater levels of funding as a result of local retention of this LPT (80%), compared to the level of funding they would have received from the Local Government Fund. 20% of LPT was retained for discretionary purpose and any surplus LPT Income was used to replace exchequer funding for Housing and Roads. This included under the grants section in Appendix 3 and Appendix 5 & 6. The details of the LPT funding to Council are as follows: |
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|  |  |  | **€** |  |  |  |  |
|  | Discretionary |  16,571,259  |  |  |  |  |
|  | Revenue Roads |  451,922  |  |  |  |  |
|  | Revenue Housing |  2,500,824  |  |  |  |  |
|  | Capital Housing  |  13,150,000  |  |  |  |  |
|  |  |  |  **32,674,005**  |  |  |  |  |
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| The Council's decision not to vary the base rate of Local Property Tax for 2018 was welcome. The decision resulted in a positive position for 2018 which utilised the revenue raised to support further increases in service delivery. It is important to note that some of the benefits accrued to the Council as a result: |
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|  - Enhanced Public Space/Town Approach Maintenance Programme providing total fund of €1.1m |  |
|  - Enhancement to Public Realm and Infrastructure in Villages: €0.5m |
|  - Provision to Community Arts Programme €0.15m |
|  - Disability Works to LA Houses €0.25m |
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| **CONCLUSION:** |  |  |  |  |  |  |  |
| The overall outcome for 2018 has been satisfactory in a period of uncertainty with regard to available resources, funding changes with regard to LPT and growing demands for services in an improving economic climate. It is recognised that there are limited areas for revenue generation available. Consequently local decision making on the variation of the rate of Local Property Tax, commercial rates and development contributions schemes are now significant decisions of Council which have direct local impact. The capacity of the Council must continue to be prudently managed and developed to meet increasing demands on operational and capital programmes, and to allow investment and development to progress while ensuring the financial standing of the Council is not undermined.  |
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| The Council continued to respond effectively to unplanned operational day to day expenditure requirements, severe weather events and longer term capital investment programmes as they arose, while having due regard to budgetary control and maintaining a prudent revenue reserve for the Council. The ongoing dedication of staff and members to the delivery of quality services is acknowledged and appreciated. |
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| Cork County Council will continue to sustain essential services, maximise funding sources and utilise available resources for investment in its future while maintaining expenditure levels in line with projected levels of funding. |
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**Rates Report – Schedule of Uncollected Rates 2018**

 **7/1-5**

Members noted the Rates Report – Schedule of Uncollected Rates 2018, which outlined as follows;

While Cork County Council is obliged to maximise its collection of our local commercial property tax to ensure that funding is in place to provide services to the people of County Cork, it is conscious of the challenging circumstances in which certain businesses find themselves. Accordingly, rate collection staff engage with our c. 14,200 ratepayers on an ongoing basis and agree payment plans, if appropriate, on a case by case basis.

Rate income accounted for c. 38% of total Revenue income in 2018 and is therefore the most significant source of the Council’s own funding. The following are the gross amounts collected in rates in recent years:

|  |  |
| --- | --- |
| **Year** | **€m** |
| **2010** | 90.1 |
| **2011** | 95.7 |
| **2012** | 98.8 |
| **2013** | 101.8 |
|  **2014** | 110.3 |
| **2015** | 119.9 |
| **2016** | 117.4 |
| **2017** | 120.8 |
| **2018** | 123.7 |

The collection performance for the year was very satisfactory and a number of factors contributed to this outcome.

The present economic environment has facilitated sustained engagement by many ratepayers in addressing both current and historic liabilities and provided greater capacity to meet payment commitments.

Continued activity in commercial property transfers resulted in the discharge of rate liability on sale, and resolved, in some cases, previously problematic accounts.

While the Collection Office endeavours to facilitate businesses in difficulty and encourages meaningful engagement, including through flexible payment arrangements, legal action was required in certain instances. Many cases were resolved following the issue of pre 6 Day & 6 Day Notices, with 42 cases being resolved after the issue of summons, but prior to Court Hearing. Of the cases entered for Hearing, 87 judgments were obtained in 2018.

2018 marked the fourth year of the Council’s Rate Grant Scheme. The grant for eligible accounts was 2% of the 2018 rate charge, subject to a maximum bill of €3,000. In all, 6,499 ratepayers qualified for the grant, with the overall cost of the scheme being €0.27m.

Collection performance continued to improve in 2018. This is reflected in the closing arrears figure of €11.44m, a significant reduction on the opening balance of €14.88m. While every effort will be made to recover the outstanding arrears, the Council has made a bad debt provision of €9m in this regard.Such provision primarily caters for business closures, Valuation appeals, liquidations, extended payment plans and cases subject to legal proceedings.

Given the prevailing economic circumstances, I am of the view that the level of collection achieved in 2018 is satisfactory, 92.2% compared to 89.6% in 2017, and welcome that the overall trend in compliance continues to be positive.

**REPORTS & RECOMMENDATIONS OF COMMITTEES**

**REPORTS & RECOMMENDATIONS OF COMMITTEES**

**Corporate Policy Group**

**8(a)/1-5**

**Approval of attendance by Council members at Conferences on the Conference List for May, 2019**

**Proposed** Councillor Michael Hegarty

**Seconded**  Councillor Seamus McGrath

**HOUSING STRATEGIC POLICY COMMITTEE**

**8(b)/1-5**

**Part 5 of the Housing (Miscellaneous Provisions) Act 2009**

**Resolved:**

 To adopt a Draft Affordable Scheme of Priorities 2019

**Proposed**  Councillor Seamus McGrath

**Seconded**  Councillor Kevin Murphy

In response to members’ queries regarding funding for land costs, the Senior Executive officer from Housing confirmed that there had been no response from the Department to date but that they were continuing to engage with the Department and that this issue would be kept on the agenda.

**REPORTS AND RECOMMENDATIONS OF OFFICERS**

**CHIEF EXECUTIVE’S MANAGEMENT REPORT TO COUNCIL**

**10/5-1**

Corporate Services Directorate period ending 31st March 2019

Members noted this Report for the period up 31st March, 2019.

**CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS**

**DEPARTMENT OF FINANCE**

**11/5-1**

Members noted correspondence dated 15th April, 2019 in response to Council’s letter dated 4th February 2019 in relation to high insurance costs.

Members agreed to write back as the response does not address the specific issues raised in their letter.

**DEPARTMENT OF HOUSING, PLANNING AND LOCAL GOVERNMENT**

**National Taking-in-Charge Initiative**

**12(a)/5-1**

Members notedcorrespondence dated 29th April, 2019 in response to Council’s letter dated 31st January 2019 in relation to the National Taking-in-Charge Initiative

**Cork City Plebiscite**

**12(b)/5-1**

Members noted correspondence dated 1st May, 2019 in response to Council’s letter dated 2nd April 2019 in relation to the Cork City Plebiscite

**DEPARTMENT OF JUSTICE AND EQUALITY**

**13/5-1**

Members noted correspondence dated 2nd May, 2019 in response to Council’s letter dated 8th April 2019 in relation to the establishment of a detention centre in Cork for Young offenders.

Members agreed to forward all previous correspondence to Minister Katherine Zappone, Minister for Children and Youth Affairs as the provision of detention centres for under eighteens is under her department’s jurisdiction.

**NOTICES OF MOTION**

**Road Safety Policy for Estates**

**14/5-1**

**Councillor Danielle Twomey** proposed, seconded by Councillor Michael Hegarty, the following notice of motion:

“That this council immediately set about to create and implement a road safety policy for estates. This will focus on installing Speed bumps for all estates designated with the 30km speed limit status. This should also be budgeted for within the annual council budget. This policy should be formed in conjunction with An Garda Síochána and the RSA.”

Members noted the response from the Director of Roads as follows:

Cork County Council adopted a Traffic Calming Policy for Residential Estates in 2016. The measures to be considered include a range of options such as speed tables, horizontal build outs, road signage, road markings as well as speed ramps. Different options are recommended depending on the conditions in the various locations.

The purpose of this policy will be to develop a checklist to identify the priority locations for traffic calming across Cork County. The reason that priority list is required is to ensure that the available funding is deployed to the locations of greatest need and each Municipal District is encouraged to prioritize the locations within it’s district and works are carried out subject to availability of funding.

Separate to the Traffic Calming Policy, Cork County Council has a Road Safety Plan for 2016 – 2020 and there are 57 measures identified in the plan of which the 30kmh speed limit status in Housing Estates is just one such safety measure. Cork County Council has developed its plan in conjunctions with An Garda Siochanna, TII, Cork City Council, Emergency Services & HSE. This plan will be reviewed again in the coming year and if additional measures are recommended such amendments may be included in the plan at that time. The Cork Road Safety Together Working Group meets on a quarterly basis to monitor the effectiveness of the plan and to prioritise action areas as issues emerge.

During the discussion members made the following points:

* There is a need to address the issue of traffic management in estates – traffic calming must be part of planning for estates going forward
* There should be traffic calming in villages with 30km speed limits
* Have speed surveys and assessments been done to check the impact of new speed limits
* There isn’t enough funding to install speed ramps, there is a need to develop policy in this area

Members agreed to refer the motion to the Roads SPC.

**Chapel Street Roundabout**

**15/5-1**

**Councillor Ian Doyle** proposed, seconded by Councillor Gillian Coughlan, the following notice of motion:

“That Cork County Council would drop plans for proposed Chapel Street roundabout ref Tr11 Do2 on Charleville Local Area Plan as this is no longer workable”.

Members noted the response from the Director of Roads as follows:

The principal inner Relief Road for Charleville is identified in the CDP CV-U-04 and some progress is being made on this. Another minor route is also identified in the CDP CV-U-02. The significant source of traffic relief for the town of Charleville will only emerge with the development of the M/N20 the design for which has recently been launched.

While there is emerging merit to the route CV-U-04 it would be premature to abandon any option at this time until the merits of all options are assessed as part of an overall review of the Development Plan for the area. The process to review the County Development Plan will be commencing later this year. It should be noted that the County Development Plan does not stipulate the provision of a roundabout at Chapel Street as part of the development of CV-U-02.

During the discussion members thanks the Director of Services for the report and asked that the engineers would look at CV-U-02 again.

**Homelessness**

**16/5-1**

Councillor Diarmaid Ó Cadhla proposed, the following notice of motion:

 “Noting that there is a new *‘highest ever’* record of homelessness, and noting the utter disaster that exists in our public health services; that this Council write to An Taoiseach, the Minister for Housing and the Minister for Health requesting that they issue a Public Apology to the citizens of Ireland for their failure to protect their interests in these life-essential services.”

As there was no seconded the motion wasn’t adopted.

**Cost of Childcare**

**17/5-1**

Councillor Gillian Coughlan proposed, seconded by Councillor Bernard Moynihan

“That Cork County Council calls on the Minister for Children to review the cost

of childcare for families where both parents go out to work and that she would

consider offering generous tax credits to such families to offset crippling

childcare costs. Further, that she would investigate the basis of these costs and examine in particular the rising cost of insurance.”

During the discussion members made the following points:

* People travelling from Rural areas have long commutes
* Quality of life is disadvantaged
* People are directly affected paying more for childcare with huge mortgages

**Reading Unit**

**18/5-1**

Councillor Christopher O’Sullivan

“That this council would request that the Department of Education would establish a “reading unit” in West Cork.”

**[deferred to 10/06/19]**

**Rights of People with Disabilities**

**19/5-1**

Councillor Michael Murphy proposed, seconded by Councillor Diarmaid O’Cadhla

 “That the United Nations Convention on the Rights of People with Disabilities be ratified by 2020 and Cork County Council take first step.”

During the discussion members made the following points:

* United Nations Convention should be ratified by Council
* Wheelchair accessibility at polling stations needs to be highlighted

Members agreed to write to County Sherriff to highlight accessibility requirements for upcoming election.

**Cyber Bullying**

**20/5-1**

Councillor Noel Collins proposed, seconded by Councillor Mary Linehan Foley

“That this Council request the Ministers for Education and Justice, due to the increasing occurrence of cyber bullying, not just in schools, to update legislation that will be effective in stemming the advance of this sickening trend, rescuing the victims from the bullies and the bullies from themselves.”

During the discussion members made the following points:

* Sporting Clubs, Schools and Political circles need to highlight awareness
* People are suffering in silence
* Some cases lead to drastic events

**Rapid Response Air Ambulance**

**21/5-1**

Councillor Paul Hayes proposed, seconded by Councillor Declan Hurley

 "That this Council writes to the Minister for Health, asking what specifically are the impediments to allowing the Irish Community Rapid Response Air Ambulance service to begin operation. This council confirms its support for the proposed air ambulance initiative, and urgently requests that any outstanding issues are rectified quickly, to allow this community based, and fundraised service take to the skies without further delay."

During the discussion members made the following points:

* Members want to know what the holdup is on the project
* Described as a community and life saving initiative for West Cork
* Nearest Air Ambulance are Dingle 22 minutes and Waterford 25 minutes

Members agreed to write to the Minister to see what the delay is on this project.

**VOTES OF CONGRATULATIONS**

TO: Rachel Sheane on winning minor Munster Medal Old Church Road Passage West and Rochestown College on Winning under 14 A Basketball All Ireland

TO: Carrigaline AFC – On winning Munster Youth Club Final Winners

**ANY OTHER BUSINESS**

* Councillor Frank O’Flynn spoke about Fermoy Weir – No response received by Minister – Follow up letter to be sent to Minister
* Councillor Michael Murphy asked that the Council contact Irish Water to ask what the traffic management plans are for the Cobh Area.

**This concluded the business of the Meeting**