



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 25th September, 2017.

I LATHAIR

Comhairleoir D. Ó hUrthuile, Méara Chontae

Comhairleoiri S. MacCraith, Mac Seafraida, Ní Fhúarthain, D. Ó Donnabháin, Ní Dheasmhumhnaigh, S. Ó Coileán, M. Ó Murchú, Ó hEarchaí, R. Mhic Cárthaigh, Ó Colmáin, Lombard, C. Ó Murchú, S. Ó Donnabháin, G. Ní Mhuimhneacháin, Críod, Ó Gráda, Ó Luasaigh, Ó Riain, Ó Conbhuí, P. Ó Suilleabháin, C. MacCárthaigh Ó Ceocháin, De Barra, Sheppard, O'Cádhlá, Rasmussen, N. Ó Coileán, Uí Thuama, Ó hEigeartaigh, S. NicCárthaigh, Léanacháin-Foghlú, Ní Bhrian, N. MacCárthaigh, Ó Floinn, J. Ní Mhurchú, Ó Dúghaill, Nic Dháibhí, Ó Sé, G. Ó Murchú, Ó Muimhneacháin, Ní Mhaoláin, T. Ó Coileán, D. Ó Coileán, Ó Cearúill, S. Ó Suilleabháin, P.G. Ó Murchú, Uí hEigeartaigh, Ó hAodha,.

PRESENT

Councillor D. Hurley County Mayor presided.

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

Chief Executive, Director of Economic Development, Enterprise & Tourism, Head of Finance, Senior Executive Officer

CONFIRMATION OF MINUTES

1(a)/9-2

Proposed by Councillor Kevin Conway

Seconded by Councillor Noel Collins

RESOLVED:

“That the minutes of the Special In Committee meeting of the Council held on 11th September, 2017, be confirmed and signed by the Mayor.”

Proposed by Councillor Kevin Conway

Seconded by Councillor John Paul O'Shea

RESOLVED:

“That the minutes of the meeting of the Council held on 11th September, 2017, be confirmed and signed by the Mayor.”

VOTES OF SYMPATHY

2/9-2

TO: The O'Connell family on the death of Bill Joe O'Connell, former employee of Cork County Council Machinery Yard

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposals.

DISPOSAL OF PROPERTY AT 25 BARRYMORE AVE, COBH, CO. CORK

3(a)/9-2

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 28th August, 2017.

DISPOSAL OF PROPERTY AT 68 MOUNT RIVERS, CARRIGALINE, CO.CORK

3(b)/9-2

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 28th August, 2017.

DISPOSAL OF PROPERTY AT 41 BAN NA GREINE, CARRIGTWOHILL, CO. CORK

3(c)/9-2

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 28th August, 2017.

DISPOSAL OF PROPERTY AT 38 BAN NA GREINE, CARRIGTWOHILL, CO. CORK.

3(d)/9-2

FINANCIAL BUSINESS

4/9-2

Consideration of report on the financial impact of the LPT variation under Section 20 of the Finance (Local Property Tax) Act 2012, as amended by Section 5 of the Finance (Local Property Tax) Act 2013.

The Head of Finance outlined the provisions of the report as circulated to Members and drew their attention to the table on page five of the report showing the 1% differential and the impacts of same, to page eight showing the financial position of Cork Council and page eleven showing the impacts of changes to the LPT on householders. The Head of Finance confirmed that for 5% reduction in LPT there would be €2million less in revenue.

There were no submissions received from the public regarding the variation of the LPT.

In the discussion that followed Members made the following points:

- The financial challenges facing the Council make for sobering reading.
- There is a need to recoup some of the additional funds required to honour the National Pay Agreement.
- This is an unfair and inequitable tax, it does not take account of people's ability to pay.
- The Council needs to be in a position continue to fund community initiatives.
- Only €8m discretionary spending from the LPT despite €40m being collected in Cork County.
- The Equalisation Fund means that 20% of monies collected leaves the county, this shortfall in other local authorities should be funded by central government.
- Cork County Council has €13m in reserves, is giving a rates rebate of €3m to businesses, is owed €6m by businesses not evaluated since 2011 and there is €3.5m owed to the Council by Irish Water.
- Members didn't receive an email regarding the public consultation.
- Removal of Rates Rebate Scheme cannot be supported.
- People want quality services.
- Online survey by Sinn Fein showed 99% of respondents in favour of a reduction.
- The LPT is replacing cuts to the Local Government Fund and there is no money for the promised additional services.
- LPT brought in to broaden the tax base.
- There is a difference between not wanting to pay a tax and supporting it.

Councillor Seamus McGrath proposed, seconded by Councillor Frank O'Flynn that there be no change to the LPT for 2018.

Councillor Des O'Grady proposed, seconded by Councillor Diarmuid O'Cádhlá the reduction of the LPT for 2018 by 15%.

The Mayor requested that a vote be taken on the proposed amendment first, which resulted as follows:-

FOR: Councillors Jeffers, Ml. Murphy, R. McCarthy, O’Grady, K. McCarthy, O’Cádhla, Twomey, M. Mullane, Hayes.

[9]

AGAINST: Councillors McGrath, Desmond, J. Collins, Harris, K. Murphy, O’Donovan, G. Moynihan, Creed, Lucey, Conway, G. Keohane, Sheppard, Barry, Rasmussen, Ml. Hegarty, S McCarthy, Linehan-Foley, O’Brien, N. McCarthy, O’Brien, O’Flynn, Dawson, J. Murphy, O’Shea, G. Murphy, D. Collins, Carroll, J. O’Sullivan, P. G. Murphy, M. Hegarty, Hurley

[30]

The Mayor declared this motion defeated.

Councillor Seamus McGrath proposed, seconded by Councillor Frank O’Flynn that there be no change to the LPT for 2018.

The Mayor then requested that a vote be taken on the substantive motion, which resulted as follows:-

FOR: Councillors McGrath, Ó’Donnabháin, Desmond, J. Collins, Harris, K. Murphy, O’Donovan, G. Moynihan, Creed, Lucey, Ryan, Conway, P. O’Sullivan, G. Keohane, Sheppard, Barry, Rasmussen, N. Collins, Ml. Hegarty, S McCarthy, Linehan-Foley, O’Brien, N. McCarthy, O’Flynn, Dawson, J. Murphy, O’Shea, G. Murphy, B Moynihan, D. Collins, Carroll, J. O’Sullivan, P. G. Murphy, M. Hegarty, Hurley.

[35]

AGAINST: Jeffers, Ml. Murphy, R. McCarthy, O’Grady, K. McCarthy, O’Cádhla, Twomey, M. Mullane, Hayes.

[9]

The Mayor declared this motion carried.

REPORTS & RECOMMENDATIONS OF COMMITTEES

Roads and Transportation SPC:

Draft Policy Cork County Council-Maintenance of Road Traffic Signs

5/9-2

Following the proposal of Councillor Kevin Murphy, seconded by Councillor John Paul O’Shea, Members agreed that the Cork County Council-Maintenance of Road Traffic Signs Policy be approved subject to an amendment of the policy wording on Page 2 Section 7 (b), by the substitution of *“That property owners/ landowners are required”* in lieu of *“That property owners/ landowners should be required”*.

Members were advised that issues with signage and vegetation should be referred back to their Municipal District.

WEST CORK MUNICIPAL DISTRICT:

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

6/9-2

Part 8 Report: Proposed Further Development of Skibbereen Bring Site

Proposed by Councillor Joe Carroll

Seconded by Councillor Paul Hayes

RESOLVED:

“Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice of the proposed development was published, that no submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

Further Development of Skibbereen Bring Site

FERMOY MUNICIPAL DISTRICT:

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

7/9-2

Part 8 Report- R628/L1516-118 Junction Improvement Works including new Village Park in Conna, and traffic calming and car parking adjacent to Conna School.

Proposed by Councillor Frank O’Flynn

Seconded by Councillor Kay Dawson

RESOLVED:

“Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice of the proposed development was published, that 3 No. submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

R628/L1516-118 Junction Improvement Works including new Village Park in Conna, and traffic calming and car parking adjacent to Conna School

CHIEF EXECUTIVE'S MANAGEMENT REPORT TO COUNCIL

REPORT OF THE ECONOMIC DEVELOPMENT, ENTERPRISE & TOURISM DIRECTORATE

8/9-2

Proposed by Councillor Frank O’Flynn

Seconded by Councillor Kevin Murphy

The Director of Services for the Economic Development, Enterprise & Tourism Directorate outlined the report to Members.

The Director also informed members of an International Accelerator Programme based in Boston being launched in the next few weeks. It is the only non profit programme of its type and it is hoped to bring members and a boot camp to Cork, it is anticipated that this programme will open international doors to Cork companies. The programme is based on a triple helix model.

In answer to members' questions, the Director informed members of the following:

- Cork County Council's Tourism Section is liaising with TII re directional signs.
- Spike Island requires 100,000 visitors per annum to break even.
- Transport and access to Spike is an issue, in the middle of a tender process to improve access to the whole of the harbour.
- Will revert on Cork County Council's contribution to Cork Harbour Islands.
- Visitcorkcounty.ie will be updated to include additional North Cork Sites.
- The Directorate is currently working on a marketing strategy for all enterprise centres, hot desks, serviced sites etc and it should be launched in March.
- Dursey – working closely with Failte Ireland to develop this into a signature destination, very positive developments so far.
- Promotion of air routes into Cork is ongoing.
- The Director asked Members to provide feedback on reports in order that they can be developed.

CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS

DEPARTMENT OF HEALTH

9/9-2

Members noted the letter dated 14th September, 2017 from the Department of Health in response to the Council's Motion of the 26th June, 2017, regarding the Council of Europe Convention against Trafficking in Human Organs.

The Mayor requested an extension of time until 2pm. This was proposed by Councillor Kevin Conway and seconded by Councillor John Paul O'Shea.

NOTICES OF MOTION

WASTE CHARGES

10/9-2

Councillor Des O Grady proposed, seconded by Councillor Melissa Mullane, the following notice of motion:-

“That Cork County Council is deeply concerned with the Government's new waste management proposals. That Council will write to Minister Naughten asking that he stops these new charges coming into effect, that he undertakes a study on the feasibility of greater public ownership and the possible remunicipalisation of household waste collection, that he will introduce increased regulatory control and further measures to reduce, reuse and recycle waste and that he will introduce adequate supports for low income families and those with medical conditions“.

During the discussion Members made the following points:

- Illegal dumping now at full year 2016 levels.
- Hidden charges are crippling people.
- Need for waivers for low income families and those with disabled family members.

Members agreed to write to the Minister to ask him to stop the new charges coming into effect.

ACTIVE WASTE FACILITY PERMITS

11/9-2

Councillor Melissa Mullane proposed, seconded by Councillor Des O’Grady, the following notice of motion:-

“That this Council provide a written report on the number of Active Waste Facility permits issued by Cork County Council and their auditing procedure on such sites to ensure all collected product including waste from their own bring sites and civic amenity sites is disposed of under current regulations and legislation. Report also to include what function Cork County Council has with the National Waste Collection Permit Office (NWCPO) when issuing collection permits to operators within council’s functional area and again the auditing procedure in place on where waste is disposed under current legislation and regulations.”

Members noted report from the Senior Engineer, Energy and Waste Services, which outlined as follows:-

Cork County Council tenders for the disposal of materials from its civic amenity sites and bring sites on an annual basis. Tenderers must have the appropriate licenses to accept the materials and identify the facilities they subsequently dispose of the materials to along with proof that these facilities are licensed to accept the materials.

There are currently 97 facilities regulated by Cork County Council. In 2016 Cork County Council carried out 40 audits/inspections and this would include the inspection of paper work to ensure materials entering the site were disposed of to facilities appropriately licensed to accept the materials.

There are 214 collection permits in Cork County Council’s functional area. The NWCPO forwards new and review applications to Cork County Council for comment. Cork County Council carries out validation checks on the annual environmental returns from collection permit holders. A desk top validation would be carried out on all returns. Site visits and inspection of records are carried out at all facilities accepting material from kerbside collectors. Site visits and inspection of records are carried out at facilities accepting materials from 20% of the other collectors.

Councillor Melissa Mullane said that she was concerned that only 40 out of 97 facilities had been audited.

CRISIS IN HOUSING AND HOMELESSNESS

12/9-2

Councillor Diarmaid Ó’Cadhla proposed, seconded by Councillor Noel Collins the following motion:-

“In light of the continuing crisis in housing and homelessness, and in line with is duty to the people of Cork. That this Council requests the Chief Executive to:

- Request funds from Government for the directly construction of Social Housing.
- Consult directly with the Credit Unions and other financial institutions in regards to financing the construction of Social Housing by Cork County Council or by a special purpose vehicle(s) that may be formed for purpose.
- Increase significantly the Council's rate of purchasing housing to add to its Social Housing stock.
- Request that Government enact special legislation to allow existing empty estates and housing development, whether currently held by NAMA or otherwise, be taken into public ownership.
- Request that Government enact special legislation to ban the activity of so called Vulture Funds.

Members noted report from the S/Director of Services, which outlined as follows:-

1. Once a potential site for development of a scheme for social housing is identified then a preliminary proposal is made to the Dept for funding, (Stage 1). Once approved in principle the scheme is developed through Stage 2 (Design), Stage 3 (Tender), and Stage 4 (Construction) and this is funded by the Dept. All schemes where need has been established, where value for money has been illustrated and procurement is in compliance with best practice and guidelines have been approved for direct funding by the Dept. These requests for funding are occurring and being approved on a continuous basis.
2. At present all local authority house construction is funded directly by Government, save for innovative models such as the PPP schemes. Cork County Council does not finance the construction of social housing. Should the Council wish to borrow for House Building that would represent a radical departure in how social housing is funded and is not currently considered appropriate or prudent. The Voluntary Housing Bodies are the recognised special purpose vehicle for off balance sheet funding and funding is available to them at low cost from the HFA.
3. Acquisition of second hand properties was the primary delivery method for the period 2015 – 2017 and will remain a feature of delivery over the coming years, particularly in locations where construction is not taking place, slow in delivery or where second hand acquisitions represent good value for money in comparison with construction. The Council is already seeing however that in Metropolitan Cork the price of second hand properties is nearing or exceeding the cost of new construction and therefore the mode of delivery will shift towards construction in that environment and as the market evolves.
4. That is a matter for Government. However unfinished estates are really only now a feature in locations where demand for private and social housing is low.
5. That is a matter for Government.

In the discussion that followed Members made the following points:

- Need for imaginative solutions to the housing crisis
- Need for changes to legislation to prevent financial institutions from repossessing 'buy-to lets'.
- Time to take funding where it is offered.

ANTI ENGLISH SENTIMENTS

13/9-2

Councillor Joe Harris proposed, seconded by Councillor Danny Collins the following motion:-

“That Cork County Council condemns any attempts to stir up anti English sentiments in our County.”

Councillor Diarmaid Ó'Cadhla proposed that the motion be set aside as it was counterproductive. There was no seconder for this proposal.

The motion was noted by Members.

TRAINING AND SUBSEQUENT EMPLOYMENT OF YOUNG PEOPLE

14/9/2

Councillor Noel Collins proposed, seconded by Councillor Eoghan Jeffers the following motion:-

“That this Council request the Minister for Enterprise and Employment to make additional finance available for the training and subsequent employment of young people who come from a deprived background.”

Members agreed to write to the Minister for Enterprise and Employment.

Members agreed that the remaining items on the Agenda would be deferred to the Council Meeting on 9th October, 2017.

VOTES OF CONGRATULATIONS

21/9-2

- TO: Kevin Flanagan, age nine, on winning a silver medal for Trampolining at Gymnastic Ireland's Finals in Dublin.
- TO: Noel Landers who reached the quarter finals of World Under-21 Snooker Championships in Beijing, China.
- TO: Blarney Junior B Hurling Team on winning the Mid Cork Final.
- TO: Clonakilty Tidy Towns Committee on winning the Best Small Towns in Ireland category in this year's Tidy Towns Competition and all medal winners in this year's competition.

This concluded the business of the Meeting