



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 25th April, 2016.

I LATHAIR

Comhairleoir J. P. Ó Sé, Méara Chontae

Comhairleoiri Mac Craith, Ní Fhúarthain, Ní Dheasmhumhnaigh, Ó Cainte, S. Ó Coileán, M. Ó Murchú, Ó hEarchaí, R. Mhic Cárthaigh, Ó Colmáin, Lombard, C. Ó Murchú, Ní Cochláin, S. Ó Donnabháin, Ní Mhuimhneacháin, Críod, Ó Gráda, Ó Luasaigh, Ó Riain, Ó Conbhuí, P. Ó Suilleabháin, C. MacCárthaigh, Ó Ceocháin, Sheppard, De Barra, Uí Chuileannáin, N. Ó Coileán, Uí Thuama, Ó hEigearthaigh, Léanacháin-Foghlú, N. MacCárthaigh, D. Ní Bhrian, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, J. Uí Mhurchú, G. Ó Murchú, B. Ó Muimhneacháin, Uí Mhaoláin, T. Ó Coileán, D. Ó Coileán, Ó Cearúill, Ó Donnabháin, C. Ó Suilleabháin, P.G. Ó Murchú, Uí hEigearthaigh, Ó hAodha, Ó hUrthuile.

PRESENT

Councillor J. P. O'Shea, County Mayor presided.

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

Chief Executive, Senior Executive Officer.

CONFIRMATION OF MINUTES

1/4-2

Proposed by Councillor D. Hurley.

Seconded by Councillor S. McGrath.

RESOLVED:

“That the minutes of meeting of the Council held on 11th April, 2016, be confirmed and signed by the Mayor.”

Suspension of Standing Orders – Social Housing

Councillor D. O’Grady proposed, seconded by Councillor M. Mullane that Standing Orders would be suspended to discuss the turnaround time it takes to re-let social houses in the County. The Mayor advised that the matter would be taken at 1.00 pm.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

DISPOSAL OF 7 CONNOLLY STREET, NEWMARKET, CO.CORK.

3(a)/4-2

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 5th April, 2016.

<u>SITUATION:</u>	7 Connolly Street, Bandon, Co. Cork.
<u>AREA:</u>	Dwellinghouse. Folio No. 54551
<u>TO WHOM IT IS PROPOSED TO DISPOSE:</u>	John Moynihan & Geraldine Crowley.
<u>CONSIDERATION:</u>	€76,547.46 (subject to change depending on the month and year of redemption)
<u>PURPOSE:</u>	Acquired the Council’s interest under the Shared Ownership Scheme.

GRANT OF WAYLEAVE AT MAIN STREET GOLEEN. CO. CORK.

3(b)/4-2

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 6th April, 2016

<u>SITUATION:</u>	Grant of Wayleave to extend rear access to commercial property at Main Street, Goleen, measuring c 0.00207 hectares.
<u>FROM WHOM ACQUIRED:</u>	IDA
<u>TO WHOM IT IS PROPOSED TO DISPOSE:</u>	Richie and Liz Barry. as Executor in the
<u>CONSIDERATION:</u>	€1.00

DISPOSAL OF GREENHILLS, MOURNEABBEY, MALLOW, CO. CORK.

3(c)/4-2

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 6th April, 2016.

<u>PROPERTY:</u>	Detached 3 bedroom 2 storey house.
<u>LOCATION:</u>	Greenhills, Mourneabbey, Mallow, Co. Cork.
<u>FROM WHOM ACQUIRED:</u>	Repossessed CCC Housing Stock.
<u>TO WHOM IT IS PROPOSED TO DISPOSED:</u>	Mr. Maurice Carey.
<u>CONSIDERATION:</u>	€ 50,000.00

DISPOSAL OF BALLYDUANE, NEWMARKET, CO.CORK.

3(d)/4-2

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 11th April, 2016.

<u>PROPERTY:</u>	Ballyduane, Newmarket, Co. Cork.
<u>FROM WHOM ACQUIRED:</u>	Re- possessed Council Housing stock.
<u>TO WHOM IT IS PROPOSED TO</u>	Joseph Walsh, Scarteen Upper, Newmarket.
<u>PROPOSED TO</u>	
<u>CONSIDERATION:</u>	€49,000.00

DISPOSAL OF 2 CASTLEVIEW, CECILSTOWN, MALLOW, CO.CORK.

3(e)/4-2

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 11th April, 2016.

<u>LAND HELD UNDER LEASEHOLD INTEREST:</u>	2 Castleview, Cecilstown, Mallow, Co. Cork
	Folio No. 9665L
<u>FREEHOLD INTEREST:</u>	Folio No. 54551
<u>FROM WHOM ACQUIRED:</u>	Unknown.
<u>PERSON TO WHOM FREEHOLD INTEREST IN LAND IS TO BE DISPOSED OF:</u>	Reine Walsh, Executrix in the Estate of Margaret O'Sullivan deceased.

<u>CONSIDERATION:</u>	€350,00 inclusive of administration charges.
<u>COVENANTS, CONDITIONS AND AGREEMENTS:</u>	Conditions pursuant to Housing Act 1966 and Landlord & Tenant Acts, 1974 -1984.

AMENDMENT TO DISPOSAL OF LAND AT LISNAGAR DEMENSE, CO.CORK

3(f)/4-2

Members noted amendment to Disposal of Land at Lisnagar Demense, Co. Cork, by the substitution of “Margaret Twomey” in lieu of Kevin Twomey” being the persons to whom the property is to be disposed.

<u>Situation:</u>	Lisnagar Demense.
<u>Area:</u>	4.365 Hectares
<u>From Whom Acquired:</u>	Denis Fitzgerald.
<u>To Whom It Is Proposed To Grant:</u>	Margaret Twomey, Corrin, Fermoy, Co. Cork.
<u>Consideration:</u>	€50.000.00

REPORTS & RECOMMENDATIONS OF COMMITTEES

Corporate Policy Group:

CONFERENCE LIST APRIL, 2016

4/4-2

Proposed by Councillor D. Hurley.

Seconded by Councillor K. Murphy.

RESOLVED:

“That the attendance by Council Members at Conferences on the Conference List for April, 2016 approved by the Corporate Policy Group at their meeting on 5th April, 2016.”

VOLUNTARY CONTRIBUTION GAEL TACA

4(b)/4-2

Proposed by Councillor K. Murphy

Seconded by Councillor S. McGrath

RESOLVED:

“That a Voluntary Contribution of €7,000 be made to Gael Taca.”

INTERNATIONAL & EUROPEAN AFFAIRS COMMITTEE:

5/4-2

Proposed by Councillor A. Coleman

Seconded by Councillor D. Hurley

RESOLVED:

“That Cork County Council will enter into a Memorandum of Understanding with the Ajara Government in Georgia.”

DEVELOPMENT COMMITTEE:

6/4-2

Proposed by Councillor J. Carroll

Seconded by Councillor D. Hurley

RESOLVED:

“Proposed Amendment of the Skibbereen Electoral Area Local Area Plan 2011: Amendment No.2: Business Development in Skibbereen Town (Expansion of the existing B-02 Business Zoning.”

During a discussion members made the following points: -

- Members were very pleased with the proposed amendment of the Skibbereen Electoral Area Local Area Plan 2011.
- Members stated that the IDA is not doing enough for West Cork, this area is suffering a migration crisis due to lack of employment.
- Dunmanway has lost 300 jobs from three major industries in the past and people are moving to get work elsewhere.
- The N71 is a major impediment to future development of the region because the road is in a poor state.

It was agreed the IDA would be invited to address members on its activities in the County.

CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS

AMBULANCE SERVICE AND SOUTH DOC

7/4-2

Members noted letter dated 12th April, 2016 from the Department of Health, in response to Council’s motion of 8th February, 2016, regarding a resolution adopted by Cork County Council in relation to the Ambulance Service and South Doc.

Members were unhappy with the response and requested that the Capacity Review be published now and that publication should not be delayed until the Action Plan is completed.

Members were also concerned that the ambulance service was removed from the Mallow area. It was agreed that the Council write to the Minister for Health asking to reverse this decision.

NOTICES OF MOTION

HOUSING POSTS APPROVED BY THE DECLG

8/4-2

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

“To seek a written report on the present status of the 21 Housing Posts approved by the DECLG for Cork County Council in 2015 to support the Council’s social housing capital construction plan. The report to contain the number of posts that were approved in each category, i.e. architects, quantity surveyors etc., and the number of posts that have already

been filled. The report to also contain information on any posts not yet filled and the progress and estimated time scale involved in the filling of these”.

Members noted report from Ms. Liz Collins Senior Executive Officer Personnel Department, Director which outlined as follows: -

Response: Posts Approved

Post	Number Approved	Present Status
Senior Engineer	1	National competition runs by Public Appointments Service. PAS about to make recommendation this week.
Senior Executive Engineer	1	National competition runs by Public Appointments Service. PAS conducting interviews at present. Currently filled on acting basis.
Executive Engineer	2	1 filled. Executive engineer advertised. Competition closed and interviews to be arranged.
Assistant Engineers	1	Currently interviewing. Due to finish on 3 rd May.
Architectural Technician Gr 2	2	2 filled
Staff Officer	1	Advertised. Competition closed. Interviews to be arranged.
Assistant Staff Officer	1	1 filled
Clerical Officer	2	1 filled. 1 to be filled in coming weeks.
Executive Architect	2	2 filled
Executive Quantity Surveyor	1	1 filled
Clerk of Works	7	3 filled. 1 due to start 3/5/2016. 1 offered and accepted. Start date to be arranged. 1 refusal on 18/4/2016. Progressing to next candidate 1 Clerk of Works not required till late 2016.

In the discussion that followed members made the following points:-

- Dismayed and frustrated at the pace at which housing capital programmes are being delivered.
- Concerns that the hold up in appointments would delay the major housing programme.
- Some housing schemes are progressing very slowly and there is one in Carrigaline which has not gone through to planning stage. It is difficult to see any substantial progress being made on housing schemes until 2018.

The CE informed members that 11 of the 21 posts have been filled and that the report clearly demonstrates that the other posts are progressing satisfactorily. Any delays in recruitment are due to the positions being within national competitions and these took time to complete. However, this would not delay the completion of the planned housing schemes.

He stated that members have been previously informed that there were no delays from Cork County Council in delivering its capital programme and the delivery targets were exceeded in 2015. The Council is meeting its targets and hope to deliver 1,217 units by the end of 2017. The only risk at this stage is that some of the larger schemes may be slightly delayed.

TAKING IN CHARGE OF RESIDENTIAL ESTATES

9/4-2

Proposed by Councillor S. McGrath

Seconded by Councillor Ian Doyle

RESOLVED:

“To seek a written update regarding the Council’s intention to propose the Taking in-Charge of a bundle of residential estates during 2016”.

Members noted report from the Director of Planning, Mr. John O’Neill, which outlined as follows: -

YEAR	NO. OF ESTATES TAKEN IN CHARGE
Pre 2010	361
2010	49
2011	43
2012	34
2013	30
2014	174
2015	91

Members will be aware of considerable activity in recent years in the Taking In Charge of Estates. The Planning Department is at present compiling a new list of estates for Taking in Charge based on candidate lists received from our Estate Engineers.

Preliminary meetings are taking place with the Council’s Water Services Section as it should be noted that new Protocols with Irish Water are now in place and that these have to be complied with to secure their (Irish Water’s) agreement in principle to take the Sanitary Services in these estates in charge. Also, other Engineering and Legal issues are being checked for compliance.

The formal statutory Taking in Charge process is now dealt with at Municipal District level. The process will be moved forward as expeditiously as possible.

In the discussion that followed Members made the following points: -

- Welcomed the stepping up of activity in the past two years.
- It’s challenging to get minor things done in estates that have not been taking in charge and this is causing upset to residents.
- It’s unacceptable that developers don’t finish work to a standard which the council requires to take an estate over.
- There are still many cases where people living in unfinished estates have been left in limbo because it is proving extremely hard to get the insurance bonds from financial institutions to complete the work.
- It is regrettable that the developer has the power and not the Council, it is difficult to pursue contractors.
- What is Irish Water doing in relation to treatment plants?
- Some financial institutions were coming up with unacceptable excuses for not releasing the bonds.

The CE informed members that approximately 90 estates were being viewed by the council this year for being taken in charge and the Council is confident that at least sixty of them would be taken over. Irish water is reluctant to take over private treatment plants. The CE also said getting the bonds from

some financial institutions took time but said the council would pursue them and members will be briefed on any developments.

FUNDING TO PURCHASE REPOSSESSED HOUSES

10/4-2

Proposed by Councillor M. Mullane

Seconded by Councillor D. O'Grady

RESOLVED:

“That this Council calls on the DECLG to allow Local Authorities, and to provide the necessary funding to Local Authorities, to purchase any properties subject to a Council Mortgage which are repossessed so that these repossessed properties can form part of the Council’s social housing stock.”

Members noted report from the Director of Housing, which outlined as follows: -

Up to mid 2013, the DECLG allowed Local Authorities to purchase repossessed properties, which had been subject to Local Authority Mortgages, and transfer the properties to social housing stock **IF** the Local Authority had a housing need for the property at the location and if the property was deemed structurally suitable.

The DECLG then advised Local Authorities that they could no longer purchase these properties, irrespective of whether they had a housing need for them or not.

Since mid 2013, Cork County Council has repossessed 13 properties.

6 of these properties had been abandoned by the owners/borrowers but the Council still had to go through the repossession procedure in the District Court in order to be able to perfect title.

The other 7 properties were repossessed due to non payment of the mortgage.

Of these 13 properties, 9 of them have either been sold to date or have a sale agreed with a deposit paid.

The other 4 properties, which are 2 apartments and 2 houses, do not have a sale agreed on them to date.

The DECLG have been considering amending the above rule to allow Authorities to purchase repossessed properties under SHIP funding.

We understand that from the DECLG that, where a Local Authority has a demand for a property being repossessed, the DECLG will, on a case by case basis, consider allowing Local Authorities to transfer these properties to their social housing stock and the DECLG will consider funding the cost of same from SHIP allocation up to the market value of the property. We await formal notification of this from the Department.

Cork County Council will now examine the 4 properties which have been repossessed but are not yet sold/nor have a sale agreed and, if the Council has a housing need for such properties, it will make an application to the DECLG to have them transferred to social housing stock and to allow Ship Funding towards the balance outstanding on the mortgage up to a maximum of the market value.

Where the DECLG approve funding, the property will thereafter be let to an approved applicant on the housing waiting list in accordance with Cork County Council’s Allocation Scheme.

During a discussion that followed members made the following points: -

- The current situation is totally unacceptable especially when there are more than 7,000 people on the Council's housing waiting list.
- These properties were originally council houses and they should revert to the Council.
- We should be given first option to purchase these houses.
- The Council need every house possible and this situation is totally wrong.

It was agreed that the Council write to the Department of Environment, Community & Local Government and request the legislation be changed.

SWITCHING SOCIAL PROTECTION PAYMENTS TO BANKS

11/4-2

Proposed by Councillor M. Murphy

Seconded by Councillor K. McCarthy

RESOLVED:

“That this Council writes to the Minister for Social Protection objecting to the DSP attempting to pressurise people into receiving payment of Social Welfare through banking institutions. If implemented this policy will have a negative impact on the Post Office network and disadvantaged communities across the state”.

Members voiced their concern about the DSP pressurising people into receiving payments through the bank. Members said many older citizens do not have bank accounts and are unable to use ATM machines and this is causing a serious worry to them. The Post Office can be the only social outlet for people who live in rural areas. It will also affect the employees of the Post Office if this facility is to go.

BREST CANCER AWARENESS PROGRAMME

12/4-2

Councillor Noel Collins proposed, seconded by Councillor Mary Linehan Foley, the following notice of motion: -

“That this Council request the Minister for Health to initiate a Breast Cancer Awareness programme for men, due to the major increase in such cases in England.”

Members agreed it is very important that there is a facility where men could have a breast check in order to detect early signs of cancer.

NATIONAL CHILDREN'S HOSPITAL

13/4-2

Councillor Deirdre O'Brien proposed, seconded by Councillor Noel Collins, the following notice of motion: -

“That the members of Cork County Council call on the Minister for Health to reverse the decision to locate the National Children's Hospital at St James's Hospital and instead to locate the new Children's Hospital for all the children of Ireland at Connolly Hospital, Blanchardstown.”

During a discussion Members made the following points: -

- Connolly Hospital Blanchardstown would be more accessible from all counties.

- We need to listen to parents of sick children, and put sick children first.
- Sick children travelling to hospital do not need additional delays and parents do not need the added stress of traffic congestion and narrow complicated city roads.
- Approximately 75% of children with serious illness live outside the M50 they may have travelled several hours just to get to the M50. Additional time spent in city centre traffic is an unfair disadvantage to these families.
- There is no space available on the St. James's campus for a ground level helipad.

Some Members objected to the Motion stating the proposed new Children's Hospital was agreed three years ago and St. James' will result in better clinical outcomes and increased operational efficiency, as well as significantly enhancing the experience of services for children, young people and their families and staff.

Councillor Deirdre O'Brien agreed to amend the motion to read "to review the decision to locate the National Children's Hospital".

PAY CUTS AND CONDITIONS OF EMPLOYMENT FOR TESCO WORKERS

14/4-2

Proposed by Councillor Danielle Twomey

Seconded by Councillor Noel Collins

RESOLVED:

"This Council calls on Tesco Ireland to withdraw their threat to unilaterally cut pay and conditions of employment for Tesco workers and urges them to meaningfully engage with the Mandate Trade Union and to utilise the state's industrial machinery, the Labour Court, if necessary and to fully implement its recommendations".

Some members said it is inappropriate for members to get involved in a labour relations discussion; however the majority of members supported the motion.

CORRESPONDENCE FROM OTHER BODIES

CHARGING OF ELECTRIC VEHICLES

15/4-2

Members noted letter dated 6th April, 2016, from the ESB in response to Council's correspondence of 16th December, 2015, regarding charging of electric vehicles.

NETWORK MANAGEMENT ON NATIONAL ROADS

16/4-2

Members noted letter dated 6th April, 2016, from Transport Infrastructure Ireland in response to Council's letter of 4th March inviting personnel from T.I.I. to attend a meeting of the Council's Development Committee in relation to the Network Management and Improvements on National Roads in the County.

Members were disappointed with the response and noted that T.I.I would meet a deputation. It was agreed to refer the matter back to T.I.I. stating member's dissatisfaction with the response. It was also agreed to write to the Minister of Transport to change the T.I.I. policy on sending representatives to attend Local Authority meetings.

It was agreed that the deputation would consist of the Mayor, the three Divisional Chairs, the Chair of the Roads & Transport SPC and Council officials.

Suspension of Standing Orders –Delays in allocating housing

Members made the following points:-

- The turnaround time for allocating social housing units in the County is 66 weeks which is the highest in the country.
- Members disagreed that refusal of offers is to blame for the delay; there should be a second tenant ready to take up the offer after a refusal.
- Members dismayed at spin in media and said the Council should look internally at their own process.
- The turnaround time isn't good enough and the council is losing huge rental income as a result.
- What is the average time it takes to prepare a house for letting?
- Why are we offering houses to people in areas where we know they won't accept?
- Housing Officers should contact prospective tenants by phone.
- There are houses boarded up for years, there is a funding issue but why have we the longest average turnaround time.
- Answers from Council officials not good enough.
- Some progress made but figures are still unacceptable.
- A special meeting is required to sort out all these housing problems.

The CE informed members that, as previously stated, the Council will deliver the three year capital programme, having exceeded its 2015 target. The voids significantly impact on the average figure and the refusal of offers also plays a role in the turnaround time. The CE explained to members the process for letting dwellings; applicants have two weeks to decide if they want the house, if they refuse the list is activated as soon as possible. We don't offer homes to people in areas where they don't want to live. In some areas particularly in rural areas the list may be exhausted and demand in that area may be low. There was 145 refusals in 2015 and 42% of these applicants were on rent supplement and 28% houses were not suitable for their needs.

It was agreed that a special meeting would be held to discuss this matter.

VOTES OF CONGRATULATIONS

16/4-2

TO: Conor Nelligan on the success of the 1916 Centenary Programme.

TO: Glanmire GAA on becoming Cork Feile Champions 2016

TO: Glanmire Community College U16 girls on winning the Munster Camogie Final.

TO: St. Joseph's Boys NS soccer team on becoming the Munster Champions.

This concluded the business of the Meeting