



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 12th December, 2016.

I LATHAIR

Comhairleoir S. MacCraith, Méara Chontae

Comhairleoiri Mac Seafraida, Daltúin, Ní Fhúarthain, D. Ó Donnabháin, 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, Críod, Ó Gráda, Ó Luasaigh, Ó Riain Ó Conbhuí, P. Ó Suilleabháin, C. MacCárthaigh, Sheppard, De Barra, Rasmussen, N. Ó Coileán, A. Ó Suilleabháin, Uí Thuama, Ó hEigearthaigh, S. NicCárthaigh, Léanacháin-Foghlú, N. MacCárthaigh, Ní Bhrian, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, J. Uí Mhurchú, Ó Sé, G. Ó Murchú, Uí Mhaoláin, T. Ó Coileán, Ó Cearúill, N. Ó Donnabháin, C. Ó Suilleabháin, P.G. Ó Murchú, Uí hEigearthaigh, Ó hAodha, Ó hUrthuile.

PRESENT

Councillor S. McGrath, County Mayor presided.

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

Apologies Cllr. Ger Keohane

Chief Executive, Senior Executive Officer.

CONFIRMATION OF MINUTES

1/12-1

Proposed by Councillor Kevin Conway.

Seconded by Councillor Frank O'Flynn

RESOLVED:

“That the minutes of meeting of the Council held on 28th November, 2016, be confirmed and signed by the Mayor.”

VOTES OF SYMPATHY

2/12-1

- TO: Mr. & Mrs. O’Sullivan on the death of their daughter Michelle, former staff Member, Road Design Office, Innishmore, Ballincollig.
- TO: The family of the late Sean O’Sullivan, former staff Member Castletownbere.
- TO: To the wife and family of the late Jim Connery.
- TO: Ms. Maura Walsh, IRD Duhallow, on the death of her brother, Thomas Stack.
- TO: The wife and family of the late Richard Conroy.
- TO: Mairead Hales, Environment Dept. on the death of her father, Tommy.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposals.

DISPOSAL OF 67 ROSARY PLACE, MIDLETON, CO. CORK.

3(a)/12-1

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 22nd November, 2016.

LAND HELD UNDER

LEASEHOLD INTEREST:

67 Rosary Place, Midleton, Co. Cork

Folio No. 7049L

Folio No. CK28515

FREEHOLD INTEREST:

**FROM WHOM ACQUIRED:
PERSON TO WHOM FREEHOLD
INTEREST IN LAND IS TO BE
DISPOSED OF:**

Unknown

Mary Elizabeth Betty Moloney.

CONSIDERATION:

€ 350.00 inclusive of administration charges

COVENANTS, CONDITIONS

Conditions pursuant to Housing Act, 1966 and Landlord & Tenant Acts, 1947 – 1984.

AND AGREEMENTS:

DISPOSAL OF 15 RAHEEN PARK, YOUGHAL, CO. CORK

3(b)/12-1

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 22nd November, 2016.

**LAND HELD UNDER
LEASEHOLD INTEREST:**

15 Raheen Park, Youghal, Co. Cork

FREEHOLD INTEREST:

Folio No. 7466L
Folio No. CK28837

**FROM WHOM ACQUIRED:
PERSON TO WHOM FREEHOLD
INTEREST IN LAND IS TO BE
DISPOSED OF:**

Unknown

Eileen Twomey.

CONSIDERATION:

€ 350.00 inclusive of administration charges

COVENANTS, CONDITIONS

Conditions pursuant to Housing Act, 1966 and
Landlord & Tenant Acts, 1947 – 1984.

AND AGREEMENTS:

DISPOSAL OF CLAYCASTLE, YOUGHAL, CO.CORK.

3(c)/12-1

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 22nd November, 2016.

Situation:

**Claycastle,
Youghal,
Co. Cork**

Area:

**2.403 hectares (5.9378 acres)
Part of Folio CK54089 property no 20
Part of Folio CK54089 property no 21
Part of Folio CK54089 property no 7
Part of Folio CK79771F**

From Whom Acquired::

James Cox and Jeremiah O’Hanlon

To Whom It Is Proposed

Trustees of Claycastle Pitch & Putt Club,

To Dispose: Claycastle,
Youghal,
Co. Cork.

Term: 15 years from 1st July 2012

Consideration: €6,655 per annum from 1st July 2012 and reduced to €3000 per annum from 1st April 2015 until 2017 when the rent is to reviewed.

DISPOSAL OF 13 SEAFIELD ESTATE, YOUGHAL, CO. CORK

3(d)/12-1

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 22nd November, 2016.

**LAND HELD UNDER
LEASEHOLD INTEREST:**

13 Seafield Estate, Youghal

Folio No. 6537L
Folio No. CK37124

FREEHOLD INTEREST:

FROM WHOM ACQUIRED:

Unknown

**PERSON TO WHOM FREEHOLD
INTEREST IN LAND IS TO BE
DISPOSED OF:**

Nuala Kearns, Deirdre O’Sullivan, Brendan
Crowley, Brian Crowley.

CONSIDERATION:

€ 350.00 inclusive of administration charges

COVENANTS, CONDITIONS

Conditions pursuant to Housing Act, 1966 and

AND AGREEMENTS:

Landlord & Tenant Acts, 1947 – 1984.

DISPOSAL OF PROPERTY AT POULARICK, CROOKSTOWN, CO. CORK.

3(e)/12-1

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 November, 2016.

<u>Location:</u>	Poularick, Crookstown, Co. Cork.
<u>Area:</u>	c. 0.19 hectares (0.47 acres)
<u>To Whom It Is Proposed To Dispose:</u>	Mr. John Galvin, Lissarda, Co. Cork.
<u>Consideration:</u>	€67,000.00.

AMENDMENT TO DISPOSAL OF LAND AT BUTLERSTOWN, BANDON, CO. CORK

3(f)/12-1

Members noted amendment to “Disposal of land at Butlerstown, Bandon by the substitution of 0.03364 hectares in lieu of 0.0469 hectares being the said area of land, also by the substitution of “Helen O’Regan” in lieu of Mr. John Hodnett being the person to whom the property is to be disposed.

FINANCIAL BUSINESS

BORROWING BY WAY OF OVERDRAFT

4/12-1

Proposed by Councillor K. Murphy

Seconded by Councillor F. O’Flynn

RESOLVED:

“That Cork County Council is authorised to borrow by way of overdraft a sum not exceeding €10m for the twelve month period ending 31st December, 2017, subject to the sanction of the Minister for Housing, Planning, Community and Local Government.” be hereby approved.

CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS

VOTING RIGHTS TO CITIZENS

5/12-1

Members noted letter dated 23rd November, 2016, from the Department of the Taoiseach and the Department of Foreign Affairs and Trade in response to Council's motion of 10th October, 2016, regarding the extension of voting rights to citizens in the north and to Irish Citizens with Irish Passports living abroad in the Presidential elections.

Cllr. Eoghan Jeffers welcomed the response but is disappointed that it is still not in place, he hopes that this would proceed quickly.

BREAST CANCER AWARENESS PROGRAMME FOR MEN

6/12-1

Members noted letter dated 25th November, 2016, from the Department of Health in response to Council's original motion of 25th April, 2016 regarding Breast Cancer Awareness programme for men.

Cllr. Noel Collins welcomes the response and the new screening programme and hopes that men would avail of the programme.

DETENTION CENTRE FOR YOUNG OFFENDERS IN CORK

7/12-1

Members noted letter dated 30th November, 2016 from the Department of Children and Youth Affairs in response to Council's original motion of 7th March, 2016 regarding a detention centre for young offenders in the Cork Area.

Cllr. Noel Collins said he had hoped for a more favourable response. Spike Island had provided an excellent detention centre. Cllr. Collins said there is a 160 mile journey to Oberstown which is unfair on parents and he didn't expect a social worker now a Minister to say that detention should be a last resort in such cases. Conditions are horrendous in Oberstown. This is a Cork problem created by a former government Minister by allowing Spike to close and leaving children to travel so far. The transfer of detainees began the overcrowding and mayhem we hear about in Oberstown. It was a Cork problem that created this problem in Dublin. Cllr. Collins said he paid a visit to Oberstown recently and saw general conditions, plus heard some very sad stories. How long more will these conditions remain at Oberstown, the matter was highlighted by the Examiner recently and it showed it was a Cork problem. Councillor Collins asks that the letter would be referred back asking for major improvements to Oberstown and to ask the Department to replace the closed Spike facility with a similar facility in the Cork region, thereby reducing overcrowding in Lusk.

Councillor Mary Linehan- Foley seconds this and feels that a detention centre in Cork is vital for parents visiting. It is hardship for children to be shipped to Dublin.

It was agreed to refer the matter back to the Department of Children and Youth Affairs.

NOTICES OF MOTION

LOCAL PROPERTY TAX

8/12-1

Councillor Marcia D'Alton proposed, seconded by Councillor T. Collins, the following notice of motion:-

“That the Local Property Tax charge on residences in private estates or estates not taken in charge by a local authority would be reduced by 35%. This is to reflect the lower level of local authority service delivered to estates not taken in charge and the commensurate investment in road, drainage and other maintenance borne directly by residents of such estates.

(Note that in this instance, “estates not taken in charge” do not include unfinished estates as defined in S.I. 91 of 2013.)”

Councillor Marcia D’Alton told Members one of the logics behind the introduction of LPT in 2013 was that people would appreciate paying directly for services they would receive directly. Even today, the website of the Department of the Housing, Planning, Community and Local Government explains LPT as funding vital public services. It is of course a tax on one’s residential property, gauged on the market value of that property.

Councillor D’Alton said everyone appreciates that local authorities no longer have the financial wherewithal to maintain green areas in residential estates. But one can expect the local authority to assist with maintenance of the roads when the condition of their surface deteriorates. They will help to fix or replace the footpaths. They clear drains. Should a tree be in a dangerous condition, they will either make it safe or remove it. Should an additional light be required for public safety, they will try to provide it. If a car is abandoned in an estate, they will initiate the statutory process for it to be cleared.

But the local authority has responsibility for none of these vital public services in an estate that is not taken in charge. In this regard, I am not speaking of unfinished estates colloquially referred to as ghost estates and listed in SI 91 of 2013, the legislation which sets out what residential areas are liable for property tax. I am speaking of the following:-

- estates which may have been designed from the outset as private estates,
- estates which are to all intents and purposes complete but for which, perhaps arising from hassle with a bond or the folding of a builder, the taking in charge process is delayed
- estates within which building is incomplete and where although the unfinished part of that estate may be exempted from LPT, houses which are standing and lived in are and
- estates with temporary wastewater treatment plants which Irish Water cannot decide how to assume responsibility for.

Residents in estates such as these which are not taken in charge have to put aside funds to carry out the essential public services that local authorities would normally undertake in residential estates. So whilst they pay their LPT for these services to be delivered, they then have to pay a contractor directly to actually carry them out.

A double unfairness is that the market value of an estate property can often be affected by a delay in the taking in charge process. In the last few months alone, I have been asked to write, in one case on behalf of a potential purchaser of a property in my estate and in the other case on behalf of a resident moving out from my estate, to indicate that the taking in charge process in my estate is indeed underway. Without this reassurance, the banks were not confident to lend. But my estate has the appearance of being both complete and relatively mature. Residents attempting to buy into or sell out of houses which are part of an unfinished estate do not have even the consolation of an appearance of completion. In many of these estates, road surfaces are not even at their final level. Often residents in these estates, having been exempted from 2012’s household charge, did not realise they were liable for LPT. They are obliged to pay it, knowing they are paying for services that cannot be delivered to them and at a rate calculated on a market value their home cannot realise.

Cllr. D’Alton asked Members for their support that an attempt at greater equity for households across the state would be reflected by a reduction in the rate of LPT charged on residents in private estates or estates not taken in charge.

Cllr. Des O'Grady said Sinn Fein would abolish the LPT but sympathises with the thrust of the motion. Cllr. O'Grady proposes an amendment to the motion that all LPT would be reduced by 35% across the board. Cllr. Mullane seconds the amendment.

During a discussion Members made the following points:-

- People who are living in estates not taken over by the Council, pay not just LPT, they pay car tax etc. they have to pay to fill their own potholes.
- We are all aware of estates not taken over and the Council cannot go into these estates, the estates cannot even be supplied with grit in the winter months. Cork County Council has no responsibility in that regard.
- The spirit of the motion deserves recognition. A review of any legislation is deserved if it is not working on the ground.
- Is there a bond in place? Do a majority of residents want the estate to be taken in charge?

The Mayor Cllr. Seamus McGrath said the motion is general and not specific to one estate. Cllr. D'Alton thinks the amendment is a separate issue and would welcome a discussion on this in due course. Cllr. D'Alton wants what is there at present to be fair.

The Mayor called for a vote on reducing the LPT for estates not taken in charge by 35%.

A vote on the proposed amendment was called first to reduce by 35% to include all households:-

Voting was as follows:

For: Councillors Jeffers, Ml. Murphy, R. McCarthy, O'Grady, K. McCarthy, Twomey, Mullane, Hayes. [8]

Against: Councillors McGrath, D'Alton, Forde, Desmond, Canty, Harris, Lombard, K. Murphy, Coughlan, J. O'Donovan, Conway, P. O'Sullivan, Barry, Rasmussen, N. Collins, A. O'Sullivan, Ml. Hegarty, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, O'Shea, G. Murphy, T. Collins, Patrick G. Murphy, Mary Hegarty, Hurley. [30]

The amendment was defeated.

A vote on the original motion was called.

Voting was as follows:

For: Councillors McGrath, D'Alton, Forde, Desmond, Canty, Harris, Coleman, K. Murphy, J. O'Donovan, Conway, P. O'Sullivan, Barry, N. Collins, Ml. Hegarty, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, O'Shea, G. Murphy, T. Collins, Mary Hegarty, Hurley. [27]

Against: Councillors Jeffers, Ml. Murphy, R. McCarthy, O'Grady, K. McCarthy, Hayes. [6]

Abstain: Councillor G.Coughlan. [1]

The motion stands, it was agreed we send a letter to the Department of Housing, Planning, Community & Local Government.

ACQUISITION OF VACANT SITES

9/12-1

Councillor Noel Collins proposed, seconded by Councillor G. Coughlan, the following notice of motion:-

“That Cork County Council considers the acquisition of vacant sites purchased by developers and speculators, that have been left undeveloped in the wake of the collapse of the property market and make use of the land for the community’s benefit, including sheltered housing for the elderly”.

Members noted report from the Director of Services Maurice Manning, which outlined as follows:-

Cork Co Council continues to examine all options to progress the delivery of its social housing programme and will consider the acquisition of land in areas where a housing demand exists but where no suitable sites are in Council ownership.

In addition to the Council’s own construction programme, land that is zoned for housing but has remained undeveloped is being utilised for social housing, through engagement with the Approved Housing Bodies and through the development of Turnkey Housing Schemes.

The Council has a close working relationship with the Approved Housing Bodies and opportunities for development continue to be sourced and identified.

The Council has placed three advertisements seeking proposals from the private sector for the provision of turnkey Housing Schemes. These schemes will deliver up to 250 units over the next 3 years.

During a discussion Members made the following points:-

- We are behind the curve on this and we acknowledge there is a crisis in housing. It is to the demise of the Country that this wasn’t done while these lands were in public ownership.
- None of those land banks were taken into ownership by the state. We could have been ahead of the crises and these facilities could have been put in place.
- Supports the motion but feels that the prices have gone up and the value is no longer there. Other spectators are now coming in.
- Supports the motion and would like to see more land banks in public ownership and facilities provided by public bodies.

The Chief Executive told Members we have a significant work programme in place for social housing. It is far in excess of the level of funding that is currently provided for, that includes a whole range of different options, sites we have ourselves, sites that we have engaged on with the private sector etc. there is no question of us not being actively involved in the commercial market in trying to acquire sites of this nature. The CE has no issue with the motion being passed because it is part and parcel of our activity, but it is the owners of these sites who really have to engage with us.

Councillor Noel Collins thanks all for the support and said this will give hope to homeless people. He hopes the Minister will take notice.

It was agreed to write to the Minister.

‘ARMS LENGTH’ HOUSING TRUST

10/12-1

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

“That this Council establish an ‘arms-length’ Housing Trust to provide sufficient mixed tenure housing in County Cork to alleviate the present housing crisis and appropriately house all applicants on the Council waiting list”.

Councillor Des O’Grady told Members there can be no doubt that progress in House Construction is painfully slow. “The CIF Estimate County Cork needs 2500 housing units per annum to supply

current need – last year (2015) only 1200 were constructed. This year there will be very little increase, if any, with only 1150 units constructed to end of Oct this year.

2009 was the last year this target of 2500 was met – the County is falling behind by over 1000 every year meaning there is a shortfall of over 9000 units at this point (that’s almost 4 full year’s supply of necessary housing) and there is no sign of improvement.

We in this Council need to find a new way forward. 22,000 homes are to be developed on the 9 Masterplan Sites in the County Metropolitan Area. That’s 60% of the total supply necessary to satisfy housing need in the County in the next 10 years.

Our main concern is for families on the Council waiting list and for affordable housing for low to middle income earners but we also recognise that not enough housing is coming on stream for those who can afford mortgages.

€100s of millions of public money will need to be poured into developing the Council Masterplan sites. This should be for the benefit of the new communities that will settle in them and not for the benefit of developers to make a profit. Cork County Council must take the lead in the planning and the delivery of the housing and infrastructure on these sites. Most of the infrastructure, like railway stations, roads, schools and utilities will be constructed publicly – there is no reason that housing should not be constructed this way also.

We are therefore calling for the establishment of a not for profit arms - length Municipal Housing Trust under Cork County Council that will be able to borrow finance to fund a public housing programme in line with fiscal rules. It will be able to borrow money ‘off the books’, in other words, it will not increase Government borrowing. This Housing Trust will be tasked with overseeing the development of the Masterplan sites.

At a Planning SPC meeting earlier this year a presentation by the Council Planning Policy Unit stated that 6 outstanding issues were holding up development of these Masterplan sites.

They were listed under the heading ‘Big Outstanding Issues’

1. Need for an implementation Team in the Council.
2. Funding Mechanisms.
3. Governance agreements with landowners/developers.
4. Co-ordination with Irish Water.
5. Trigger points for market driven housing.
6. Key Stakeholder Workshop.

An arms- length Housing Trust would deal with all of these issues.

This proposal also has the capacity to appropriately house all the families on the Council Housing Waiting List. In the last 2 and half years I have never heard a proposal from anybody in this Council that would clear the Council Housing Waiting List.”

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

“Arms Length’ Housing Trusts were first developed in the UK where they operate as independent companies, regulated by the Local Authority. While such Trusts are not currently part of the Irish Housing Model, if established, they would operate in a similar manner to Approved Housing Bodies and could borrow money, for the provision of housing, either from the Housing Finance Authority (HFA) or on the private markets.

In examining the concept of ‘arms length’ Housing Trusts, Cork County Council has consulted with another Authority, who considered establishing such a Trust, and the Housing Agency, and would advise Members as follows:

There is currently 26 Approved Housing Bodies (AHB’s) operating in Cork Co. Council’s administrative area; these include 5 large bodies that operate on a national basis. An ‘arms length’ Trust would operate in a manner similar to the AHBs and, if established, would be competing for existing resources, including land, with the Local Authority and the other AHB’s.

To be able to secure funding such a Trust would require collateral on which they could borrow. In the UK, to provide Trusts with collateral, Local Authorities transferred their Housing Stock to them. This

has resulted in these local authorities being entirely removed from the direct provision of housing services.

It should also be noted that the interest rates available to such a Trust/Body may be higher than those at which the Local Authority itself might borrow.

The capacity of a Trust to repay the loans may also be an issue. Income from rents calculated on the basis of the local authority's differential rent scheme would be insufficient to meet the liabilities a Trust would incur.

While there is merit in exploring alternative methods of funding the provision of housing, having considered the above points, the concept of 'arms-length' Housing Trust would not be an option that Cork Co. Council would consider in its current format.

The Council will continue to be innovative in examining the provision of housing through alternative means. It is the lead authority for a Public Private Partnership Project, involving 5 other local authorities that will see over 150 units being constructed on sites in Clonakilty, Macroom & Skibbereen. The Council also continues to work effectively with the Approved Housing Bodies who have delivered over 150 properties since 2015, with the potential for a further 650 to be delivered by the end of 2017."

During a discussion, Members made the following points:-

- Approved Housing Bodies were part of the crisis; they are not doing the work. The biggest crisis we have in the state is housing. We should lead on that, it was to have gone to SPC but it went nowhere. Look forward to seeing it on the next housing SPC agenda.
- Great credit due to Cllr. O'Grady, for introducing this motion. A lot of work has gone into this.
- We have twenty six AHBs in this county. We should take this motion to the housing SPC, tease it out and see whether it is doable.
- We don't want another body just for the sake of having one; we want to see houses on the ground.
- Fully supports the motion if it is workable. Supports that is goes to the housing SPC.

The CE told Members the issues of a housing trust was debated last year. The term is one that is used in the UK in a different manner to that referred by Cllr. O'Grady. It is questionable as to whether a trust to develop private and social housing is an appropriate function for a local authority.

Our primary role in all of that is while we zone land, we are required to bring infrastructure to lands so that the commercial market responds. We have an objective in our development plan to seek adequate funding to deliver infrastructure to ensure housing lands can be brought to the market and the Council has been successful in that sphere. We have sought funding to deliver €105m of infrastructure and there is another application to deliver €66m of infrastructure. This is all to ensure the private sector can get on and deliver private housing for the market. The Council is not in a position to oversee anybody delivering private sector housing and we have a role of delivering social housing and to regulate the development of housing and to ensure we have the conditions to deliver infrastructure. On social housing, we are one of the most progressive in the country. We are looking for funding for a €130m programme but have only €80m towards it. There are significant challenges around what you are proposing and I don't think the local authority should be involved in this role.

Cllr O'Grady (SF): The motion referred to mixed tenure of housing. Doesn't think there is any point in developing a Masterplan site that is social only. We had a planning SPC briefing earlier in the year. They listed 6 outstanding issues they had to overcome. One is the implementation team in the Council. Understands this has now been set up but we need to go further than that. We have seen no evidence that the local authority is borrowing money to build houses. We need to bring in CPOs where developers are sitting on land or find some other mechanism to bring in land for housing.

It was agreed the Motion was not put to the floor and would be referred to the Housing SPC for consideration.

HARMONISATION PERIOD FOR TENANTS IN RENTAL PROPERTIES

11/12-1

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

“That this Council also introduces a five year harmonisation period for tenants in former Town Councils rental properties as was afforded to businesses previously in Cork County Council when commercial rates increased for many former Town Council rate payers”.

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

“Part 5 of the Local Government Reform Act 2014 makes provision for the harmonisation of commercial rates, following the abolition of Town Councils, over a specified adjustment period. In the case of Cork Co Council, Members have agreed that harmonisation of rates will take place over 5 years.

No such legal provision exists in the case of Rents and Members will be aware that the amalgamation of the rent schemes was deferred at the time the Town Councils were abolished in anticipation of the introduction of a National Differential Rent Scheme in 2015. No such scheme has been introduced to date.

To provide for a 5 year period to allow harmonisation/convergence of the former Town Council's Differential Rent Schemes with the countywide Differential Rent Scheme would not be appropriate, fair or equitable. Some of the former Town Council tenants are already paying more on their former Town Council Rent Scheme than they would if moved across to the countywide scheme, while others will pay more under a merged scheme. In addition, differences between the County and former Town Council schemes for different family circumstance scenarios are not uniform. In some scenarios a former town council tenant may pay a higher rent than would be calculated under County Council Scheme but in the same town a different scenario could result in the opposite being the case.

The rate calculation is a universal calculation that is based on both the specific valuation of a premises and the rate struck whereas rent is calculated on multiple factors such as the principle earner income, number of non-earning occupiers, and number of and income of subsidiary earners. These factors are unique to each family unit and are greater determinants of the rental charge than any variation in the scheme may be. The anomalous situation of different rents being charged for similar properties metres apart separated by a boundary that no longer exists is unfair on all Council tenants; it is inequitable and must be addressed.

It is the Council's intention to undertake a review of circumstances (income, number of dependents etc) of all County Council and former Town Council tenants during 2017 and to implement the effect of this review in a single countywide differential rent scheme.”

During a discussion Members made the following points:-

- All rents should be decreased to the level of the lowest paid at the moment.
- There has been no rent review since 2012. Some Town Council areas are below and some are above the County Council rent scheme.
- Before we introduce rent harmonisation we need to make sure it is fair and family friendly.
- We have reduced rates for family run businesses over a five year period.
- All houses should be retrofitted and brought up to standard.
- We came up with a figure of €750k. How was that calculated?

The CE told Members we adopted a budget on the basis that we would review our differential rent scheme. We are currently working on this. We have to bring a scheme like this proposed to the SPC

before we would adopt it. Some Town Council areas are paying higher rents for similar houses in a County Council area. We will be bringing a harmonisation procedure to full Council as a proposal. We want it to be fair and equitable for everyone. We shouldn't take a decision and certainly wouldn't like if a decision of Council were taken before we could even propose it. This motion precedes the proposed scheme. Harmonisation will be undertaken this year and in a move towards a rent differential scheme, we're satisfied because we know the rent profile and we will achieve this.

It was decided that the issue of harmonisation will be referred to the Housing SPC when the Housing Rent Review comes before SPC for discussion.

SETTLING INTERNATIONAL FAMILIES

12/11-1

Councillor Deirdre Forde has withdrawn the following notice of motion from this forum at this time.

“That the council clarify for the members their current policy on settling international families and what facilities are in place to facilitate transient Families throughout the county”

ST. STEPHENS HOSPITAL

13/12-1

In the absence of Councillor Ger Keohane, the following notice of motion was deferred to the next Council Meeting:-

“That this Council write to the HSE and to the Minister for Health to invest money into the St Stephens Hospital, Sarsfield Court, Glanmire. This Hospital site sits on a 117 acre site, the main hospital building is underutilised, many separate buildings scattered throughout this site are derelict. This hospital is used to treat mental health patients, children with learning difficulties and a teenage fostering unit. With proper investment and planning this site could cater for an A&E department, a 24/7 suicide prevention unit, a homeless shelter, minor surgery etc”.

BUS EIREANN MONTHLY SERVICE REPORTS

14/12-1

Councillor Michael Murphy proposed, seconded by Councillor E. Jeffers, the following notice of motion:-

“That this Council would contact Bus Éireann looking for them to supply monthly service level reports on the bus service in Cork City and County (if buses arrive on time and if any buses were cancelled or if buses broke down. That this information would be available to the public so that the public can check the information, comment or log a complaint if they wish to do so”.

Councillor Michael Murphy told Members it is vital that commuters know the times that the buses are running and if there is a delay, the public have a right to know.

Members made the following points:-

- We have to get the best system in place. Bus Éireann reporting back to the Local Authority is an advance.
- Have noticed that the bus drivers work very hard for the public, have seen when the traffic is busy and the buses are late, they get dreadful abuse through no fault of the drivers. This system should help.

- Buses don't always stop at the bus stops. We have no LED displays in our constituency so we have no knowledge whether buses are coming or not. People can be waiting for hours.
- It should be feasible to put in LED displays at all bus stops throughout the entire country. Most of our towns and villages have broadband.
- There should be full consultation with the public before any routes are changed.
- There is no rail service to substitute for the bus service and on many of these routes they are proposing changes.
- There are a lot of people using the buses but when the buses arrive they are often full.
- There are many people in rural Ireland who have no connection and the bus is their only way of connection.
- Bus Éireann should know that if it is a regular occurrence that buses don't stop because they are full, a second bus would be put on.
- We should write to Bus Éireann and that if there is any review of the routes, there would be consultation.

It was agreed to write to Bus Éireann.

FIGURES FOR THE NUMBER OF COMPLAINTS FOR DAMAGE TO VEHICLES

15/12-1

Councillor Cathal Rasmussen proposed, seconded by Councillor K. Murphy, the following notice of motion:-

“That this council produce the figures for the number of complaints from the public for the whole county about damage to their vehicles due to issues with roads and also the cost of these settlements. Also that a breakdown be given for each area in the county by municipal district and if available for each town in each district.”

Members noted report from the Senior Executive Officer in Finance, which outlined as follows:-

The Insurance Section is unable to provide a breakdown by town boundary for each town in each district but has reviewed the records and I set out below the data broken down by Municipal District.

SUMMARY BY MUNICIPAL DISTRICT – DAMAGE TO VEHICLES		
MUNICIPAL DISTRICT	NO OF CLAIMS PAID 2015 & 2016	VALUE OF CLAIMS PAID €
Bandon / Kinsale	29	5,650
Ballincollig / Carrigaline	42	10,021
Fermoy	23	8,698
Cobh	47	10,966
Blarney / Macroom	26	4,599
Kanturk / Mallow	25	4,253
East Cork	32	11,772
West Cork	26	3,723
Not specific	20	4,158
Total	270	63,840

The Insurance Section received an overall number of 507 contacts / complaints regarding the condition of roads for 2015 and 2016 (to end of November).

Councillor Cathal Rasmussen said it is sad that Cobh is standing out as being the highest in the whole area. It confirms the fears that we have. It is lucky that the weather has been good up to now and the rainfall is low. What are the criteria for people putting claims in? Apparently it is only when work has been done by the Council. What can be done?

Members made the following points:-

- Who pays the claims? It is our insurance company or Council funds?
- Why does it take so long for potholes to be filled? We either speed up the process or employ contractors to do it.
- Shocked to see Cobh is the highest in the list of claims, had two phone calls last night about a road in the Cobh area that is very bad.
- Would be interested to know how many claims were put in, not just those which were paid. How are these claims paid?
- Appreciates that because of staff embargo the Council doesn't have the staff to do what it wants to do, we were told when the recruitment embargo was brought in that private contractors would be used. We have to do that now. When the area engineer had staff if you complained about a pothole it would be filled in a day or two after. Now it is totally different.
- East Cork is pittance relative to the complaints I have got over the past twelve months.
- How do you know if the complaint is genuine or not. Staffing is certainly an issue.
- Some areas are waiting four and five weeks for potholes to be filled in. We are paying people who damage their cars; we should be putting the money into fixing the roads.
- Service companies opening the road have a fierce responsibility in putting the road back to the standard it should be at. We in local authorities pick up the slack for that sometimes.
- Figures for claims in East Cork are very high. Adverse weather had an impact on the roads. What are the criteria for making a claim? The report says that 507 complaints and 270 were paid out. We need more outdoor staff.
- We should be looking at repeat offenders. There are certain areas where potholes keep reappearing. We should focus on those. There are certain potholes that people know where they are and swing to avoid them. Concerned about impact on life.

The CE told Members the number of claims is highest in the areas with the highest concentration of traffic. Not straightforward to say that areas with the highest numbers of claims have the worst roads. We don't have any criteria for making claims but we do for the assessment of claims. We need evidence of the damage, of the nature of the road, of the damage caused, etc. only 53% of claims are paid. We've done two breakfast briefings in South Cork and another in West Cork. In 2008, Cork County Council was contributing €17m to roads and in 2016 we were contributing 85% of our own funding and getting only 46% from the Department.

Cork County Council has upheld a significant amount of its own funding but what we are getting from the Department has reduced significantly.

The recommended best practice for road strengthening and surface dressing is that you do them once in twenty years. Our funding for road strengthening allows us to do it once in fifty five years and for surface dressing, once in thirty nine years. We don't have the level of funding that we would like to have going into roads. We would like to see in government capital plans that there is more emphasis on the local road network. They are seriously challenged.

Cllr. Rasmussen thanked the SEO of finance for the response. There are potholes there and I know we can't get around to all the problems. Funding is an issue but if we are repairing something it should be done properly once.

HELP FOR IRISH GRAIN GROWERS

16/12-1

Councillor K. Murphy proposed, seconded by Councillor A. Coleman, the following notice of motion:-

“That Cork County Council would support the motion that a letter be sent to the Government asking that a financial package be agreed by the E.U. and the Government to help Irish Grain growers (particularly in the South West) in light of the horrific financial losses in Harvest 2016”

Councillor Kevin Murphy told Members there were severe grain losses in the South and the West and is asking that the EU would contribute to farmers' losses. This is the fourth year they have had a significant loss.

Following a discussion Members made the following points:-

- Grain farmers are going through a long trough of poor income. To have had the hit that the grain growers had in the South and the West this year because of weather both during sowing time and especially during harvest was very difficult for them.
- Tillage growers will pull through the difficulties but right now they need targeted support.
- We are asking that the Department of Agriculture would identify those involved and get funding from Europe to help them.
- A precedent was set with potato farmers in 2009. Doesn't see any reason why the same recognition should not be given now to cereal growers. They should be supported.
- There are many farmers that had a total loss. Grain growing can be very expensive. This year's prices were depressed. The moisture in some areas was exceptionally high. In other areas there was little or no grain whatsoever. There is a precedent with potatoes and with dairy farmers.
- There was a lot of devastation that took place in East Cork from Roches Point to Youghal. Salt spray, salt burning. The harvesting conditions were exceptionally difficult; there was a constant fog all along the coastline.
- This motion should be taken to Brussels to get support for the farmers.

It was agreed to write to the Minister for Agriculture and the E.U. Commissioner.

VOTES OF CONGRATULATIONS

TO: Nollaig O'Neill on winning the Lanzarote International Marathon.

TO: Cathal Butler Kinsale Golf Club on becoming Munster Senior golfer of the year.

TO: John Murphy, Kinsale Golf Club on becoming Munster Junior golfer of the year.

TO: Cork Airport on the news that Norwegian Airlines will fly from Cork to the US.

TO: Kinsale GAA Ladies Football Team on competing in the All Ireland Junior A Football Final.

TO: Michael Finn on his recent appointment to Assistant Garda Commissioner.

TO: Con Cadogan on his recent appointment to Chief Superintendent.

TO: Beara under 16 Footballers on winning the County Football Final.

TO: Eddie Nodwell on his retirement from Cork County Council. `

TO: Conor Nelligan and the team on being awarded the best Commemorative 1916 Award.

ANY OTHER BUSINESS

Flood Relief Scheme.

Presentation at 3.pm in City Hall.

Retained Fire Fighter Application Form.

Cllr. Paul Hayes said the deadline for applications for fire fighters is 4.00pm today, he understands there has been an issue with online access. Could we have an extension of time?

The CE said he will investigate this with Personnel.

LCDC Funding

Cllr. K. Murphy would like to know when the launch of LCDC / Leader funding, is there a formal launch. Cllr. R. McCarthy said there is a specific website for Leader and we should be pointing people towards it.

The Mayor will consider a formal launch.

Opening of Tenders

The following tenders were opened at the Meeting:-

- Letting of Land No. 14.

This concluded the business of the Meeting