



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 22nd February, 2016.

I LATHAIR

Comhairleoir J. P. Ó Sé, Méara Chontae

Comhairleoiri Mac Craith, Daltúin, Ní Fhúarthain, Ó Cainte, S. Ó Coileán, M. Ó Murchú, Ó Colmáin, C. Ó Murchú, S. Ó Donnabháin, Críod, Ó Gráda, Ó Luasaigh, Ó Riain, Ó Conbhuí, P. Ó Suilleabháin, Sheppard, De Barra, Uí Chuileannáin, Rasmussen, N. Ó Coileán, A. Ó Suilleabháin, Ó hEigearthaigh, S. Mhic Cárthaigh, Léanacháin-Foghlú, C. Ó Caoimh, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, B. Ó Muimhneacháin, Uí Mhaoláin, T. Ó Coileán, Ó Cearúill, Ó Donnabháin, C. Ó Suilleabháin, Uí hEigearthaigh, Ó hUrthuile.

PRESENT

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

Councillors McGrath, D'Alton, Forde, Canty, J. Collins, M. Murphy, Coleman, K. Murphy, J. O'Donovan, Creed, O'Grady, Lucey, Ryan, Conway, P. O'Sullivan, Sheppard, Barry, Cullinane, Rasmussen, N. Collins, A. O'Sullivan, Ml. Hegarty, S. McCarthy, Linehan-Foley, O'Keeffe, O'Flynn, Doyle, Dawson, B. Moynihan, Mullane, T. Collins, Carroll, N. O'Donovan, C. O'Sullivan, Hegarty, Hurley.

Chief Executive, Senior Executive Officer, Mr. L. Duffy, Director of Service

CONFIRMATION OF MINUTES

1/2-2

Cllr. N. Collins requested that Item 4 in the Minutes of 8th February, 2016 would be amended to state that he complimented the work of the Gardai and not the Joint Policing Committee.

Proposed by Councillor F. O'Flynn

Seconded by Councillor T. Collins

RESOLVED:

“That the minutes of meeting of the Council held on 8th February, 2016, be confirmed and signed by the Mayor.”

VOTES OF SYMPATHY

2/2-2

TO: The family of the late Michael Ramsell, former employee, Midleton Area.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

DISPOSAL OF FREEHOLD INTEREST AT RATHNAROUGHY, INNISHANNON, CO. CORK

3(a)/2-2

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 1st February, 2016.

**LAND HELD UNDER
LEASEHOLD INTEREST:**

Rathnaroughy, Innishannon, Co.Cork

FREEHOLD INTEREST:

Folio No. 11434L
Folio No. CK28429

FROM WHOM ACQUIRED:

Unknown

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

Sean & Joan Lynch

CONSIDERATION:

€ 350.00 inclusive of administration charges

**COVENANTS, CONDITIONS
AND AGREEMENTS:**

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

**AMENDMENT TO DISPOSAL OF PROPERTY AT RAILWAY QUAY, PASSAGE WEST,
CO. CORK**

3(b)/2-2

The Amendment to Disposal of Property at Railway Quay, Passage West, by the substitution of “Passage West Rowing Club Limited” in lieu of “Passage West Rowing Club”, being the persons to whom said property is to be disposed, was noted by Members.

In response to Cllr. M. Murphy, the Senior Executive Engineer advised that the Passage West Rowing Club informed the Council that they were changing to a Limited company and that he would revert with details of who passed on this information.

Local Government Act, 2001 as amended by the Local Government Reform Act, 2014 & the Local Government (Audit Committee) Regulations 2014:

AUDIT COMMITTEE WORK PROGRAMME 2016

4/2-2

Proposed by Councillor D. Hurley

Seconded by Councillor C. Cullinane

RESOLVED:

“In accordance with Section 9 of the Local Government (Audit Committee) Regulations the Annual Work Programme for 2016 for the Audit Committee is hereby adopted by Cork County Council.”

Section 26 of the Fire Services Act, 1981 & 2003:

FIRE & EMERGENCY OPERATIONS PLAN

5/2-2

Members noted report from the Chief Executive, which outlined as follows:-

Cork County Council, as a Fire Authority, is statutorily obliged under Section 26 of the Fire Services Act to have a Fire & Emergency Operations Plan in place. Adoption of the plan is a reserved function.

The areas of Fire Service activity addressed in the Plan are as the attached Appendix.

In February 2013, the National Directorate for Fire & Emergency Management published the national policy document “Keeping Communities Safe” (KCS). This provides the overall policy for future development of the Fire & Emergency Service and it is expected that all items identified in the national policy document, KCS will be addressed by Fire Authorities in their revised Fire & Emergency Operations Plan.

On the 17th December 2015, Unions and Management signed an agreement relating to the implementation of change initiatives in Local Authority Fire Services. This provides for oversight and consultation processes that might be required as part of the implementation programme.

This Agreement between Unions and Management provides for the arrangements for national oversight, consultation and implementation of change. The Agreement, however, expressly reserves the determination of national policy for Fire and Emergency Services to National Government and compliance with relevant statutory obligations, including in particular the adoption of a Fire and Emergency Operations Plan under Section 26 of the Fire Services Acts 1981 and 2003 to Fire Authorities.

Whilst adoption of the Fire & Emergency Operations plan is necessary to fulfil our statutory obligation, its adoption will not in any way impact on the arrangements in place for national oversight, consultation and implementation as agreed with the Unions.

Accordingly, I recommend that Council resolves to adopt the Fire and Emergency Operational Plan as statutorily required.

Cllr. M. Mullane said she is seeking a deferral on this proposal as the trade unions are not in agreement and the action proposed would be deemed a breach of National Agreement. This was seconded by Cllr. D. O’Grady.

The Chief Executive said that it is a statutory function to adopt the Fire & Emergency Operations Plan, a plan which will be in place for 5 years and reflects national policy on “Keeping Communities Safe”. He said that there have been discussions with the Unions and Fire Services Representatives at local level and no issues have arisen. He said that the Fire & Emergency Operations Plan meets all statutory levels and goes beyond what is required and provides for the retention of current staffing levels. He said the Plan sets out where the Council are responding within 6 minutes and arrangements will be reviewed to ensure national standards are met.

Members made the following points:-

- The safety of the Fire Services staff is paramount and they are very uneasy with Section 26 of the Plan;
- The unions are against implementation of the Plan and its adoption should be deferred;
- If it is deferred now it will get caught up in the national issues, happy to proceed;
- There may be a different perspective at national level, we should proceed as it was agreed locally;

The Chief Executive said he wanted to put it on record that he is responsible for the delivery of a safe method of work for all staff and every procedure is in place to protect all staff in the Council. He said it is not correct to say that Unions are not in agreement and the plans have discussed at length with Unions.

The Mayor called for a vote to be taken on the adoption of the Fire & Emergency Operations Plan which resulted as follows:-

FOR: Councillors McGrath, Forde, Cauty, J. A. Collins, K. Murphy, J. O’Donovan, Creed, Lucey, Ryan, P. O’Sullivan, Sheppard, Barry, Cullinane, N. Collins, A. O’Sullivan, Ml. Hegarty, S. McCarthy, Linehan-Foley, O’Flynn, Doyle, Dawson, O’Shea, T. Collins, Carroll, N. O’Donovan, M. Hegarty, Hurley

[27]

AGAINST: Councillors M. Murphy, O’Grady, Mullane

[3]

The Mayor declared the proposal carried.

REPORTS & RECOMMENDATIONS OF OFFICERS

QUARTERLY REPORT OF CHIEF EXECUTIVE ON ECONOMIC DEVELOPMENT

6/2-2

The Quarterly Report of the Chief Executive on Economic Development was circulated to Members. Mr. Louis Duffy presented the report to Members and explained the different programmes under the following headings:

- Strategic Planning for Economic Development and Job Creation.

- Economic Development Fund.
- Partnerships with Local and Regional Stakeholders.
- Joint Initiatives with Cork City Council and Cork Chamber.
- Tourism Project and Event Funding.
- Local Enterprise Offices.
- Economic Development Infrastructure.
- Tourism Infrastructure.
- Strategic Marketing and Tourism – Trip to China, November 2015.

Members thanked the Mr. Duffy for his comprehensive report and the following points were raised:

- Work done by the Tourism SPC is now coming to fruition;
- Huge potential in the County for a Whale Trail;
- Commend work of L. Duffy, R. Carroll and all their team;
- No decrease in unemployment in West Cork;
- Companies are left short of apprentices need more training in this;
- Significant amount of money has been invested in West Cork Tourism;
- Welcome the trip to China and its outcome;
- Great to see the Council involved in so many projects;
- Queried a business support grant scheme;
- €1m fund every year is welcome;
- Need investment for Rural Economic Development Zones;
- No Programme Manager for South West Action Plan for Jobs;
- Numbers in hot desking are low in some areas;
- Slow progress with the Science & Innovation Park;
- Queried what type of jobs are available in the LEOs and are they compliant with fair employment;
- Tourism is the main product for Cobh but voluntary work needs to be turned into real jobs;
- What is being invested and what is the Council getting in return;
- Has UCC made a planning application for the Science Park;
- Requested update on Festive for Mitchelstown and Mallow;
- The Council should not undersell itself and be positive;
- Disappointed that Kinsale town is not at the forefront of business;

Mr. L. Duffy, Director of Service, thanked Members for their comments and said that the 8.6% unemployment rate is for the whole South West Region and the quality of jobs and skills are set out in the report. The challenge is the need for well paid jobs in the County and the Council is providing training for the types of jobs that will come up in the next few years including apprentices.

The Director of Service said that the Council is looking at a network of offices to see if there is a need for office space. The Council is also bringing in novel tourism products to ensure Cork is unique. He also advised that planning permission has been granted for UCC at the Cork Science Park and this will go ahead. He said he would revert on the proposal to allocate a Liaison Officer to Municipal Districts.

NOTICES OF MOTION

It was agreed to take Items 7 & 9 together

GRANTS AVAILABLE TO COUNCIL FOR SOCIAL HOUSING

7/2-2

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

“To provide a written report on any financial amounts that were available to this Council through Government Grants for Social Housing (inclusive of new builds, acquisitions and repairs), that were not drawn down in the years 2013, 2014 and 2015.”

DRAWING DOWN OF FUNDING FOR HOUSING

9/2-2

Councillor F. O’Flynn proposed, seconded by Councillor J. Carroll, the following notice of motion:-

“That Cork County Council outline what applications were sent to the Department of the Environment (DOE) in relation to drawing down funds from the €80 million which was allocated to Cork Co Co for social housing and the progress to date on same i.e. The numbers of houses purchased for social housing, the numbers of vacant houses (voids) repaired and the numbers of social houses built.”

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

Year	Total Allocation	Total Drawdown
2013	€8,758,018	€8,799,088
2014	€7,474,715	€10,678,163

As can be seen from the figures in the above table, in respect of 2013 and 2014, the total amount drawn down by Cork County Council from the DECLG via Grants for Social Housing exceeded the initially allocated amounts in each respective year.

The funding mechanism changed for 2015, in order to make provision for the Social Housing Strategy 2015-2020, and a multi-annual allocation of €80.6m was allocated to Cork County Council over a 3 year period to cover 2015-2017 inclusive. In 2015 Cork County Council's Housing Department drew down €20.938m, from the €80.6m allocation for Social Housing Provision. We have a comprehensive programme in place for the three year period, and are confident that a full draw down will be made.

Members made the following points:-

- No houses are being built in the County, housing crisis is continuing;
- Remove cap on upper limit of repairs of €30,000;
- How many houses are coming on stream?
- The Council is failing the people of Cork;

The Chief Executive said he welcomed the recognition from Members that the Council has over performed and that the local authority was lying dormant for years without funding and to get to construction stage takes time. €34.5m drawdown for 2016 is doing well.

The Chief Executive queried if Members were being critical of him and his Housing Team on the Housing Strategy performance, at a time when the Council has over delivered. He said Members receive regular reports at Divisional level on housing activity.

Members commented further as follows:-

- Supportive of Management but what is being heard is the Council is not spending the allocation given;
- Social housing is in a crisis which is worsening by the day;
- It is very difficult to restart a building programme and the Council has over performed;
- How much of the €20.93m relates to HAP;
- More acquisition and building is needed;
- Will the Council be allowed recruit the relevant staff to commence a building programme;
- Thought that all voids were being brought up to date;

The Chief Executive said that HAP is a particular challenge with a large number delivered in 2015. He said that there will always be voids that will require works and this is a natural occurring. He said that there is no issue with staffing and there is approval to increase staffing numbers during the construction programme process and there is also a framework to take on design consultants as required. He said that the Council has delivered over and above with a drawdown of 25% and it is only natural that the whole process takes time.

Members made the following points:-

- Government put their faith in private rented sector and with no provision for social housing for years and the allocation now to catch up is pittance;
- A change of philosophy is needed otherwise Cork will stagnate economically with nowhere for people to live;
- 274 houses built in the whole country in 2015;
- 21acre site in Fermoy should be looked at for the provision of housing.

HEALTH CHECK OF TOWNS AND VILLAGES

8/2-2

Councillor M. D’Alton proposed, seconded by Councillor C. O’Sullivan, the following notice of motion:-

“That Cork County Council would undertake a health check of the vitality and viability of town centres in all main towns in County Cork. Such regular health checks are a recommendation of the Retail Planning Guidelines (2012). That the results of and recommendations arising from the health checks would be incorporated into the revised Local Area Plans.”

Members noted report from the Senior Planner which outlined as follows:-

The ‘health-check’ methodology is an important recommendation to planning authorities arising from ministerial guidelines. A study of the main towns of the County using this methodology was undertaken in 2012 and the results were reported to Elected Members of the Council at its Development Committee. There are two volumes to the study and they are available on the County Council’s web site as background documents to the County Development Plan 2014. This work will

form part of the background information used to inform the preparation of the Draft Municipal District Local Area Plans and will be updated, where necessary as part of that process.”

Members made the following points:-

- Town centres are dying and the quality of services determine their success;
- Works going on in towns effect businesses;
- What plans are there for vacant premises in towns;
- Abolishing of Town Councils has effected towns;
- Villages also play an important role in development;
- Rate base should be reduced to entice businesses to stay in the town;
- Local people should be involved in the health check of towns;

The Chief Executive said that a significant amount of work has already been done on towns and these studies are available on the Council’s website and they can be utilised for discussion purposes when reviewing the LAPs. The headings covered in these surveys include core retail area, predominant uses etc.

CORRESPONDENCE FROM OTHER BODIES

FEES FOR ELECTRIC VEHICLES

11/2-2

Members noted letter dated 11th January, 2016, from the ESB, in response to Council’s letter of 16th December, 2015, regarding the introduction of fees for electric vehicles.

It was agreed to refer the matter back to the ESB asking them to address the proposal regarding a 10 year period during which no such charges would be introduced.

BANDON WATER MAIN AND SEWER NETWORK

12/2-2

Members noted letter dated 11th January, 2016, from Irish Water, regarding the Bandon Water Main and Sewer Network Project Update.

FUNDING FOR POLICING IN THE CORK AREA

13/2-2

Members noted letter dated 11th February, 2016, from An Garda Siochana, in response to Council’s motion of 14th December, 2015, regarding funding for policing to in the Cork Area.

VOTES OF CONGRATULATIONS

14/2-2

TO: Shanballymore GAA on their success in Junior A and Junior B Hurling Championships.

Water outage in Ballyhooley

Cllr. F. O'Flynn referred to incidents of water outage in Ballyhooley and that a new pipeline is needed for the area.

Draft Cemetery Byelaws

Cllr. J. Carroll said that he would be opposing the certain conditions of the Council's Draft Cemetery Byelaws, such as no permission for Celtic Crosses and only three people per grave and that family are no allowed dig graves. He said the byelaws are unacceptable.

Causeway at Spike Island

Cllr. K. O'Keefe said that the proposal to build a causeway from Haubowline to Spike Island is of concern to people. The Mayor advised that the matter should be considered as a notice of motion or brought to the Tourism SPC.

Live Export Trade

Cllr. K. O'Keefe said that the conditions for Live Export Trade have changed to include a residency clause which is extreme and should be reversed.

It was agreed to write to the Department of Agriculture.

This concluded the business of the Meeting