



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 26th September, 2016.

I LATHAIR

Comhairleoir S. MacCraith, Méara Chontae

Comhairleoiri Mac Seafráida, Daltúin, Ní Fhúarthain, D.Ó Donnabhain, Ní Dheasmhumhnaigh, S. Ó Coileán, M. Ó Murchú, Ó hEarchaí, R. Mhic Cárthaigh, Ó Colmáin, C. Ó Murchú, Coughlan, S. Ó Donnabháin, G. Ní Mhuimhneacháin, Críod, Ó Gráda, Ó Luasaigh, Ó Riain, Ó Conbhuí, P. Ó Suilleabháin, C. MacCárthaigh, Ó Ceocháin, Sheppard, De Barra, Uí Chuileannáin, Rasmussen, N. Ó Coileán, A. Ó Suilleabháin, Uí Thuama, Ó hEigearthaigh, S. Mhic Cárthaigh, Léanacháin-Foghlú, N. MacCárthaigh, Ní Bhrian, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, J. Uí Mhurchú, J. P. Ó Sé, G. Ó Murchú, B. Ó Muimhneacháin, Uí Mhaoláin, T. Ó Coileán, D. Ó Coileán Ó Cearúill, 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, J. Collins, M. Murphy, Harris, R. McCarthy, Coleman, K. Murphy, Coughlan, J. O'Donovan, G. Moynihan, Creed, O'Grady, Lucey, Ryan, Conway, P.O'Sullivan, K. McCarthy, Keohane, Sheppard, Barry, Cullinane, Rasmussen, N. Collins, A. O'Sullivan, Twomey, Ml. Hegarty, S. McCarthy, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, J. P. Ó Sé, G. Murphy, B. Moynihan, Mullane, T. Collins, D. Collins, Carroll, C. O'Sullivan, P. G. Murphy, Hegarty, Hayes, Hurley.

S/Chief Executive, Senior Executive Officer.

CONFIRMATION OF MINUTES

1/9-2

Proposed by Councillor G. Murphy

Seconded by Councillor T. Collins

RESOLVED:

“That the minutes of meeting of the Council held on 12th September, 2016, be confirmed and signed by the Mayor.”

VOTES OF SYMPATHY

2/9-2

TO: The wife and family of the late Derek Walsh former staff Member Environment Department.

TO: The wife and family of the late Alan O'Sullivan, Chairman Brian Dillons H& F Club.

TO: The wife and family of the late Peter Dennehy, Leap, Co. Cork.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposals.

DISPOSAL OF BALLINACUBBY, KINSALE, 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 8th June, 2016.

Situation:

**Ballinacubby,
Kinsale,
Co. Cork**

Area:

**0.0231 hectares (0.057 acres)
Part of Folio CK 71874F**

From Whom Acquired:

**Property registered to Cork County Council
since 1996**

To Whom It Is Proposed

To Dispose:

**Kieran Gaule,
Burke Street,
Fethard,
Co. Tipperary.**

Consideration:

€9,500.

DISPOSAL OF 6 EDEL GROVE, CASTLEMAGNER, 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 5th September, 2016.

Property: 6 Edel Grove, Castlemagner, Co. Cork.

From Whom Acquired: Re-possessed Council Housing stock.

**To Whom It Is Proposed
To Dispose:** Mr. John Deady

Consideration: €111,000.00.

DISPOSAL OF LAND ADJOINING NO. 34 RIVERDALE EST, SKIBBEREEN, 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 6th September, 2016.

Situation: Land adjoining No. 34 Riverdale Estate, Skibbereen.

Area: 0.02 hectares

From Whom Acquired: Skibbereen Town Council.

**To Whom It Is Proposed
To Dispose:** Mr Michael Hegarty, 34 Riverdale Estate,
Skibbereen.

Consideration: €2,750 including Council's legal costs.

**DISPOSAL GRANT OF WAYLEAVE THROUGH CAR PARK AT MARDYKE STREET,
SKIBBEREEN, CO.CORK**
3(d)/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 6th September, 2016.

Situation: Wayleave through Car Park at Mardyke Street,
Skibbereen.

Area: 53m x 6m wide

From Whom Acquired: Unknown.

**To Whom It Is Proposed
To Dispose:**

Aldi Stores (Ireland) Ltd. by means of wayleave.

Consideration:

€1 plus Council's costs.

DISPOSAL OF LAND AT WESTERN ROAD, CLONAKILTY, CO.CORK.

3(e)/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 6th September, 2016.

Situation:

Disposal of land at Western Road, Clonakilty, Co. Cork.

Area:

c.0.0248 hectares/c. 0.061 acres (Area B shaded green on map.

From whom Acquired:

Historical Council land

**To Whom It Is Proposed
To Dispose:**

Dan & Judy Calnan.

Consideration:

€1.00.

FILLING OF VACANCY ON THE AILG

4/9-2

Proposed by Councillor Kevin Murphy

Seconded by Councillor Michael Hegarty

RESOLVED:

“That Cllr. Sinead Sheppard be hereby nominated to the AILG as a permanent delegate.

**FILLING OF VACANCY TO THE GOVERNING AUTHORITY OF UNIVERSITY
COLLEGE CORK.**

5/9-2

Proposed by Councillor Frank O’Flynn

Seconded by Councillor Bob Ryan

RESOLVED:

“That Cllr. Bernard Moynihan be hereby appointed as member to the Governing Authority of University College Cork.

NOMINATION TO THE BOARD OF DIRECTORS FOR MITCHELSTOWN COMMUNITY FORUM.

6/9-2

Proposed by Councillor Frank O’Flynn

Seconded by Councillor Bob Ryan

RESOLVED:

“That Cllr. Deirdre O’Brien be hereby nominated as a member to the Board of Directors for Mitchelstown Community Forum.”

FINANCIAL BUSINESS

7/9-2

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.

Ms. Loraine Lynch Head of Finance briefed the Members of the effect of variations in the LPT rate. There are significant implications surrounding a 15%, 10%, 5% reduction and there are opportunities for improved services at a 0% reduction. A report was circulated earlier in the week detailing the items that had to be considered by the Members in taking the decision whether or not to vary the LPT. Members have to consider income and expenditure, financial position of the local authority, financial effect of variation and the outcome of public consultation process. The rate variation applies for one year. Ms. Lynch told Members the Government has indicated that the same funding model will continue for 2017 and a variation by 5% will impact discretionary income by €2m. We need to reduce reliance on using reserves but we have to balance that against delivery of services. The Head of Finance told Members Cork County Council didn’t receive any submissions on the public advert placed on variation in the rate of LPT consultation.

The Deputy Chief Executive reminded Members that we are not determining the budget today, it is still work in progress and the decision the Members make today will impact on this in due course. An adjustment to the LPT amounting to €2m might not seem significant but the real comparison should be made against the discretionary spend once all the commitments we have are taken into account. We have experienced years of budgetary restrictions. These restrictions have brought efficiencies which are welcome but service levels have been impacted and the Council has been forced to adopt a budget deficit. It is possible to ride these storms on a temporary basis but not permanently for example road resurfacing would suffer over the long term. The LPT variation is applied on the gross amount so it is a very significant reduction. The report that was circulated shows that the impact on householders individually is very small. A 5% reduction reduces the annual household bill by €16 for a house of the value of that of 79% of all houses in the county. The Deputy Chief Executive asked Members not to make any change in the LPT rate, even if a zero change is made we are still likely to be presenting a deficit budget in a few weeks’ time.

Members thanked the Deputy Chief Executive and the Head of Finance for the briefing and the party leaders commented as follows:

- Councillor Kevin Murphy said Fine Gael intends to vote for a zero variation – stick with the base rate. This was seconded by Councillor Michael Hegarty.
- The savings from any kind of LPT reduction to the householder are minimal.
- Any money that we benefit from will be seen in what we give back to citizens.

- The deficit budget we have been experiencing over the past few years will impact on services; we are also being impacted by the global revaluations. We were compensated for these last year but are bearing the full brunt of the € 1.3m loss this year.
- Those who have high valuations on their properties will benefit more from LPT reduction than those who have lower value properties and can less afford it.
- If we don't pass back the maximum amount to the Council, we are doing our constituents a disservice.
- Councillor Frank O'Flynn said Fianna Fáil is seeking a 5% reduction in the LPT this year. This was seconded by Councillor Bob Ryan.
- With the equalisation fund of 20% Cork County is losing out. There is €8.1m taken off what is collected in the county through LPT. There is a big drop this year from €2.9m to €8.4m going towards the pension fund.
- We can only provide the services if we have the finances.
- It is the Government responsibility to provide this funding. This government has cut budgets to local authorities over the past number of years and the only source of income we have is the LPT, Commercial Rates, and Rents.
- There are hard pressed householders who shouldn't see any increase in their property tax bills.
- Councillor Des O'Grady said Sinn Fein is calling for a 15% reduction in LPT for 2017 this was seconded by Councillor Melissa Mullane.
- The LPT is an unjust and regressive tax and it takes no account of income while it taxes family homes.
- It is not a local tax as it is collected by Revenue and placed into central government funds to be cut before being distributed to Local Authorities.
- Would like to abolish LPT and replace it by a tax on high earners. In the meantime we will attempt to cut it by 15% at every opportunity and are proposing to put €6m into the local economy.
- Families were misinformed about the LPT from the beginning as no extra services have been provided by the revenue from the LPT. They are struggling to pay and not seeing any real benefit.
- The fund was taken to pay Irish Water for the first year and the Local Government Fund to LA's was cut as were Capital Grants thus less income for LA's
- Cllr. Rasmussen (Labour) said we are trying to find a balance between services and household budgets.
- We are under a certain amount of pressure from both sides; whilst it is important to give back something to the people €16 per year is very small. The Labour party would like to see a cut of some small percentage.
- Cllr. Hurley said the Independents have debated and discussed the LPT in detail and have reached a conclusion but will wait until the debate takes place to state their position.
- Cllr. Kieran McCarthy agreed with the Sinn Fein position.

The Mayor said Members would now vote on the variations on Property Tax, Sinn Fein wanted to debate and let more Members have their say. A vote was taken on whether to proceed to a vote on the variations in LPT rate; this was proposed by Cllr. Timmy Collins and seconded by Cllr. Declan Hurley.

Voting was as follows:

For

Councillors McGrath, D'Alton, Forde, Ó Donnabháin, Desmond, J.A. Collins, Harris, Coleman, K. Murphy, Coughlan, J. O'Donovan, G. Moynihan, Creed, Lucey, Ryan, Conway, P. O'Sullivan, Keohane, Sheppard, Barry, Cullinane, Rasmussen, N. Collins, A. O'Sullivan, Ml.

Hegarty, S. McCarthy, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, J. Murphy, O'Shea, G. Murphy, B. Moynihan, T. Collins, D. Collins, Carroll, C. O'Sullivan, P.G. Murphy, Mary Hegarty, Hurley.

[42]

Against

Councillors Jeffers, Ml. Murphy, R. McCarthy, O'Grady, K. McCarthy, Twomey, Mullane, Hayes.

[8]

Voting on 5% variation in property tax was proposed by Councillor Frank O'Flynn and seconded by Councillor Bob Ryan.

Amendment 1:- vote on 5% variation in property tax:

For

5% Variation in LPT

Councillors McGrath, Ó Donnabháin, Desmond, Coughlan, G. Moynihan, Ryan, P. O'Sullivan, K. McCarthy, A. O'Sullivan, O'Brien, O'Flynn, Doyle, B. Moynihan, Carroll, C. O'Sullivan, P.G. Murphy.

[16]

Against

10% Variation in LPT

Councillors Jeffers, D'Alton, Forde, John A. Collins, Ml. Murphy, Harris, R. McCarthy, Coleman, K. Murphy, J. O'Donovan, Creed, O'Grady, Lucey, Conway, Keohane, Sheppard, Barry, Cullinane, Rasmussen, N. Collins, Twomey, Ml. Hegarty, S. McCarthy, Linehan- Foley, N. McCarthy, Dawson, J. Murphy, O'Shea, G. Murphy, Mullane, T. Collins, D. Collins, M. Hegarty, Hayes, Hurley.

[35]

Voting on 15% variation in property tax was proposed by Councillor Des O'Grady and seconded by Councillor Melissa Mullane.

Amendment 2:- vote on 15% variation in property tax:

For

15% Variation in LPT

Councillors Jeffers, M. Murphy, R. McCarthy, O'Grady, K. McCarthy, Twomey, Mullane, Hayes.

[8]

Against

15% Variation in LPT

Councillors McGrath, D'Alton, Forde, Ó Donnabháin, Desmond, J.A. Collins, Harris, Coleman, K.Murphy, Coughlan, J.O'Donovan, G. Moynihan, Creed, Lucey, Ryan, Conway, P. O'Sullivan, Keohane, Sheppard, Barry, Cullinane, Rasmussen, N.Collins, A. O'Sullivan, Ml.Hegarty, S.McCarthy, Linehan-Foley, N. McCarthy,

O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, O'Shea, G. Murphy, B. Moynihan, T. Collins, D. Collins, Carroll, C. O'Sullivan, P.G. Murphy, Mary Hegarty, Hurley.

[43]

Voting on 0% variation in property tax was proposed by Councillor Kevin Murphy and seconded by Councillor Michael Hegarty.

Substantive Motion:- vote on 0% variation in property tax:

For

0% Variation in LPT

Councillors McGrath, D'Alton, Forde, Desmond, J.A. Collins, Harris, Coleman, K.Murphy, Coughlan, J.O'Donovan, G. Moynihan, Creed, Lucey, Ryan, Conway, P. O'Sullivan, Keohane, Sheppard, Barry, Cullinane, Rasmussen, N.Collins, Ml.Hegarty, S.McCarthy, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, O'Shea, G. Murphy, B. Moynihan, T. Collins, D. Collins, Carroll, C. O'Sullivan, P.G. Murphy, Mary Hegarty, Hurley.

[41]

Against

0% Variation in LPT

Councillors Jeffers, Ó Donnabháin, M. Murphy, R. McCarthy, O'Grady, K. McCarthy, A. O'Sullivan, Twomey, Mullane, Hayes.

[10]

The Mayor declared the proposal carried and that the Department of the Environment, Community & Local Government and the Revenue Commissioners would be notified that Cork County Council has resolved not to vary the baseline LPT for 2017. (i.e. 0% variation)

REPORTS & RECOMMENDATIONS OF COMMITTEES

Cobh Municipal District:

REPORT UNDER SECTION 179 OF THE PLANNING AND DEVELOPMENT ACT 2000

8(a)/9-2

Proposed by Councillor F.O'Flynn

Seconded by Councillor C.Rasmussen

RESOLVED:

“That the R639 Sallybrook Pedestrian Crossing Glanmire be hereby approved”.

8(b)/9-2

Proposed by Councillor F.O'Flynn

Seconded by Councillor C.Rasmussen

RESOLVED:

“That the L3004 Glounthaune Traffic Calming Scheme be hereby approved”.

EUROPEAN AND INTERNATIONAL AFFAIRS COMMITTEE

9/9-2

Members noted the report from the European and International Affairs Committee on the visit to the Autonomous Republic of Ajara, Georgia by a delegation from Cork County Council.

REPORTS & RECOMMENDATIONS OF OFFICERS

QUARTERLY REPORT OF CHIEF EXECUTIVE ON ECONOMIC DEVELOPMENT

10/9-2

On the proposal of Cllr. F.O’Flynn, seconded by Cllr. K. Murphy, the Quarterly Report of the Chief Executive on Economic Development was approved.

Cllr. Marcia D’Alton asked for the Deputy CE to explain why there is such an apparent difference in LEO grants approved in South Cork and in North/West Cork. The amount approved in South Cork is much higher than that in North / West Cork but the amount actually paid out is much higher in North / West Cork than in South Cork. There also seems to be much higher activity in North / West Cork with regard to Trading Online Vouchers and Microfinance Ireland than is South Cork.

The Deputy CE said he will get clarification and revert.

NOTICES OF MOTION

It was agreed to take items 11 and 12 together.

DISABLED ACCESS AND USE OF PLAYGROUNDS

11/9-2

Councillor Marcia D’Alton proposed, seconded by Councillor Claire Cullinane, the following notice of motion:-

“That in building new playgrounds or regenerating existing playgrounds, Cork County Council would introduce a policy of application of the Principles of Universal Design by installing a range of equipment which can be used by both able and less able bodied children alike. In addition, that towards achieving universal design, Cork County Council would begin a programme of retrofitting all existing playgrounds in its jurisdictional area with at least one item of play equipment specifically designed for inclusivity of all.”

FACILITIES FOR DISABLED CHILDREN IN LOCAL AUTHORITY PLAYGROUNDS

12/9-2

Councillor Eoghan Jeffers proposed, seconded by Councillor June Murphy, the following notice of motion: -

“That this Council would adopt a policy of providing facilities for disabled children in all local authority playgrounds and exercise facilities for disabled peoples on all greenways and parks where exercise machines already exist and where there are plans to install more.

Councillor Marcia D’Alton told Members there is not much written about the benefits of playgrounds, but the fact is that in a world where play patterns are changing, where there is a decrease in free play and outdoor play and where concerns over children’s safety leads to increasing adult supervision playgrounds are more important than ever before, playgrounds help children to develop physical awareness and abilities, social skills, language interaction, motor skills, spatial awareness, balance, co-ordination, fitness and emotional wellbeing. Although there are lots of playgrounds in County Cork but very few are universally designed this often means the able bodied child can play freely whilst the child in the wheelchair can do little other than look on. 13% of people living in County Cork have a disability. Of those, over 6,000 are children under the age of 14. The National Intellectual Disability Register tell us that 98.7% of those under 18 with a disability are living at home. For these children and their parents, the playground as a destination is critically important. There are nowhere near enough facilities where disabled children can play. Because children with disabilities can often be marginalised when it comes to play opportunities, the National Play Policy, “Ready, Steady, Play” (2004) recommended that all new and revamped local authority playgrounds would be universally designed. But Cork County Council’s recreational policy drafted in 2006, doesn’t mention universal design.

Cllr. D’Alton asked we amend this policy to reflect our collective aim of making playgrounds equally usable by all children. Retrofitting items of universally accessible equipment into existing playgrounds is a small task and is financially achievable; it does not need specialist installation but would extend the multi-faceted benefits of our playgrounds to all children, all over the county.

Cllr. Jeffers welcomes Cllr. D’Alton’s motion and stated that proposal would be a massive step forward in the quality of life for children with a disability. Public open spaces in which children play are one of the most fundamental building blocks in their lives. Cllr. Jeffers believes the local authority should provide facilities for all children.

Members also made the following points: -

- There was overall support from Council.
- Supports both motions. Timely with what is going on in Cobh, where we are increasing the playgrounds for both local community and tourism.
- Our amenity grants are so tight that it hasn’t always been possible to fund playgrounds appropriately.
- These are timely motions, Cork County Council has a design team, access to universities to get their expertise in designing parks that are useful to people coming from all different backgrounds and challenges. Many people in Charleville have to travel to Fermoy to use a playground that is suitable for them.
- We must take account of young people with disabilities, planning process has made a huge difference in this regard, we need to take planning into account when considering the disabled.
- We should aim for local consultation with parents, children and advocacy groups when retrofitting equipment to be universally suitable.
- We as councillors should be consulted with regard to retrofitting. It is also important that we look at new playground in places like Innishannon where provision of playground services have not kept up with burgeoning population.
- Thanks to Cork County Council that there is scarcely a village in North Cork that doesn’t have a playground. The LEADER board has provided quite a lot of funding.

- Playgrounds are one of the best facilities in any rural area. We should do an audit of playgrounds throughout the County; some may have facilities for children with disabilities. There was an opinion that the motion should go to the SPC for this audit and costing.
- Commends both motions, people with disabilities are the forgotten people; we should help them in any way we can.
- Fully supports the motions, it's timely but surprised the issue hasn't been raised before; people with disabilities so often fight their own corner.

The Deputy CE told members there may be low cost measures we can introduce. We have a disability access policy in the Council. We commit to access to wide range of services, buildings and outdoor spaces. The history over the years is that playgrounds have been provided and communities have fundraised and the County Council has contributed. When playgrounds were put in place they were mindful of the standards of the time. These standards were made in 2007. We have around 140 playgrounds and they are inspected every two weeks. These inspections often identify equipment which needs to be retired. When replacements are being made, we will favour disability friendly equipment. The figures Cllr. D'Alton has for disability friendly equipment are different from that which was quoted to me – up to €20,000. He also stated that he had been informed that the surfacing might be affected and if we are to carry out a full retrospective inspection it would be very costly. Each Municipal District can utilise monies from their GMA as they see fit. The constraints are financial only but can commit to favouring disability friendly equipment in replacing worn out equipment.

Cllr. D'Alton thanked all the Members for their support. Thanked the Deputy CE also for his support. It is great to know that universally designed equipment will be favoured when equipment is being replaced. The costs quoted by Cllr. D'Alton are real and directly from the equipment providers. Would be pleased to share the details with the Deputy CE.

Cllr. Jeffers thanked Members for their support. Would like to remind of disability friendly greenways also.

PLANNING SUPPORTS FOR DAVIS COLLEGE, MALLOW

13/9-2

Councillor Melissa Mullane proposed seconded by Councillor Des. O'Grady the following notice of motion; -

“That this council provides a written report on what building/planning supports it provides to post primary education across the county. The report should also include in particular Davis College, Mallow.”

The Planning Director of Services Mr. John O'Neill circulated a report
The County Council is engaged in an ongoing programme of site acquisition to assist the Department of Education in the development of new school facilities on a County-wide basis. Although Mallow has featured in the programme of site acquisition, this has not related to Davis College.

Davis college have pp for a substantial extension (following a third party appeal) reference is 14/55005 (ABP ref 04.244361).

Cllr. Melissa Mullane thanked the DOS for the report and the clarity it gives. Cllr. Mullane also thanked staff in the planning department and fire officer for providing her with a huge amount of information over the past few weeks. Cllr. Mullane told Members the background to the motion is primarily down to the huge amount of contact from parents, students, and residents in the area since the school resumed in September and to give clarity to everyone's concerns on who is responsible for what is presently locally called the “September Tsunami” in Davis College. Presently the school has planning permission for the construction of an extension to the school which is now currently underway. There was to be a stand-alone extension to the rear of the building to cater for 625

students. The Davis College development was granted subject to 31 conditions, there are huge issues because of this application including traffic safety management, the visual impact on the surrounding environment and in the interest of what planners described as proper and orderly development. The students are cramped, have inadequate classrooms, lunch facilities are being divided into 4, students are working on their laps and it is a game of chance to get a classroom. This is hugely detrimental to education. Presently the school has in excess of 800 students they are completely over capacity. Cork ETB proposes to erect a further 3 prefabs for which they say they do not need planning. Is this correct? Have contacted the Cork ETB but information is extremely vague and no proper account is taken of the welfare of the school, residents and staff. Cork ETB seem to have very little concern for the chaos they have caused students and residents. Would like Cork County Council to write to the college asking them to review their parking. The school has no adequate measures for parking. Would also like Cork County Council to write to the CETB asking what their intentions are with regard to the extension, and the progress of construction.

Members made the following points: -

- Have no issues with the CETB they have always provided a detailed response with the extension of Davis College.
- There were objections to the proposed extension during the planning application and it went to the board. This is causing delay.
- The rear entrance to the school is to be developed in consultation with the residents and this has come to a fruitful conclusion.
- The management of the college is doing what they can for the students and particularly for exam students and hopes the new facility will be in place by 2017.
- Parking issues are a real problem.
- Thinks the CETB should be allowed an opportunity to refute or respond to the allegations made by some members.
- Some members of the CETB were told they were awaiting fire certs before the three prefabs can be put in. they are planning for five but only putting up three. They were also told that there are problems on the site.

The Deputy CE told Members much of what has been raised is not Council business but lies rather with the management of the school and the ETB. Unless there is a particular issue in relation to planning, it doesn't really relate to the business of the Council. Regarding planning permission for three prefabs. The Deputy CE said he is not in a position to give a definite view but in general if you are putting in prefabs, you need planning. But if there is planning permission for five it is ok to put in three.

The Mayor told Members we will contact the CETB, and seek clarification.

REDRAWING THE COUNTY BOUNDARIES

14/9-2

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

“That this Council request the appropriate Minister to make an order redrawing the county boundaries to include the waters of the harbours in which development of either commercial or high profile nature has taken place in order to give the Council authority to develop and control such developments.”

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

The current jurisdiction of the Council provides for the development of planning, policy and control of development within Cork Harbour and other harbours across the county coastline.

This is effected through the County Development Plan and the Local Area Plans in place and currently being reviewed for publication of new draft LAP's in November this year. In terms of control of development, this is effected through the development management system in line with the Planning and Development legislation.

In this context, the Council has a considerable remit in providing for planning policy and control of development.

As the motion refers to a redrawing of the county boundaries in the context of the "waters of the harbours", it is expected that the motion is not related to the review of the boundaries of city and county council. Members should note that this is a matter on which the council awaits hearing formally from government following completion and publication of the report of the independent review committee last year. In the circumstances, should the motion refer in any way to this matter, which is ongoing, then it would be appropriate for Council to await developments and not take any decisions that may be related to the matter.

Councillor Noel Collins said since 1967 Cork County Council has been robbed of a range of public services and harbours could be next. Are we doing enough by way of legislation to protect our rights? The harbours that are mostly affected are Youghal, Ballycotton, Cork, Kinsale and Castletownbere. The users should make payments similar to rates, and the money raised should be spent on harbour towns which are badly in need of improvements.

Members also raised the following points: -

- Local knowledge in these cases is paramount. Sometimes those making decisions on our harbours are taking those decisions from offices far removed from the harbour.
- We are relying on the OPW. We should have more say in our own waters and harbours within Cork County Council.

The Deputy CE told Members we do have control of harbours under the Planning & Development Act. We recognise the importance of harbours and the coastal zones. Our recently published tourism strategy recognises Cork as a maritime paradise. Kinsale and Baltimore have transferred to Council / Municipal District control. Municipal Districts have control in relation to harbour policies and these should be exercised locally.

Cllr. Noel Collins welcomes the support and asks can we pursue this at all the Municipal Districts for further discussion.

This was agreed.

FINANCE THE LOCAL GOVERNMENT EQUALISATION FUND

15/9-2

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

“That this Council calls on the Minister for Finance to fully finance the Local Government Equalisation Fund from general taxation and permit Local Authorities to retain 100% of the Local Property Tax collected in their areas.”

Councillor Des O'Grady told Members Sinn Fein is in favour of an Equalisation Fund to help weaker Local Authorities but the funding should come from General Taxation and not Local Property Tax. We should make the government aware of our opposition to cutting LPT for the Equalisation Fund. This is costing Cork County Council €8m of a reduction in funding this year similar to last year; it is grossly unfair as this money is being denied to the LA to spend on local services. The Objective of the LPT was to increase and improve local services so by removing 20% of the funding collected in County Cork the government are putting local communities at a disadvantage.

Following a discussion Members made the following points:-

- Not against equalisation fund but doesn't want what is meant to be a LPT to be propping up what the government should be paying for.
- If we were to take the NPPR in, it would be another €1.2m out of the fund, €1.9 would be lost by rates reduction to multinationals in this county, €2.1m collected through the motor tax office in Cork is lost.
- The full LPT collected should be retained within the county in which it is collected.
- The €8.1m collected in the county should be going to services for people in the county.
- We should demand the 8.1m back from the government.
- This is not a LPT but just plugs a gap in national finances caused by reckless governance. €15,750 would be collected in one housing estate in Douglas in LPT alone and the estate struggle to get trees cut. This is disgraceful.
- When LPT was introduced we were told it would be collected locally and retained locally. It would result in a lot of badly needed improvements in our municipal areas. This has not been the case.

The motion is agreed and Cllr. O'Grady asks that the FG Councillors who supported the motion would contact their party heads directly.

MARINO POINT PLANS

16/9-2

Proposed by Cllr. Michael Murphy

Seconded by Cllr. K. McCarthy

RESOLVED:

“That this council writes to Port of Cork to ask what plans they have for Marino Point.”

During a discussion Members made the following points:-

- We are looking for transparency; it is in a very poor condition and would like to know who is responsible for it.
- When the planning permission was granted to NET, one of the conditions was that when the fertiliser production ceased, it would revert back to a Greenfield site except in the event of port-related activities. Would like to know what is this port related activity?
- This is an important site to Cobh and the Great Island and redevelopment of Marino Point is likely to impact significantly on Passage West. Planning permission was granted in Ringaskiddy on the basis of the Port's proposed development of Marino Point, including reopening a rail link to support the TEN-T requirement for multi-modal transport. Bulks were mentioned at the time as being the likely use.
- Reports that the Port had purchased Marino Point is not true, it has not yet been purchased.
- The County Development Plan has supported the Port of Cork, but the Port of Cork has been very slow to communicate. They haven't purchased the site and we need clarity on their intentions.

It was agreed we write to the Port of Cork asking their plans for Marino Point.

VOTES OF CONGRATULATIONS

17/9-2

TO: Cork Ladies Football Team on winning the All Ireland Football Final.

- TO: Niamh Cotter and Aíne O’Sullivan from the Beara GAA Club on their participation in the Cork Team that won the All Ireland Ladies Football Final.
- TO: Libby Coppinger from Bantry Blues GAA club on her participation in the Cork Team that won the All Ireland Ladies Football Final.
- TO: The Clonakilty Tidy Towns Committee on winning a gold medal and the County Award in the Tidy Towns award.
- TO: Cobh Tidy Towns Committee on winning a gold medal in the Tidy Towns Awards.
- TO: The staff of Cork County Council for their involvement in the development of Spike Island.

ANY OTHER BUSINESS

18/9-2

RURAL WATER MONITORING

Cllr. Kevin Murphy told members much funding has gone in to the group water schemes, several have been propped up by grant aid, but no money has gone to group sewage schemes. This is a very serious problem and some need immediate grant aid as there are several residents involved. Asks we contact the Department immediately.

WATER OUTAGES

Cllr. Marcia D’Alton would like to know the protocol for notification of water outages. Water outage in her area over the weekend was notified by Cork County Council on Twitter. Other recent outage was not notified. Yet another was notified by Irish Water, so who notifies and through what medium and is a notice put on the affected road.

The Mayor agrees that it is time a protocol with regard to notification of water outages is established. The Deputy CE will check this out and revert.

This concluded the business of the Meeting