

COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 11 June, 2018.

ILATHAIR

Comhairleoir D. Ó hUrthuile, Méara Chontae

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

PRESENT

Councillor Declan Hurley, County Mayor presided.

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

Chief Executive, Head of Finance, Senior Executive Officer.

CONFIRMATION OF MINUTES

Councillor Des O'Grady requested that the Minutes of the Council Meeting held on the 28^{th} May, 2018, be amended to include reference to the Capital Housing programme deficits of $\{4.8\}$, as detailed in the Cork County Council Audit Committee Report on the Annual Financial Statement 2016.

1/1-6

Proposed by Councillor Kevin Conway

Seconded by Councillor Timmy Collins

RESOLVED:

"That the minutes of the meeting of the Council held on 28th May, 2018, be confirmed and signed by the Mayor."

Councillor Seamus McGrath proposed, seconded by Councillor Mary Rose Desmond a suspension of Standing Orders at 1pm to discuss the decision of An Bord Pleanála to approve Indaver's application in Ringaskiddy, Co. Cork.

VOTES OF SYMPATHY

TO: Tiarnach Maguire, on the death of his father, John.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposals.

GRANT OF WAYLEAVE AT GURTEENROE, MACROOM, CO. CORK

3(a)/1-6

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 31st May, 2018.

LEASE OF ROOM AT CARNEGIE HALL, MILLSTREET, CO. CORK

3(b)/1-6

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 31st May, 2018.

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

Proposed Construction of 12 No. Residential Units at Bluepool, Kanturk, Co. Cork

4/1-6

The Mayor informed members that Part 8 reports are for noting, and there is no requirement for members to propose and second the Part 8 proposals.

Members then noted the Part 8 Report for the Proposed Construction of 12 no. residential units at Bluepool, Kanturk, Co. Cork.

During the discussion that followed, members' comments included as follows;

- Members complimented the Director of Housing and staff for their work.
- A significant amount of work has been undertaken since the original Part 8 report.

- The updated report includes a proposal to close the laneway and this has been agreed with Council officials.
- A request has been made for the waste bin facilities, which were to be situated to the front of the houses to be relocated to the rear of houses, as they are unsightly.
- Residents have raised concerns about construction traffic volumes.
- The Municipal District of Kanturk Mallow agreed on the entire proposal at its last meeting.
- There are 149 applicants in Kanturk on the housing list.
- Some members expressed their disappointment of the loss of 4 residential units
- The number of residential units has been reduced from 16 to 12; however, an extra 4 units have been gained at Lismire.
- The proposal is the best possible deal under the circumstances.

The Chief Executive welcomed members' comments and said it is important that due process is respected. The Chief Executive stated that if no amendments or modifications are put forward by council, then the development would proceed as recommended.

Resolved:

"Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice of the proposed development was published, 14 No: submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

Construction of 12 No. Residential units at Bluepool, Kanturk, Co. Cork

SOCIAL HOUSING PPP BUNDLE 2 PROPOSED DEVELOPMENT OF 50 NO. SOCIAL HOMES AT POUNDHILL, SKIBBEREEN, CO. CORK UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001-2017

5(a)/1-6

Members noted the Part 8 Report for the proposed development of 50 No. Social Homes at Poundhill, Skibbereen, Co. Cork

Resolved:

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

Development of 50 No. Social Homes at Poundhill, Skibbereen, Co. Cork

SOCIAL HOUSING PPP BUNDLE 2 PROPOSED DEVELOPMENT OF 52 NO. SOCIAL HOMES AT MILES, CLONAKILTY, CO. CORK UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001-2017.

5(b)/1-6

Members noted the Part 8 Report for the proposed development of 52 No. Social Homes at Miles, Clonakilty, Co. Cork.

Proposed by Councillor John O'Sullivan

Seconded by Councillor Paul Hayes

Resolved:

"Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice of the proposed development was published, 7 No. submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

Development of 52 No. Social Homes at Miles, Clonakilty Co. Cork.

SOCIAL HOUSING PPP BUNDLE 2 PROPOSED DEVELOPMENT OF 50 NO. SOCIAL HOMES AT OAKWOOD, MACROOM UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001-2017

6/1-6

Members noted the Part 8 Report for the proposed development of 50 No. Social Homes at Oakwood, Macroom, Co. Cork.

During the discussion that followed, members 'comments included as follows;

- Members commended the Hosing Department for its work and for the level of consultation with the people of Macroom.
- This will be one of the first social housing PPP Bundle in the Country, and Cork County Council is the lead authority for the PPP Bundles.
- 179 families in Macroom on the housing list and there are 7000 on the list across the county.
- Families are crying out for housing, the PPP developments are vital as there is a dire need for
- It is unfortunate that construction traffic will have no option but to go through the estate.
- Under the existing proposal the proposed green areas will be built at the rear of the established estate.
- Members queried would it be possible to reduce the number of units within the existing design for the purpose of providing additional green space area
- Members sought clarification on the viability of reducing the total number of units from 50 to 46.

The Chief Executive confirmed the Part 8 scheme as recommended meets all requirements including open space requirements. The Chief Executive said that a reduction from 50 to 46 units would increase the cost per unit by $\{0,000\}$, and any change to the number of units would impact on the viability of the proposed scheme. The Chief Executive said he could not anticipate what response there would be from the market.

Members then raised the following points;

- Residents have raised concerns about the increase from 28 units, as originally planned, to 50 units.
- These 50 families will be citizens of the Macroom community and deserve access to a play area.
- To reduce the number of units to 46, will mean that 4 families will not be provided with housing, which is a disgrace.
- Would the total cost of the scheme increase by almost €500,000 if only 46 units are approved?
- This will no doubt affect the viability of the PPP.
- There is very little opportunity for input by members into the Part 8 process.

The Chief Executive confirmed the cost of the scheme would not increase if only 46 units were to be approved, and that the overall cost of the scheme would reduce based on a reduction of 4 units.

The Chief Executive asked members to examine the revised site plan that was circulated to members during the meeting. The Chief Executive said the revised plan contained only 46 units, which would result in a 2.1% increase in open green space for the area. The revised site plan also provided details of the corresponding increase in the cost per unit of €10,000.

The Chief Executive recommended to Council that the proposal for 50 units should be approved.

A number of members called for a vote on the proposal to amend the number of units from 50 down to 46.

The Senior Executive Officer informed members that in accordance with Section 4(b) of Section 179 of the Planning and Development Act, 2000, that following the consideration of the manager's report under paragraph (a), the proposed development may be carried out as recommended in the manager's report, unless the local authority, by resolution, decides to vary or modify the development, otherwise than as recommended in the manager's report, or decides not to proceed with the development.

The Senior Executive Officer confirmed that a majority resolution, voting for or against the amendment, would be required.

Members requested a five minute recess to consider the proposed amendment to the number of units.

At 11.50pm, the meeting reconvened.

The Mayor requested that before a vote would be taken the relevant members would outline to the chamber their reasons for the proposed amendment.

Proposed by Councillor Kevin Conway

Seconded by Councillor Ted Lucey

To amend the proposed number of social homes from 50 to 46, as this would allow for additional green area within the new proposed estate, rather than at the rear of the existing estate.

A vote was then taken, which resulted as follows:-

<u>FOR:</u> Councillors D'Alton, Canty, Collins J., Coleman, Lombard, O'Donovan J, Creed, Lucey, Conway, Barry, Rasmussen, McCarthy S., McCarthy N., Dawson, O'Shea, Murphy Gerard, Collins D., O'Sullivan J., Hegarty.

<u>AGAINST:</u> Councillors McGrath, Jeffers, Desmond, Murphy M., McCarthy R., Murphy K., Coughlan, Moynihan G. O'Grady, Ryan, O'Sullivan P., McCarthy K., Keohane, Barry, Ó'Cadhla, Collins, Ahern, Twomey, Hegarty Ml., Linehan Foley, O'Brien, O'Flynn, Murphy J., Murphy Gearóid, Moynihan B., Mullane, Collins T., Carroll, Hayes

ABSTAINED: Mayor, Cllr. Hurley D.

The Mayor confirmed that the motion to amend the proposed Part 8 scheme was defeated.

Resolved:

Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice of the proposed development was published, 13 No submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

Development of 50 No. Social Homes at Oakwood, Macroom, Co. Cork

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

Part 8 Report: Proposed new library in Kinsale, Co. Cork

7/1-6

Resolved:

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

Construction of the new library in Kinsale, Co. Cork

FINANCIAL BUSINESS

UNAUDITED ANNUAL FINANCIAL STATEMENT CORK COUNTY COUNCIL FOR YEAR ENDED 31ST DECEMBER, 2017.

8/1-6

Members noted the Unaudited Annual Financial Statement Cork County Council for year ended 31st December, 2017, including the report on additional expenditure for that year ended per Local Government Act 2001 - S104 (as amended), as follows

The Annual Financial Statement (AFS) for Cork County Council for the financial year ended 31 December 2017 is presented in accordance with the Local Authority Accounting in Ireland Code of Practice, Accounting Regulations, and the directions of the Minister for Housing, Planning, and Local Government.

The 2017 Statement is prepared on the accruals concept and includes income for most of the principal income streams, such as commercial rates, rents, fire charges, development contributions and some minor income streams. Realised income however underlines the financial standing of the Council and the impact of accrued income will be outlined in the relevant sections.

The Statement of Accounting Policies (pg. 11-14) outlines the main principles upon which the AFS has been prepared. The notes supporting both statements form part of the financial accounts. The purpose of the notes, together with the additional appendices, is to provide a more detailed analysis and explanation of the figures included in the Income and Expenditure Account and particularly the Balance Sheet. The Annual Financial Statement is subject to external audit, by an auditor of the Local Government Audit Service, whose purpose is to form an independent opinion of the accounts.

The Financial Statement reports on the day to day activity of the Council in the form of the Statement of Comprehensive Income & Expenditure, summarised by Division. The Statement of Financial Position outlines the Council's overall financial position as of the 31st December 2017. Comparatives with 2016 are provided as appropriate.

REVIEW OF YEAR-END FINANCIAL POSITION

Statement of Comprehensive Income (Income & Expenditure Account)

This account, as outlined above, represents expenditure and income on the day-to-day running of the Council. Operational costs such as maintenance of housing, roads, environmental services, recreation & amenity, economic development and water services, together with administration and support costs are reported in this statement by Division. Activity on the account for 2017 is as follows:

	2017	2016	Movement
Income	€314,056,300	€313,582,132	€474,168
Expenditure	€284,396,338	€288,901,208	(€4,504,870)
Transfers to Capital	€29,347,881	€24,119,263	€5,228,618
Exceptional Item			€0
Surplus/(Deficit) for Year	€312,081	€561,661	(€249,580)
Prior Year Adjustment	€0	€0	€0
Opening Revenue Reserve	€12,778,996	€12,217,336	€561,660
Closing Revenue Reserve	€13,091,076	€12,778,996	€312,080

A budget loss of €1,787,840 was provided for in 2017. Due to continuous budgetary control monitoring during the year together with maximisation of income there was an overall reduction in the budgeted loss of €2.1m. This resulted in an overall reported surplus of €312,081 for 2017. The

reported surplus was mainly due to surplus over budget income for NPPR of €0.9m, together with a rates gain and reduction in the bad debt provision for rates due to increased collection performance in 2017.

Revenue Income By Source	2017 20	016
Goods & Services	€89,929,106	€93,086,310
Grants & Subsidies	€76,579,306	€79,208,902
Other Contributions	€1,249,755	€850,004
Rates	€129,772,050	€127,622,069
Local Property Tax (discretionary)	€16,526,083	€8,927,233
Pension related deductions	€0	€3,887,614
	€314,056,300	€313,582,132

The majority of Income and Expenditure is reported on an accruals basis in the AFS. However some of the Council's smaller income streams are still reported on a cash basis.

Transfers to Capital (Note 14) Total €29m

Transfers to Capital account for provisions in the 2017 Budget being carried out through the capital account, loan repayments and also the provision of reserves to fund specific projects. In addition unspent GMA/Town Development Fund, Pay Parking Dividend have been ring fenced and capitalised to 2018.

Transfers comprise of budget provisions, as adopted at Budget, together with additional year end transfers of €6.9m of which the main year end transfers are outlined below:

	€
Coastal Protection	500,000
Public Realm	2,250,000
Burial Grounds Provision	250,000
Redemption of Land and asset loans	2,320,372
Plant & Machinery A/c (Contra Income)	1,327,942

Included are transfers to the Plant & Machinery Account which will be utilised for replacement of Plant. Transfers to Public Realm & Tourism, and Coastal Protection will be utilised in funding the three year Capital Programme for these categories and help to reduce the requirement to provide for this spend in future Revenue Budgets. Loan repayments are treated in accordance with the national Accounting Code of Practice.

REVIEW OF FINANCIAL PERFORMANCE

Revenue Reserve Summary	€
Opening Revenue Reserve 01/01/2017	12,778,996
Net reported profit for 2017	312,081
Closing Revenue Reserve 31.12.17	13,091,077

The balance on the Reserve account is considered prudent and satisfactory.

SUPPLEMENTARY BUDGETS

Report on additional expenditure for year ended 31st December 2017 Local Government Act 2001 - S104 (as amended).

While there is an overall surplus on the revenue account, during the year additional expenditure to that provided in the Annual Budget was incurred. Set out below is a list of Supplementary Budgets. These additional expenditures have been funded in one of the following manners:

1	Additional Grants
2	Savings in Budgeted Expenditure
3	Additional Income
4	Transfer from Reserves

Note 16 of the Financial Statement outlines this additional expenditure.

<u>Description</u>	Comment	€
Roads, Transportation & Safety	Additional roads grant spend covered by increased allocation, Storm Ophelia	5,396,531
Environmental Services	Civic Amenity Sites, Burial Grounds, Fire & Emergency Services	329,693
Recreation & Amenity	Swimming Pools, Parks & Open Space Storm Ophelia, Playgrounds, Capitalise Town Development Fund/GMA/Pay Parking Dividend	2,714,950
Miscellaneous	Plant & Machinery A/C, Coroners Costs, Loan Redemption, Insurance, Additional transfers to fund Capital Programme	5,870,105

Explanations of Significant Variances

Additional Road grant allocations together with some recoupment of Storm Ophelia costs allowed for some of the increased budget on roads. Increased income in Burial Grounds and Fire Services provided towards the supplementary budget in these areas together with savings in budgeted expenditure in other services. The supplementary expenditure on the Town Development Fund/GMA etc is as a result of the capitalising of 2016 unspent funds into 2017, again this is matched with income. The increased budget on Plant and Machinery is matched with contra income and the supplementary expenditure in the additional transfers for Capital and other costs is

funded mainly due to the NPPR and rates gain together with the reduction in the bad debt provision for rates due to increased collection performance in 2017.

STATEMENT OF FINANCIAL POSITION (Balance Sheet)

The total financial activity of the council for the year together with comparative year figures are summarised in this statement.

The statement includes assets and liabilities as follows:

Assets both recently constructed/purchased and historical assets

Work in progress and preliminary schemes- mainly roads and housing

Long Term Debtors – housing loans

Current Assets- including Stock, Debtors, Cash at bank

Current and long term liabilities- mortgage and non-mortgage loan borrowings.

Various Reserves/Balances

The Net Assets at the end of 2017 total €8.1 billion.

CAPITAL ACCOUNT

The capital account records income and expenditure in respect of the acquisition and provision of assets related to services provided by the Council.

Activity for the year is	as follows:	€
Expenditure		127,013,386
Income		
	Grants	93,183,779
	Borrowings Non- Mortgage	
	Loans	592,300
	Other	26,943,454
Net Expenditure		6,293,853
Transfers to/ from Rever	nue	(16,087,257)
Opening Credit balance		(102,359,205)
Closing Capital Credit	Balance	(112,152,609)

The above closing credit balance net of transfers is represented by the following:

Closing Capital Credit Balance	112,152,609
Development Levy contributions *	30,594,938
Reserves of the Council	85,198,680
Completed Schemes	1,647,373
Voluntary/Affordable Housing	183,850
Work in Progress and Preliminary Expenditure	(5,472,233)

* The above figure for development levy contributions of €30,594,938 is on an accrual basis and includes income from historical levies not yet collected. Actual cash received in 2017 was €7.15m

Main expenditure areas in the capital account reflect the Council's increasing investment in the Housing programmes and spend on Road & Transportation schemes. Housing expenditure reflects spend under the Government's Social Housing Strategy. Some of the other key projects progressed as part of the Council's capital investment included Skibbereen Flood Relief works, Haulbowline Remediation, Dunmanway Swimming Pool, Footpaths Programme and Fire Services HQ refurbishment, Mallow Castle and Camden Fort Meagher.

Appendix 5 and 6 of the Financial Statement outlines the level of activity for the year on the capital account.

Review of Capital Balances

Capital debit & credit balances are reviewed as part of the work for AFS 2017. This review resulted in an examination of capital balances and where appropriate setting off of debits & credit balances.

MORTGAGE HOUSING LOAN ACTIVITY (NOTE 7 and 12)

Note 12 outlines the Council's Mortgage Funding position as at 31 December 2017: Mortgage Loans advanced by the Council at the end of December totalled €75,280,747 (2016: €80,349,842)

Mortgage Loans drawdown by the Council totalled €67,182,097 (2016: €72,956,560)

The Council endeavours to keep equilibrium on loan borrowings and the difference arising of €8,098,650 relates to year end timing differences on draw downs and redemptions.

Notes 3 & 7 (a) outline the activity on loan advances and loan borrowings (respectively) by Council during 2017.

DEBTORS

Net Trade Debtors increased by €20.99m compared to 2016, summarised as follows:

	€
Increase in Government Debtors	14,896,726
Increase in Commercial Debtors	754,756
Decrease in Provision for Doubtful Debts	7,615,056
Decrease in Development Debtors	(1,519,060)
Decrease in Other Debtors	(1,590,830)
Increase in Current Portion of LT Debtors	830,682
	20,987,330

CREDITORS and ACCRUALS

Creditors and Accruals decreased by €7.68M compared to 2016.

	€
Decrease in Trade Creditors	(979,743)
Decrease in Other creditors	(321,697)
Decrease in Accruals	(6,136,243)
Increase in Revenue Commissioners	2,957,597
Decrease in Deferred Income	(3,211,055)

OVERVIEW OF THE FINANCIAL STANDING OF THE AUTHORITY

A continued strong focus on budgetary management in 2017 ensured the Council managed within its income availability in the context of maintaining services and also progressing to meet some of the increasing needs of a growing economy. In addition maximising our income has ensured that we have managed our ability to fund outgoings in 2017.

The Revenue position reflects the 5 year strategic approach, which was agreed with Council as part of the 2015 Budget adoption process, to provide for some additional service levels while continuing to maintain existing services. Our Revenue surplus remains at a prudent level at year end. The Capital position shows the increased emphasis on the Social Housing Programme, Road infrastructure improvements together with the increasing importance of recreation and amenity investment and public realm enhancement, as echoed in the three year capital programme.

The accounts also report a significantly high level of debt for the Council which consists mainly of Land loans, Asset loans, Recoupable Voluntary Housing Loans and Bridging Finance loans. Bridging loans relate to loans incurred on Affordable Housing currently under the Social Leasing Initiative. Loan repayments under this category are recouped from the Department as are the loan charges associated with Voluntary Housing loans. In 2017 some of the non grant funded land loans and part of Fermoy Civic Office loan were redeemed thereby reducing the Revenue Budget requirement for and the overall cost of the loans.

NOTE: Transfer of Responsibility for the Delivery of Water Services to Irish Water

The Water Services Act 2013 and the Water Services (No. 2) Act 2013 provided for the establishment of Irish Water as an independent subsidiary within the Bord Gáis Éireann Group (Ervia). From January 2014, all functions of the Local Authority relating to water services transferred to Irish Water, other than those related to rural water services, notably group water schemes and individual domestic wastewater treatment systems, together with all associated water services assets and liabilities.

Cork County Council continues to deliver services on behalf of Irish Water through a service level agreement for an agreed payment. It is provided that these agreements will run for a 12 year period with reviews. This has been reflected in Local Authority revenue budgets adopted since 2014.

The analysis, computation and valuation of assets and liabilities to be transferred to Irish Water are computed and agreed between Local Authorities and Irish Water.

The changes agreed that affected the AFS for Cork County Council were as follows:

Statutory Transfer of 90% of the Net Book Value of Water Assets €792m under Ministerial order for AFS 2014.

S.I. No. 13 of 2015 the Water Services (No.2) Act 2013 (Property Vesting Day Order 2015) brings into affect the transfer of functions outlined in the Act. 10% remaining assets - Assets relating to the functions retained by Local Authorities.

The formal transfer of assets to Irish Water began early in 2015 and has been progressing through

Ministerial Orders as provided for under the Water Services (No.2) act of 2013. In the initial stages of this process Irish Water issued Cork County Council with lists of prioritised sites to transfer. At end 2017 196 assets were vested with 66 awaiting Ministerial Order with DHPLG, and a further 40 jointly agreed and notified to the Department. Further transfers under Ministerial Order will continue during 2018.

LOCAL PROPERTY TAX (LPT)

As in previous years local authorities were allocated 80% of the Local Property Tax income paid locally. In 2017 the Council was one of the local authorities that received greater levels of funding as a result of local retention of this LPT (80%), compared to the level of funding they would have received from the Local Government Fund in 2014. 20% of LPT was retained for discretionary purpose and any surplus LPT Income was used to replace exchequer funding for Housing and Roads. This included under the grants section in Appendix 3 and Appendix 5 &6. The details of the LPT funding to Council are as follows:

	€
Discretionary	16,526,083
Revenue Roads	340,082
Revenue Housing	333,878
Capital Housing	15,293,255
	32,493,298

The Council's decision not to vary the base rate of Local Property Tax for 2017 was welcome. The decision resulted in an improved position for 2017 which utilised the additional revenue raised to support further increases in service delivery. It is important to note the additional benefits accrued to the Council as a result:

Enhanced Public Space/Town Approach Maintenance Prog increase of €0.5m providing total fund of €1.1m

Enhancement to Public Realm and Infrastructure in Villages: €0.5m

This is in addition to the retained budget initiatives of 2016 including to Provision to Community Arts Programme €0.15m and Disability Works to LA Houses €0.25m.

CONCLUSION:

The overall outcome for 2017 has been satisfactory in a period of uncertainty with regard to available resources, funding changes with regard to LPT and growing demands for services in an improving economic climate. It is recognised that there are limited areas for revenue generation available. Consequently local decision making on the variation of the rate of Local Property Tax, commercial rates and development contributions schemes are now significant decisions of Council which have direct local impact. The capacity of the Council must continue to be prudently managed and developed to meet increasing demands on operational and capital programmes, and to allow investment and development to progress while ensuring the financial standing of the Council is not undermined.

The Council continued to respond effectively to unplanned operational day to day expenditure requirements, severe weather events and longer term capital investment programmes as they arose, while having due regard to budgetary control and maintaining a prudent revenue reserve for the Council. The ongoing dedication of staff and members to the delivery of quality services is acknowledged and appreciated.

Cork County Council will continue to sustain essential services, maximise funding sources and

utilise available resources for investment in its future while maintaining expenditure levels in line with projected levels of funding.

Members thanked the Head of Finance for the detailed report and during the discussion that followed members' comments included as follows;

- Income of €306 million was estimated in the 2017 budget
- Income of €314 million was collected in 2017.
- Members welcomed the extra €8 million and queried where this additional income was at present
- Expenditure in 2017 came in €22 million under budget
- Members queried how did the under spend occurred, was it as a result of end of year transfers, and who decides on this.
- Members noted there was a €7 million capital transfer.
- Reserves have increased by €3 million in the period 2015 to 2017.
- Plant and Machinery contra income was €1.3 million transferred at year end, how does this work.

Replying to members' query why income of €314 million was generated in 2017, the Head of Finance stated the main reason was because the road grant allocation is not received until January and the amount budgeted for at the time of preparing the budget was based on the amount allocated in the previous year. The Head of Finance also outlined that the NPPR came in at about €900,000 over budget, and that rates income also came in higher than budgeted.

The Head of Finance confirmed the additional income has used towards funding the shortfall of €100 million in Capital funding and also towards loan repayments. The Plant and Machinery A/c (contra charges) relates to income generated when Council owned plant and machinery is charged/hired out to the Municipal Districts and Area Offices. Income generated is used to fund the capital annual fleet replacement programme.

The Head of Finance stated it is prudent to ensure we have a reserve.

Members then raised the following points;

- Members will be looking at the financial reserves as part of next year's budget, which could include a proposed flood and drainage scheme (€600,000), funding a mobile grass, hedge and tree pruning crew (€300,000)
- Based on the figures outlined in the AFS 2017, certain proposals could in fact have been funded.

The Head of Finance said that the budget is based on information that is available at the time of preparing the budget and also that the increase in the NPPR is something we cannot predict at the time.

Members requested that they would be briefed on the budget process and receive training in how the budget works.

The Chief Executive commented that each year at budget time the Corporate Policy Group develops the budget in conjunction with the Executive, and that detailed budget briefings are brought to Development Committee. The Chief Executive confirmed these briefings will be provided once again in September as part of the annual budgetary process.

The Chief Executive said the Association of Local Government (AILG) provides elected members with training.

RATES REPORT – SCHEDULE OF UNCOLLECTED RATES 2017

9/1-6

Members noted the Rates Report – Schedule of Uncollected Rates 2017, which outlined as follows;

While Cork County Council is obliged to maximise its collection of our local commercial property tax to ensure that funding is in place to provide services to the people of County Cork, it is conscious of the challenging circumstances in which certain businesses find themselves. Rate collection staff continue to engage with c. 14,200 ratepayers and agree payment plans, if appropriate, on a case by case basis.

Rate income accounted for 41% of total Revenue income in 2017 and is therefore the most important source of the Council's own funding. The following are the gross amounts collected in rates in recent years:

Year	€m
2010	90.1
2011	95.7
2012	98.8
2013	101.8
2014	110.3
2015	119.9
2016	117.4
2017	120.8

The collection performance for the year was very satisfactory and a number of significant factors contributed to this outcome.

Continued improvement in the overall economic environment together with improved financial circumstances resulted in more engagement by many ratepayers in addressing both current and historic liabilities & greater capacity to meet payments/payment commitments.

The trend of increasing level of property transfers across sectors was sustained and resulted in the discharge of rate liability, and resolved, in some cases, previously problematic accounts.

While the Collection Office endeavoured to facilitate businesses in difficulty and encouraged meaningful engagement, including through flexible payment arrangements, legal action was required in certain instances. Many cases were resolved following the issue of pre 6 Day & 6 Day Notices, with 66 cases being resolved after the issue of summons, but prior to Court Hearing. Of the cases entered for Hearing, 110 judgments were obtained in 2017.

2017 marked the third year of application of a Rate Relief Scheme whereby a grant was given to all compliant ratepayers once certain criteria were met. The primary focus of this initiative is to assist Small and Medium Enterprises (SME's), which comprise the majority of ratepayers. 6,335 ratepayers qualified for the grant in 2017, at a cost of €0.4m, which was credited to rate accounts before year end.

Continued improved collection performance in 2017 is reflected in the closing arrears figure of €14.9m, a reduction on the opening balance of €17.1m. While every effort will be made to recover the outstanding arrears, the Council has made a bad debt provision of €9m.

Such provision primarily caters for business closures, liquidations, receiverships, extended payment plans & cases the subject of legal proceedings.

Given the prevailing economic circumstances, I am satisfied with the level of collection achieved in 2017, 89.6% compared to 88% in 2016 and that the overall trend in compliance continues to be positive.

Comhairle Contae Chorcaí Rate Collection Report 2017

	€m	€m
Arrears Brought forward		17.10
Opening Debit		130,03
Amendments during the year		(0.51)
Struck off as irrecoverable		(11.17)
Total to be collected		135.45
Total Rates collected to 31/12/2017	120,84	
Amount refunded	(0.67)	
Transferred to decree account	0.39	
Net arrears at 31/12/17	14.89	
Total		135.45

Percentage collected compared to amount to be collected is 89.6% compared to 88% in 2016

Members thanked the Head of Finance for the rate collection report, and during the discussion that followed members made the following points:

- What is important is that we acknowledge the strong performance of businesses, as they contribute 41% of Cork County Council's income.
- The collection rate of 89% is very impressive, and we should commend staff in the Rates Section
- Some members thought we would have a collection rate of over 90%
- In relation to the revaluation of commercial premises, where is process at present.
- Since 2014, rates have increased substantially since the abolition of town councils.
- Are the former town council's areas affecting our collection rates?
- €11.7 million in rates are referenced as being irrecoverable.
- What efforts are being made to recover outstanding amounts?
- Rates should be based on profitability rather that floor space.
- Businesses in some of our towns are struggling to generate business as a result of roads being dug up to facilitate Irish Water.
- What amount in rates are we not collecting from new businesses that have not yet been valued?

- How do we determine which new businesses to focus on.
- What amounts are paid by businesses that have not yet been valued, and how are amounts calculated.
- Are rates bills back dated?

The Head of Finance stated the national revaluation process that started in 2005, is expected to commence in Cork at the end of 2019, with revaluation expected by 2021. Cork County Council is the fifth highest local authority in the country in terms of collection statistics and that there are no particular issues with the former town council rating areas. The irrecoverable rates amount of $\{0.1.7\}$ million is what is struck off, of which $\{0.2\}$ million related to vacant properties and under rating legislation such properties are exempt. The remaining $\{0.2.5\}$ million related to historic tenants/previous occupants. The Head of Finance confirmed that in such cases the Council will go through the courts in an attempt to secure judgements on arrears.

The Head of Finance informed members she did not have a figure on the number of new businesses awaiting valuation by the Valuation Office; however, there would be a significant number of properties. The Chief Executive added it is a significant loss of income to the local government sector.

The Head of Finance said the Council is continually working with the Valuation Office to identify priority properties requiring valuation/revision.

The Chief Executive stated there are no provisions in rating legislation to allow a local authority to reduce rates in any one particular area.

The Head of Finance confirmed that business that have not yet been valued do not pay rates. If business are rated midyear they are liable for pro rata entry year property levy.

The irrecoverable rates amount of $\in 11.7$ million is what is struck off, of which $\in 9.2$ million related to vacant properties and under rating legislation such properties can be not liable for commercial rates for the relevant period. The remaining $\in 2.5$ million related to historic tenants/previous occupants. The Head of Finance confirmed that in such cases the Council will go through the courts in an attempt to secure judgements on arrears.

The Chief Executive stated that judgements have only been sought against 110 rates or 0.007% of rate payers.

REPORTS & RECOMENDATIONS OF COMMITTEES

CORPORATE POLICY GROUP

Conference List June 2018

10(a)/1-6

Proposed by Councillor Timmy Collins

Seconded by Councillor Frank O'Flynn

Resolved:

"That the Conference List for June, 2018, is approved."

10(b)/1-6

Creative Ireland County Cork Grant Scheme 2018 – Allocations

Creative Ireland County Cork Pop-up Shops Scheme 2018 – Allocations

Proposed by Councillor Frank O'Flynn

Seconded by Councillor Mary Hegarty

Resolved:

"The Creative Ireland County Cork Grant Scheme 2018 – Allocations, and Creative Ireland County Cork Pop-up Shops Scheme 2018 – Allocations, are hereby approved".

MUNICIPAL DISTRICT OF BALLINCOLLIG CARRIGALINE

11/1-6

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

"That Cork County Council would acquire the Dockyards in Passage West"

Members noted the report of the Director of Corporate Services which outlined as follows;

In March 2016, when NAMA were disposing of the site, the Council decided not to acquire it.

Members of the Ballincollig Carrigaline Municipal District were advised at the time that:

"While the Council was aware that the site was on the market, the purchase price, which was in the region of €2.5m, and the development costs, that the Council would have to incur to open it up, were prohibitive."

My understanding is that this position has not changed. The 2017 Local Area Plan recognised the importance that this site can play in the development of the town (page 125). It is identified as on of the regeneration areas as Town Centre/Neighbourhood Centre. Any Planning application for the development of the site will have to comply with the objectives of the Local Area Plan.

Members thanked the Director for his response and during a discussion on the matter members' comments included as follows;

- Passage West Town cannot be developed to its full potential.
- The dockyard is crucial to Passage West reaching its potential.
- Members requested that €2.5million be added to next year's capital programme to purchase the dock yard site.
- It is an unparalleled opportunity for the town.
- Dereliction rates are over 10% in Passage West, this figure excludes holiday homes.
- Could the Council examine the possibility of getting a loan from the European Investment Bank.
- This is a critical issue which Members raised with the Chief Executive in the past.
- Cork County Council should work with Government Departments and possibly with the Office of Public Works (OPW) to advance this in partnership.
- The dockyard site is vital in the vision of developing Passage West.
- The dockyard is 3 hectares, has waterside frontage almost half of a kilometre long but is separated from the town by a high wall.

- It is one of only a few waterfront sites left.
- The town is trying to develop behind this high wall of the dockyard.
- It is a prime site located within a prime area.
- It would create a new town centre in Passage West.
- Passage West will be the gateway to the county within the new boundary.
- The dockyard site has massive potential for everybody, including the council.
- Members asked the Chief Executive to explain what does the term "open up" mean as outlined in the Director of Services' response

The Chief Executive said he respected members' views on the matter; however, he would not engage in discussions on individual property matters within the chamber. The Chief Executive confirmed the term "open up" related to substantial legacy issues on the site that would need to be dealt with.

Members asked that every avenue for funding should be pursued in order to acquire the dockyard site.

CORRESPONDENCE FROM GOVERNMENT DEPARMENTS

DEPARTMENT OF HEALTH

12/1-6

Members noted the Department's correspondence dated 30th April, 2018, in response to Members' letter dated 13th April, 2018, and subsequent letter dated 14th March. 2018, in relation to 5% medicated plaster.

NOTICE OF MOTIONS

WHEELCHAIR SWINGS

13/1-6

Councillor Michael Murphy proposed, seconded by Councillor Noel Collins, the following notice of motion:-

"That this Council look to install Wheelchair Swings in all their parks."

Members noted the report from the Director of Services, Municipal Districts Operations and Rural Development, which outlined as follows:-

Cork County Council is committed to attaining the highest standards in accessibility. In 2017 Cork County Council installed a wheelchair swing in the Playground in Clonakilty. The cost of this unit was €17,500. There were 87 Playground sites in County Cork as of December 2017 and if such a swing was to be included in each site a budget of €1.5 million would need to be allocated.

These swings are only suitable for wheelchair use and due to the weight of the unit in swing need to be fenced off from the other areas of play within the playground site, therefore segregated from general play. Access to this wheelchair area is via a key available from the local Area Office. It is not suitable for use by children not in wheelchairs which requires the unit to be kept locked to prevent misuse and injury.

Any new playground being developed in conjunction between the local authority and community groups is being done so with play inclusion at its core rather than segregation of abilities. The inclusion of accessible play units allows children of all abilities to play together.

Currently there is only 1 Government Playground grant scheme which is available from the Department of Children and Youth Affairs. The maximum grant available to each Local Authority is €20,000. Cork County Council has applied for this grant for the past 3 years and was successful in receiving funding of €7,500 in 2017.

As new playgrounds are being developed in areas with larger populations, these swings will be included in the design of the playground. The Council supports provision of playgrounds in the annual budget in the amount of €150,000 for 2018, which in effect would deliver one playground. Our approach to making the best use of this funding is to provide grant support to communities who are fund raising and seeking grants from other sources also.

During a discussion on the matter members' comments included as follows;

- The Director of Service's report is positive and is welcomed.
- We should try to have all of our parks wheelchair accessible.
- The €17,500 cost of the unit is irrelevant.
- This is a very important motion and it should be included in the review of the Recreation and Amenity Policy that is currently underway by the Social Inclusion & Community SPC.
- We need to advertise the fact the Council has installed a wheelchair swing in the Playground in Clonakilty.
- We need to target universal accessibility in our playgrounds.
- Wheelchair swings are not seen as best practice in terms of universal accessibility.
- All children are the same regardless of the physical ability.

The Mayor said he fully supported the notice of motion, and said there should be joint efforts between communities and their respective Municipal Districts in providing playgrounds as this gives better ownership to communities.

Members agreed that the matter be forwarded to the Social Inclusion & Community SPC for further consideration.

OPERATIONS AND RESOURCES OF THE AREA OFFICES

14/1-6

Councillor Seamus McGrath proposed, seconded by Councillor Bernard Moynihan, the following notice of motion:-

"To request a comprehensive review of the operations and resources of the Area Offices across the County and to devise an action plan to address their manifest inability to satisfactorily perform essential core functions."

Members noted the response from the Head of Personnel, which outlined as follows;

The type and extent of works that can be carried out by an Area Office is dependent on the financial resources available to it. The budgets available to these offices are being fully spent across all Municipal Districts, on an ongoing basis. While the Council has recently agreed a Workforce Plan for outdoor staff with the Unions and the consequent recruitment process is nearing completion, the main change that this will mean is that certain tasks now being done on contract will be carried out directly by the Council's own staff.

Most of the budgets available from state grant funding are for prescribed purposes and the type of works that can / cannot be carried out from such budgets are specified. In relation to budgets where discretion is available on what type works can be carried out, given the diversity of conditions across the County, it would appear that any consideration of what is being done would be more appropriately considered at Municipal District Committee level than across the County at large. However it must be realised that while operating to current budget levels, some tasks currently being undertaken will have to be dropped if other types of works are prioritised.

The Roads Workforce Plan numbers agreed between the Council and SIPTU under auspices of WRC in early 2018 for General Operative grades provided for the recruitment of additional 39 permanent and 15 seasonal General Operatives (season April to October). Seasonal General Operatives for 2018 are in place and the final round of interviews for permanent positions is underway and will be completed by 18th June next. Appointments will be made as quickly as possible thereafter.

During the discussion that followed, members raised the following points;

- This notice of motion is not a criticism in any way of staff in our Area Offices, but is rather an effort to support them.
- We need to start focussing more on our core functions.
- Communities, volunteers Tidy Town groups are doing the work that Cork County Council should be doing.
- We need to get back to what local authorities are about, including line painting, hedge cutting, ditch and gully clearing.
- What level of services are rate payers and local property tax payers really getting.
- A lot more needs to be done to highlight the work and activities of the Area Offices.
- Area Offices are under resourced and understaffed.
- We need to undertake a root and branch review of these offices
- Cork County Council has greatly expanded its efforts in the last few years.
- The Municipal District system is working brilliantly.
- We must recognise that Government policy is that local authorities are now responsible for economic development and tourism and local level.
- The LPT is also Government Policy and the Government is starving the local government sector of funding.
- Area Offices are trying to manage scarcity.
- In the last 10 years our roads have really disintegrated.
- Road signage is covered and cannot be seen.
- Stop lines on many roads are gone. This is a serious safety issue.
- What is stopping local authorities getting together and purchasing their own line painting machines.
- TII have a huge role to play, as national roads are not our responsibility
- How much funding is Cork County Council spending on works that TII is refusing to carry out
- Workers are retiring and not being replaced.
- Since July 2017, Skibbereen is without a Senior Engineer and this is impacting on the town.
- We can now see firsthand the effect of losing the Town Councils is having.
- In January 2018, the Council advertised positions for 38 General Operatives.
- None have been employed yet and some are only just being called back for a second interview.
- Now that the embargo is lifted, why is the recruitment process taking so long.
- The process should be better managed.

Extension of Time

At 1:15pm, following the proposal of Frank O'Flynn, seconded by Melissa Mullane, members agreed an extension of time until 2:00pm.

The discussion continued and members' comments included as follows'

- This is an opportune time for Cork County Council to review the activities and operations of the Area Offices
- More staff including planners should be assigned to work in Area Offices.
- Area Offices should be re imagined to deal with tourism and economic development activities
- How many extra staff have been taken on, and how many retired staff have been replaced.
- In East Cork 5 permanent staff were appointed to replace 5 retired staff, resulting in no increase in numbers
- We need to clear and upfront about what is going on.
- Nobody is in charge, taking ownership or responsibility.
- The general public cannot understand why we cannot get on with our work.
- The Government has created quangos in order to avoid people having to take important or difficult decisions.
- If the council had the same level of financial resources in the region of €80 million available as it did in 2008, it would be better able to provide adequate levels of services.

The Chief Executive said that current demands and needs for services are beyond what we can respond to, and the organisation is currently down 32% staff over the last 8 to 10 years.

The Chief Executive said it is not possible to provide the level of service to do everything, and that members would need to make decisions in relation to varying the local property tax in order to support the provision of additional levels of service.

The Chief Executive outlined that 5% of the county road network should be surfaced dressed and strengthened every year; however, only 1.57% of roads are being surfaced dressed and 2.5% are strengthened.

Responding to member's comments and queries regarding the recruitment of staff, the Chief Executive said that 194 different competitions for jobs took place over the past 18 months, resulting in approximately 3398 job applications, of which 714 related to General Operative positions.

The Chief Executive confirmed that the interview process cannot be quickened up due to the sheer number of applicants to be interviewed, and that the recruitment of senior staff, including senior engineers, is through the Public Appointments Service.

The Chief Executive also confirmed that a review of resources has been undertaken, and that it was unlikely additional resources would be made available without additional significant income to fund same. He commented that the Municipal Districts are working effectively, and the towns are now served financially better than they were under the form Town Councils.

Members thanked the Chief Executive for his response, and agreed important decisions regarding resources and returning to our core functions needed to be taken in advance of the next budget.

SUSPENSION OF STANDING ORDERS

Decision by An Bord Pleanála to approve Indaver's application in Ringakisddy

During a discussion on the matter, members raised the following points;

- The decision by An Bord Pleanála to grant an incinerator licence to Indaver is a devastating blow to all residents in the area.
- Members previously put forward a resolution that An Bord Pleanála rejects the application.
- It is important that we send out a message that the consequences of an incinerator will be felt right across Cork and not just the harbour area.
- We need to support the wider community and members should purchase and wear the "#NOINCINERATOR" t-shirt to show their support.
- We need to back the judicial review that will be coming forward.
- The planning process is deeply flawed and extremely undemocratic.
- Over the past few years there was 11 deferrals of decisions on the incinerator application
- The board's decision is disgraceful and is wrong on every level.
- The structure of An Bord Pleanála, which was set up as an independent body must be reviewed.
- Similar to Monard, the inspector's report was disregarded
- We need to be mindful of the thousands of people who did not want this and of this chamber's efforts to introduce measure in Local Area Plans to preclude such a development.
- We need a single Areas Plan for the whole harbour area
- This is the third time an inspector has recommended refusal and said the site is not suitable
- What about the tourism potential of the harbour area which is seen as a maritime haven.
- The view that tourism and industrial development are not compatible is not always the case.
- The decision is in line with national policy that that was approved by the Oireachtas.
- Indaver do not care about the community, only profits.
- We should write to the Minister requesting the re introduction of the levy on incinerators that will target Indaver's profits.

On the proposal of Councillor Seamus McGrath, seconded by Councillor Mary Rose Desmond, members agreed the following resolution.

Resolved:

"That the Members of this Council fully support the communities in continuing the fight to prevent the development of an incinerator in Ringaskiddy, and that we express our deepest and profound regret of the decision of An Bord Pleanala."

Members agreed to write to the Minister for Communications, Climate Action and Environment requesting the re introduction of the levy on incinerators

Meeting with Minister Shane Ross:

The Mayor informed members a cross party delegation from Cork County Council is to meet with Minister Shane Ross on Thursday 21 June, to discuss regional and local roads across Cork County. The Mayor requested that each of the party leaders would put forward nominees to attend the meeting.

VOTES OF CONGRATULATIONS

- TO: St. Finbarrs Under-14 Hurling Team on winning the Shield Competition at the All-Ireland Féile na nGael.
- TO: Clogheen National School, winners of the Spar 5-A-Side F.A.I school's soccer Competition
- TO: Stuart Hickey, Eric McCarthy and Youghal Karate Club on winning two silver medals at the Grand Prix International Championships in the Czech Republic in April
- TO: Youghal Pipe Band on coming third in South of Ireland Championships in Mallow on 2nd June
- TO: Mairead Whelton and Second Class of Barryroe National School on winning the Hi-Glo Silver Competitions of the Road Safety Authority.
- TO: The Chief Executive and the Communications Section following the success of the recent "Breakfast Briefing" in Bandon.
- TO: Conor Nelligan, Heritage Officer for the excellent re-enactment of Archduke Ferdinand 1518 visit to Kinsale.
- TO: John Murphy on winning the St. Andrews Links Trophy.

Councillor Kevin Murphy proposed that a Civic Reception be held in recognition of John Murphy's golfing achievements.

ANY OTHER BUSINESS

Opening of Tenders

The Mayor informed members the following tenders would be opened at the meeting

- a) Opening of 4 Tenders for Muddy Hill Rock Stabilisation Contract
- b) Opening of 5 Tenders for TO298 Fermoy Parapet Replacement

This concluded the business of the meeting.