



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 28th November, 2016.

I LATHAIR

Comhairleoir S. MacCraith, Méara Chontae

Comhairleoiri Mac Seafraida, Daltúin, Ó Cainte, S. Ó Coileán, M. Ó Murchú, Ó hEarchaí, R. Mhic Cárthaigh, Ó Colmáin, Lombard, C. Ó Murchú, Ní Cochláin, 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. NicCárthaigh, Léanacháin-Foghlú, N. MacCárthaigh, Ní Bhrian, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, J. Uí Mhurchú, Ó Sé, G. Ó Murchú, B. Ó Muimhneacháin, Uí Mhaoláin, T. Ó Coileán, D. Ó Coileán, Ó Cearúill, N. Ó Donnabháin, C. Ó Suilleabháin, P.G. Ó Murchú, Uí hEigearthaigh, Ó hAodha, Ó hUrthuile.

PRESENT

Councillor S. McGrath, County Mayor presided.

Councillors Jeffers, D'Alton, Canty, J. Collins, M. Murphy, Harris, R. McCarthy, Coleman, Lombard, 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, O'Shea, G. Murphy, B. Moynihan, Mullane, T. Collins, D. Collins, Carroll, N. O'Donovan, C. O'Sullivan, P.G. Murphy, Hegarty, Hayes, Hurley.

Chief Executive, Senior Executive Officer.

CONFIRMATION OF MINUTES

1/11-2

Proposed by Councillor T. Collins

Seconded by Councillor F. O'Flynn

RESOLVED:

“That the minutes of meeting of the Council held on 24th October, 2016, be confirmed and signed by the Mayor.”

Councillor D. O'Grady proposed the following amendments to the Budget Minutes:-

Pg.22 The Mayor advised that [**according to legislation, and in accordance with past practice**, the Budget in whole would be voted on and the amendments from Sinn Féin could not be voted on separately.

Pg. 23 Remove that Sinn Fein supported the Rates Relief Scheme

Pg. 23 Remove that Cllr D O'Grady agreed with an additional income of €750,000.

Proposed by Councillor D. Hurley

Seconded by Councillor K. Conway

RESOLVED:

“That the minutes of the Budget Meeting of the Council held on 14th November, 2016, be confirmed and signed by the Mayor.”

VOTES OF SYMPATHY

- TO: Fr. Jim Moore on the death of his father, Ristead.
- TO: James Dwyer, Executive Engineer, on his recent bereavement.
- TO: Cllr. John Paul O'Shea on the death of his aunt, Kathleen.
- TO: The family of the late Michael Dolan, former Chairman Cork County Board.
- TO: The family of the late Michael Conlon, former Cork County Manager.
- TO: Sinead Smith, Chief Executive's Office, on the death of her husband's uncle.
- TO: The family of the late Tim Carey, former Fermoy Town Council.
- TO: The family of the late Jeremiah O'Shea, former employee Mallow.
- TO: All those who died by suicide in Cork in the last number of weeks.

Fidel Castro

Cllr. D. O'Grady proposed a vote of sympathy to the people of Cuba on the death of Fidel Castro and asked that a Book of Condolences would be opened in County Hall.

The Chief Executive stated that he wished to be associated with the expressions of sympathy and advised that the Council would normally await direction from the Department of Foreign Affairs on how to deal with international events.

The Mayor advised that he would consider opening a Book of Condolences.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposals.

DISPOSAL OF THE COW, BALLYCOTTON, CO. CORK.

4(a)/11-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 1st November, 2016.

<u>Situation:</u>	The Cow, Ballycotton, Co. Cork.
<u>Area:</u>	c. 0.0187 hectares
<u>From Whom Acquired:</u>	Ballycotton Development Company Ltd.
<u>To Whom It Is Proposed To Dispose:</u>	Mr. Pat Motyer
<u>Consideration:</u>	€1.00

DISPOSAL OF LAND AT CLAYCASTLE, YOUGHAL, CO. CORK.

4(b)/11-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 1st November, 2016.

<u>Situation:</u>	Claycastle, Youghal, Co. Cork
<u>Area:</u>	0.39 hectares (0.96 acres) Part of Folio CK79771F
<u>From Whom Acquired:</u>	Unknown – predates Property Section Records
<u>To Whom It Is Proposed To Dispose:</u>	Siobhan & John Cahill, Youghal, Co. Cork
<u>Consideration:</u>	€180,000

DISPOSAL OF LAND AT BROOKLODGE, GLANMIRE, CO. CORK.

4(c)/11-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 1st November, 2016.

Situation: **Brooklodge, Glanmire**

Area: **2.56 Hectares**

From Whom Acquired: **William & Julia Moore**

To Whom It Is Proposed To Dispose: **Co-operative Housing Ireland
(Formerly NABCO).**

Consideration: **€750,000.00**

DISPOSAL OF 8 DAN DESMOND TERRACE, CARRIGALINE, CO. CORK

4(d)/11-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 1st November, 2016.

LAND HELD UNDER LEASEHOLD INTEREST: **8 Dan Desmond Terrace, Carrigaline, Co.Cork**
Folio No. 22528L

FREEHOLD INTEREST: Folio No. 28429

FROM WHOM ACQUIRED: Unknown

PERSON TO WHOM FREEHOLD INTEREST IN LAND IS TO BE DISPOSED OF: **Jason Orchard & Deirdre O'Callaghan**

CONSIDERATION: € 350.00 inclusive of administration charges

COVENANTS, CONDITIONS AND AGREEMENTS: Conditions pursuant to Housing Act, 1966 and Landlord & Tenant Acts, 1947 – 1984.

GRANT OF WAYLEAVE AND RIGHT-OF-WAY AT CASTLETREASURE, DOUGLAS, CO. CORK

4(e)/11-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 1st November, 2016.

Situation: Grant of Wayleave and Right-of-Way at Castletreasure, Douglas, Co Cork.

From Whom Acquired: Unknown. Acquisition predates Property Section's records.

To Whom It Is Proposed To Dispose: Mr Maurice Walsh, Clonmoyle, Coachford, Co Cork.

Consideration: €1

DISPOSAL OF 39 CORONEA, SKIBBEREEN, CO. CORK.

4(f)/11-2

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 14th November, 2016.

Situation: Serviced Site at No. 39 Coronea Skibbereen Co.Cork.

From Whom Acquired: Council Housing Land

Area: 0.25 Acres

To Whom It Is Proposed To Dispose: Johnny & Bernadette Cahalane Cork Rd Skibbereen Co.Cork.

Consideration: €50,000

DISPOSAL OF 41 CORONEA, SKIBBEREEN, CO. CORK

4(g)/11-2

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 14th November, 2016.

Situation: Serviced Site at No. 41 Coronea Skibbereen Co.Cork.

From Whom Acquired: Council Housing Land

Area: 0.19 Acres

To Whom It Is Proposed To Dispose: Tom & Sinead Foley 42 Newbridge Park Skibbereen Co.Cork.

Consideration: €40,000

LEASE OF LAND AT THE MARSH, SKIBBEREEN, CO. CORK.

4(h)/11-2

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 14th November, 2016.

Situation: Lease of Land at the Marsh, Skibbereen.

Area: 2.125 hectares

From Whom Acquired: Unknown. Acquisition predates Property Section's records.

To Whom It Is Proposed To Dispose: Skibbereen R.F.C. by way of lease.

Term: 3 years

Consideration: €200 per annum

DISPOSAL OF AREA OF LAND AT BROOKWOOD, THE HERMITAGE, GLANMIRE, CO. CORK.

4(i)/11-2

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 14th November, 2016.

Location: Area of land at Brookwood, The Hermitage, Glanmire, Co. Cork.

Area: c. 0.257 acres

From Whom Acquired: Historic Council land.

To Whom It Is Proposed To Dispose: Sean Lane & Eileen Creedon.

Consideration: €1,100.00.

DISPOSAL OF LAND AT CHURCH ROAD, CARRIGALINE, CO. CORK.

4(j)/11-2

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 10th November, 2016.

Situation: Church Rd, Carrigaline.

From Whom Acquired: Unknown

Area: 0.1787 hectares & associated wayleaves.

To Whom It Is Proposed To Dispose: Trustees of Carrigaline Men's Shed
Barry Cogan, Roger Morrissey & Aidan Winters.

Consideration: €200.00 per annum

Term: 30 years
(by way of lease agreement)

AMENDMENT TO DISPOSAL OF LAND AT BROOMFIELD WEST, MIDLETON, CO. CORK

4(k)/11-2

Members noted amendment to Disposal of Land at Broomfield West, Midleton, Co. Cork by the substitution of “Minister for Education & Skills” in lieu of “the Department of Education & Skills”, being the persons to whom the land is to be disposed.

AMENDMENT TO DISPOSAL OF SUBSTATION AT BAN NA GREINE, CARRIGTWOHILL, CO. CORK.

4(l)/11-2

Members noted amendment to Disposal of Substation at Ban na Greine, Carrigtwohill, Co. Cork, by the substitution of “7.44 sq metres (0.0007 hectares) plus Right of Way (measuring approx 3 metres wide by 4 metres long) in lieu of “7.44 sq. metres” being the area of said disposal.

APPOINTMENT OF BUSINESS PILLAR TO PLANNING SPC

5/11-2

The appointment of Business Pillar Representative Mr. Tony McGrath to the Planning SPC was approved.

APPOINTMENT OF BUSINESS PILLAR TO ENVIRONMENT SPC

6/11-2

The appointment of Mr. Cian Murphy as the Business Pillar Representative on the Environment SPC was approved.

Members asked that background information would be given regarding a newly appointed external representative to SPCs in the future.

REPORTS & RECOMMENDATIONS OF COMMITTEES

Corporate Policy Group:

APPROVAL OF CONFERENCE LIST FOR NOVEMBER & DECEMBER, 2016

7(a)/11-2

Proposed by Councillor K. Murphy

Seconded by Councillor J. P. O’Shea

RESOLVED:

“That the attendance by Council members at Conferences on the Conference List for November, 2016 approved by the Corporate Policy Group at their meeting on the 1st November 2016 and Conference List for December, 2016 approved by the Corporate Policy Group at their meeting on 22nd November, 2016 be hereby approved.”

NEW MANDATE OF 1916 COMMEMORATION COMMITTEE

7(b)/11-2

Proposed by Councillor K. Murphy

Seconded by Councillor J. P. O'Shea

RESOLVED:

“That the Current Membership of the 1916 Committee be given a new Mandate to continue their Commemorative work.”

CORK COUNTY COUNCIL FLAG POLICY

7(c)/11-2

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

Flags of National Significance may be flown when appropriate or when the County Council is hosting a visiting delegation. In that instance, the 2 National Flags (Irish Flag and the National Flag of the visiting Delegation) along with the Cork County Council Flag would be flown.

It is also recognised that from time to time events of an exceptional nature or special occasions arise whereby it would be appropriate for Cork County Council to demonstrate its visible recognition and support.

These would typically be of countywide interest and remit, and would include national / local commemorative events, Ceremonial functions, Charitable / socially inclusive events/initiatives.

In all cases, the request for the flying of a specific flag should be raised with the County Mayor and/or Director of Corporate Services, who will consider the request and ascertain if it is appropriate for the Council to lend its support to the initiative via the flying of the appropriate flag at County Hall and/or other relevant Council buildings.

On the proposal of Councillor Ml. Hegarty, seconded by Councillor M. Hegarty, the Council's Flag Policy was approved.

Kanturk Mallow Municipal District:

WATER SCHEME IN BALLYDESMOND

8/11-2

Councillor B. Moynihan proposed, seconded by Councillor T. Collins, the following motion:-

“Cork County Council seek an update from Irish Water in relation to the upgrade of the water scheme in Ballydesmond and seek clarification of when works will be carried out including timeframe and milestones for same.”

Members made the following points:-

- This issue has been ongoing for 30 years and the quality of water in the area is very poor;
- People in the area have suffered enough, public meeting was held recently;
- The purchase of land for the 2 reservoirs is the issue and is holding up the Water Scheme;
- People are entitled to clean water and for the Water Scheme to start;

- It will be early 2018 before work commences;
- There is a lack of information from Irish Water;
- Ballydesmond is a thriving village and there is an urgency with the Scheme;

The Mayor said he wished to be associated with this and shares the frustration of the local community of Ballydesmond and the Elected Members in the length of time the community has been left waiting for this upgrade. It was agreed to write to Irish Water.

East Cork Municipal District:

REPORT UNDER SECTION 179 OF THE PLANNING & DEVELOPMENT ACT, 2000

9/11-2

Proposed by Councillor M. Linehan-Foley

Seconded by Councillor Ml. Hegarty

RESOLVED:

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

L3810 Pedestrian Crossing Works, Cork Hill, Youghal

Social Inclusion & Community SPC:

LGBT FLAG

10/11-2

Proposed by Councillor J. P. O’Shea

Seconded by Councillor D. O’Grady

RESOLVED:

“That Cork County Council flies the LGBT flag on the opening and closing days of both the Cork Pride Festival and the National LGBT Pride festival annually.”

International & European Affairs Committee:

DRAFT COMMUNITY DIASPORA STRATEGY

11/11-2

Proposed by Councillor A. Coleman

Seconded by Councillor M. Hegarty

RESOLVED:

“That the Draft Community Diaspora Strategy be hereby approved.”

Bandon/Kinsale Municipal District:

LARGE SCALE SOLAR FARMS

12/11-2

Proposed by Councillor K. Murphy

Seconded by Councillor R. McCarthy

RESOLVED:

“That this Council call on the Department of Housing, Planning, Community & Local Government to invoke a moratorium on solar energy power plants in Cork County until the necessary guidelines regarding large scale solar developments are in place.”

Members made the following points:-

- National Guidelines need to be enacted to ensure solar farms are part of our energy programme;
- All Members support renewable energy but national guidelines are needed;
- There has been no consultation with the residents in the area and how the plant would affect their living conditions;
- 200,000 acres has been committed nationally for these farms;
- Number of applications coming down the line is a concern;
- There needs to be more control in where they are placed;
- Planners are not at fault to grant permission but national guidelines are needed;
- Cork will be a big draw for renewable energy need to see how this will affect the whole county;
- Need direction from the government on how to approach this;
- Is the Council legally entitled to call for a moratorium on applications;
- Mistakes have been made in the past with wind energy;
- We should not have to give up good agricultural land for this;
- We should exploit our solar assets but on marginal land only;
- Ireland is committed to produce 16% electricity by solar plants by 2020, highly challenging for the country;
- Council is required to consider all applications that come before it;
- Damning indictment on the Department we need to look at renewables seriously into the future;
- Worrying that they want to bring local community into share of profits; educate people properly on what they are handing over;

The Chief Executive said that this does not impact on the manner on how the Council decides on applications and any decisions made are sound even without the Guidelines. The Council is more than open with proposals and has its own Energy Section with significant benefit from EU work and this will continue. The Council is committed to having an Energy Section into the future.

CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS

RETENTION OF LOCAL PROPERTY TAX

13/11-2

Members noted letter dated 24th October, 2016, from the Department of Finance, in response to Council's motion of 26th September, 2016, in response to Council's motion of 26th September, 2016, regarding retaining all Local Property Tax collected in Cork.

Members noted that the Inter Departmental Group made a number of recommendations and queried what the Group have done to date, how do they propose to proceed and what is the timeframe for same.

It was agreed to refer the matter back to the Department of Finance.

RECLASSIFICATION OF N71

14(a)/11-2

Members noted letter dated 19th October, 2016, from the Department of Transport, Tourism and Sport, in response to Council's motion of 25th July, 2016, regarding the reclassification of the N71 to National Primary Road status.

Members commented that the response was vague and the importance of the N71 as the gateway to West Cork and is vital for the promotion of tourism. Members queried the timeframe for the review and if the Council has a role to play in the process. Members called for more investment in the N71.

It was agreed to refer the matter back to the Department of Transport, Tourism and Sport.

STATUS OF M20

14(b)/11-2

Members noted letter dated 28th October, 2016, from the Department of Transport, Tourism and Sport in response to Council's motion of 11th July, 2016, regarding the status of the M20 Cork to Limerick Motorway.

It was agreed at this point to take Item 22

M20 CORK TO LIMERICK MOTORWAY

22/11-2

Councillor I. Doyle proposed, seconded by Councillor F. O'Flynn, the following motion:-

“That Cork County Council would seek from the Minister of Transport a breakdown of the one million Euros allocated to TII, re N20 Cork to Limerick Motorway. Ask for a breakdown of the total funds needed to get N20 to start stage and an estimated timeline. Also, a breakdown on cost so far of the initial planning stage.”

During a discussion, Members made the following points:-

- The M20 is of strategic importance, need more clarification on what will be funded from €1m allocation;
- Total cost of project will be €600-650m over a period of 20 years, need a timeline for works;
- Mallow Relief Road is a critical element of this;
- No need for another feasibility study, we need to see a contract in place;
- Has a route been identified for the M20?

It was agreed to write to the Minister for Transport and the TII Executive seeking a meeting to discuss the M20 and other National Road Projects in Cork and asking that, given the scale of this entire project, that the critical elements of this project i.e. – Mallow Relief Road and Charleville Relief Road would be prioritised in the first tranche of funding.

NOTICES OF MOTION

LOCAL PROPERTY TAX

15/11-2

In the absence of Councillor M. D'Alton, the following notice of motion was deferred to the next Council Meeting:-

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

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

N40 BOTHAR CUMANN NA MBAN

16/11-2

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

“Go n-usaidfi an teideal N40 Bothar Cumann na mBan, ar an bothar idir An Tullán, agus An Seachbothar Baile An Cholligh, i ngach cumarsáid, agus comhfhreagras sa todhchaoi.”

“That Cork County Council would use the road from the Jack Lynch Tunnel and the Ballincollig Bypass by its full title, N40 Bothar Cumann na mBan, in all its future correspondences.”

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

This matter was first raised at Council in December 2014. As then requested, Council wrote to the NRA in January 2015, asking that the NRA give consideration to naming the N40 as “ Bothar Cumann na mBan” . The NRA outlined their position to us in March 2015, as follows :

- In the opinion of the NRA, renaming the road is contrary to safety of use, strategic future-proofing of signage, ease of way-finding and National Policy.

Whilst I recognise the intent of the Motion, given the basis of the NRA position, I am not in a position to use the proposed Road Name, or direct that this name be used in Council Correspondence.

On a point of clarification, it is important to note that Council did not officially rename the N40, as indicated in the Motion. Council simply requested that the NRA give due consideration to the matter, and as stated, the results of their consideration are outlined in the attached correspondence.

However, as discussed at Council Meeting on the 11th of May, 2015, perhaps the matter should be considered by the Commemoration Committee as to how Cumann na mBan might be best commemorated.

The Chief Executive said that he would have serious concerns about this and there would be more appropriate ways to approach it. He said that it would be more appropriate for the 1916 Commemoration Committee to consider it further.

Cllr. G. Moynihan said she appreciated the role of the TII and that at the end of the day its up to Members to approve this and commence the process.

The Chief Executive said that no decision to change the name of the road was taken at the last meeting and that he would urge caution. He continued to read out the extract from the last Council Meeting at which this topic was discussed:-

Members noted letter dated 16th March, 2015, from the National Roads Authority, in response to Council's motion of 12th January, 2015, regarding the naming of the N40 Southern Link Road.

Cllr. A. Moynihan said that the NRA has no role in the naming of this road and that the City and County Councils are in agreement that it should be named after Cumann na mBan.

The Chief Executive said that the NRA has a National Signage Strategy and that there may be another form of naming this road so that there is no conflict with the strategy. He said that naming a road is different to signage and that the 1916 Commemoration Committee should look at this further.

It was agreed, that in place of the notice of motion, it would be proper for the Commemorative Committee to come up with an alternative proposal to commemorate Cumann na mBan.

ESTATES TO BE TAKEN IN CHARGE IN 2016

17/11-2

Mayor S. McGrath proposed, seconded by Councillor F. O'Flynn, the following notice of motion:-

“To seek a written report on the total number of estates likely to be Taken in-Charge in 2016. Also, to clarify the exact role of the Department (DHPCLG) in this process.”

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

Members will be aware of considerable activity in recent years in the Taking In Charge of Estates; as follows:-

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

The DECLG contacted all Local Authorities in late-December 2015 requesting information on the number of completed estates that have not been Taken In Charge (TIC). Cork County Council submitted a list of estates of which 92 had Taking In Charge applications.

On foot of this information, indicative potential funding of €10m was to be made available to Local Authorities with a view to accelerating the TIC of qualifying selected estates.

CCC's potential allocation was capped at €764k:-

- €264k for estates already connected to public networks ie: wastewater and watermain (Measure 1)
- €500k for estates with so-called Developer Provided Infrastructure (DPI) eg Wastewater Treatment Plants and/or Pumping Stations (Measure 2)*

In accordance with criteria laid down by the DECLG, CCC then submitted an application for funding for 23 estates in May 2016. Criteria included existence of a TIC application, geographical spread, estates of varying sizes as well as details of outstanding works required to bring the estates to TIC standard. With respect to Measure 2 estates, proposed resolution will be considered ‘demonstration projects’ with a premium placed on solutions that eliminate the necessity for WWTP’s or – where that is not possible – the existing WWTP could be utilised to serve a wider catchment area than simply the estate they were designed to serve.

In July 2016, the Council received provisionally-approved funding for 15 of these estates. The statutory process for taking 11 of these estates in charge has commenced as well as 3 others that have been approved in principle for Taking In Charge by Irish Water. Subject to the formal approval by the Elected Members of the relevant Municipal District, the statutory process for 14 estates should be completed before the end of 2016.

The remaining 4 estates approved for NTICI-funding, contain Developer Provided Infrastructure (e.g. Wastewater Treatment Plants) and the Council is engaging both with the Department and Irish Water with a view to resolving issues (legal and engineering) that will facilitate their’ Taking In Charge. A significant amount of Estates Personnel resources has been concentrated on dealing with the above Initiative.

We are progressing a list of candidate estates (prepared by our Estate Engineers) that it is proposed to progress to Taking In Charge as soon as possible, subject to compliance with new Protocols in place with Irish Water whose agreement in principle to take Sanitary Services in charge is required. Also other Engineering and Legal issues are being checked for compliance.

The formal statutory Taking In Charge process is now dealt with at Municipal District level. The process for these candidate estates will be moved forward as expeditiously as possible.

During a discussion, Members made the following points:-

- The Council has stepped up its activity and the progress made is welcome;
- Council is progressing this and it is important to keep the momentum going;
- Financial institutions were troublesome over the years but are now co-operating;
- This is a success story for the Council;
- How will issues with Irish Water be progressed;
- Numerous estates have not yet been taken in charge, is there funding for future projects;
- Sought further details on 11 estates to be taken in charge.

The Chief Executive said that the Council has made great progress over the last number of years with regard to taking estates in charge. He said that Irish Water need to take in charge water infrastructure and progress their side of this. Progress is more complex now regarding Irish Water. Protocols are in place with Irish Water and we are progressing to work with them.

ASSESSMENTS BY VALUATION OFFICE

18/11-2

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

“To seek a written report on the number of new buildings in Cork County that are awaiting assessment by the Valuations Office. The report to include the number of new buildings, how long each 'new build' has been waiting for a rates assessment tabulated by year, the total square footage of the buildings in question, and what is the estimated value of the rates forgone so far from the buildings that have yet to be assessed?

The report to further contain the number of buildings that have undergone structural changes by extension and are awaiting revision by the Valuations Office, the total extra square footage of those that were extended, the length of waiting time for revision tabulated by year and the estimated value of the rates foregone while awaiting revision.”

Members noted report from the Head of Finance, which outlined as follows:-

The Valuation Office, in Dublin, is the body responsible for determining and adjusting the rateable status and valuation of all commercial properties in the State. This means that in order for a new property to be rated it must be first valued by the Valuation Office. Similarly, if a property is extended, it must be assessed by the Valuation Office so that any increased rate due on foot of its expansion can be realised. Where a property is reduced in size, or the valuation no longer reflects its size or use, the Valuation Office must act in order that any necessary adjustment to its rateable valuation can be made.

In recent years, the Valuation Office in the context of its available resources has prioritised the progression of the National Revaluation Project. This has had a corresponding impact on its core revision programme, i.e. the assessment of new and improved properties and has resulted in a significantly reduced volume of revision work being undertaken nationally over the last number of years. A backlog of cases awaiting assessment has accrued.

Each year, Local Authorities, including Cork County Council, have submitted lists of priority cases to be dealt with within their jurisdictions, as Valuation Office resources allow, thus maximizing valuation buoyancy and minimising any fiscal impact on the local exchequer. The Council and the Local Authority sector nationally, have expressed their strong dissatisfaction with the situation and have requested that it be urgently remedied.

There are currently 605 hereditaments awaiting assessment by the Valuation Office. The breakdown of these hereditaments per year listed is as follows.

Year	Outstanding Listings
2011	6
2012	14
2013	151
2014	67
2015	226
2016	141

It is not possible to estimate what buoyancy (value) will be forthcoming once these listings are dealt with by the Valuation Office as that is a matter solely within that body's remit and area of expertise. Nor is it possible to estimate the backlog on a square footage basis or by revision category as the variety of the developments listed and the particulars at hand do not facilitate such an analysis.

It is understood that the Valuation Office is currently putting arrangements in place which will result in additional resources being assigned to the Revision programme and the backlog of assessments being addressed. This should result in a much improved situation once resources come on stream.

Members made the following points:-

- Apprehension that the Council is losing rates funding due to revaluations;
- The number of buildings not valued is quite high, loss of income to the Council;
- Council should be compensated for losses over the last number of years;

The Chief Executive said there is a significant number of valuations due to the Council and they need to be progressed. He said there is a limited number valued each year and a significant level of funding due to the Council. He said the Council does seek to influence the Valuation Office's programme of works.

Cllr. D. O'Grady requested figures on amount accruing to the Council over the last 6 years.

It was agreed to write to the Department and the Valuations Office to expedite this process.

REGISTERING OF LANDLORD PROPERTIES FOR HAP

19/11-2

Councillor D. Twomey proposed, seconded by Councillor N. Collins, the following notice of motion:-

“That this Council give clarification as to whether a landlord must have their rental property registered with PRTB prior to entering into a HAP contract.”

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

Landlords who rent out a private property for residential purposes are obliged to register with the Residential Tenancies Board (RTB), previously called PRTB. This obligation is provided for in the Residential Tenancies Act 2004 and applies whether the tenancy is under HAP, RAS or any other scheme. Proof of registration does not require to be submitted to the local authority by landlords participating in the HAP Scheme.

Landlords who do not register cannot avail of the RTB's dispute resolutions service and may be prosecuted by the RTB in accordance with the 2004 Act.

Further information on landlords' obligations is available on the Residential Tenancies Board website, prtb.ie.

Members made the following points:-

- If a tenant leaves a property, would they be entitled to HAP in another property;
- Rental properties should be of benefit to tenants and landlords;
- If a landlord is not registered and a dispute takes place, are they prevented from entering another HAP agreement;
- Council should be promoting the rights of tenant.

The Chief Executive said that the contract is between the landlord and the tenant and there is a legal obligation to put registered properties with the PRTB. The Council makes a payment to the landlord and each local authority sends a list of landlords receiving HAP to the PRTB. He said the Council's relationship is with the tenant and such a situation has not arisen.

It was agreed to refer the matter to the Housing SPC.

HORSE PROJECT

20/11-2

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

“That this Council commence a feasibility study for the provision of a Horse Project in Cork County. Cork County Council's research on Traveller Accommodation and liaising with Traveller Representative Bodies is that the care and rearing of horses is an indelible part of Traveller culture and identity. It is the view of Cork County Council in the Traveller Accommodation Plan 2014-2018 that consideration to be given to supporting a feasibility study with a view to the provision of a horse project in the County. This feasibility study should begin immediately with funding for the project to be made available in the 2017 Capital Budget.”

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

Cork County Council requires persons who keep horses to comply with the requirements of the Control of Horses Act 1996 and the Control of Horses Bye-Laws 1998. The Council acknowledges that the care and rearing of horses is part of Traveller culture and identity and, as stated in the motion, did undertake, in the Traveller Accommodation Programme 2014-2018, to give consideration to supporting a feasibility study with a view to the provision of a horse project in the County.

Discussions have taken place at Local Traveller Accommodation Consultative Committee level and at the most recent meeting, held on 4th November 2016, it was agreed that a sub-group would be set up, from within the Membership of the Countywide LTACC, to explore options in this regard. The membership of the sub group has been agreed, an initial meeting will take place shortly and the findings of the group will be presented to the LTACC on completion of its report.

Members made the following points:-

- This Scheme would be of huge benefit to both the Council and Travellers;
- Ownership of horses is linked to traveller pride and their mental well being;
- 176 horses have recently been collected around the County at a cost to the Council;
- Members are awaiting a report from the Traveller Accommodation Committee regarding the process of setting up the project;
- Travellers also need to take responsibility for the care of horses and chipping;
- No reimbursement for the Council for dealing with horses;
- Feasibility Study should start immediately and money should come from Capital fund;

The Chief Executive said that the Feasibility Study would determine if funding is needed or not for the Project.

SUB –COMMITTEE FO SUICIDE PREVENTION

21/11-2

Councillor E. Jeffers proposed, seconded by Councillor J. P. O’Shea, the following notice of motion:-

“That this Council consider a sub-committee to be established from the Social Inclusion Policy Committee with its focus to be on mental health and suicide prevention.”

Members made the following points:-

- The Council should show leadership and help those affected by suicide;
- Is there a Suicide Officer in the Council;
- This should be considered by the relevant SPC;
- Contact is being made with Corporate Affairs and a presentation being made to Development Committee;
- HSE West have undertaken the initiative with a booklet and resources for those bereaved by suicide;
- Councillors need assistance to deal with emergency situations not qualified to give advice;
- This is a very sensitive issue and unfortunately is very prevalent in the Cork Region;
- Consideration should be given to inviting Conor Cusack to a meeting of Council.

It was agreed that the motion would be referred to the Social Inclusion SPC.

As the time was now 1.15 pm an extension of time was agreed on the proposal of Councillor M. Linehan-Foley, seconded by Councillor Ml. Hegarty

MARK UPS IN DEPARTMENT STORES

23/11-2

Proposed by Councillor N. Collins

Seconded by Councillor R. McCarthy

RESOLVED:

“That this Council call on the Minister for Consumer Affairs, to request department stores and supermarkets etc., who price their goods in pounds and Euro to re-evaluate their mark-ups and amend how much they charge their customers, now that sterling has decreased in value, resulting from Brexit.”

EASY PAYMENTS FOR MOTOR TAX

24/11-2

Councillor J. Murphy proposed, seconded by Councillor J. P. O’Shea, the following notice of motion:-

“That this Council pioneer an easy payment method for motor tax payments enabling people to make regular small payments towards their motor tax bills. This could be done in a similar way to the easy payment method currently available for TV Licence payment via the local Post Office.”

Members noted report from the Head of Finance, which outlined as follows:-

The current basis of charging for motor tax is set out in legislation. The legislation allows for payment on a quarterly, half year or full year basis.

There is no provision for smaller payment options such as monthly instalments and the current system cannot facilitate smaller payments outside of the quarterly, half yearly and full year options.

Local Authorities, including Cork County Council, are responsible for the receipt of motor tax collected through the Motor Tax Offices but must operate the national system.

The Department of Transport, Tourism and Sport has responsibility for the National Vehicle and Driver File system (NVDF system) that is used to process the motor taxation payments. This system processes all motor tax transactions regardless of whether they are made online or through the Local Authority Motor Tax offices. The Local Authorities cannot make independent changes to this system and can therefore process payments on a quarterly, half year or full year basis only.

This means that the rates of motor tax and the payment options are standardised throughout the country and the Local Authorities do not have independent discretion to accept payments that are smaller than the existing quarterly payment option.

Members made the following points:-

- People are penalised by paying 15% more if paying quarterly;
- Incumbent on us to ease the burden on people and help them plan for the year;
- This would be a first in the country, no other local authority is operating such a scheme;
- Payment methods of paying more should be discontinued, same rates should apply;
- A key issue for the elderly is lack of cash and online services, now depending on others to get their business done;
- Older cars are paying a higher rate of tax;
- Support reform of the system, people are being penalised.

The Chief Executive said that he would hope Council is not looking for the transfer of the service to Post Offices and just easy payment options. He said that Members should look at the wording of the motion and that he would support a pilot scheme but it would have to be through the local authority system.

It was agreed that the matter would be considered further at the Roads and Transport SPC to come up with a suitable for the proposal and formulate correspondence to be sent to the Department.

CORRESPONDENCE FROM OTHER BODIES

RIGHT TO STRIKE OF AN GARDA SIOCHÁNA

25/11-2

Members noted with disappointment letter dated 20th October, 2016, from the Courts of Justice of the European Union, in response to Council's letter of 14th September, 2016, regarding the right to strike of An Garda Siochana.

PROVISION OF UNDERPASSES ON N20

26/11-2

Members noted letter dated 25th October, 2016, from Transport Infrastructure Ireland (TII), in response to Council's motion of 14th September, 2015, regarding provision of underpasses on the N20.

VOTES OF CONGRATULATIONS

27/11-2

TO: Taste of West Cork Festival.

TO: St. Colman's College, Fermoy on winning the Dean Ryan Cup, Munster Hurling Champions and wished them well for the All Ireland.

TO: Christina Desmond on winning a bronze medal at the European Boxing Championship.

TO: Douglas Community Association on winning Pride in Place in the 5000+ population category – and to Glash and Killeagh.

TO: Kinsale GAA Ladies Football Team on winning the All Ireland Junior A Semi Finals.

TO: Aisling Judge on being awarded Person of the World.

ANY OTHER BUSINESS

28/11-2

Opening of Tenders

The following tenders were opened at the Meeting:-

- Safety Barrier Contract – 3 no.

This concluded the business of the Meeting