

Minutes of East Cork Municipal District Held on 12th June 2014 at 2.30 p.m. at The Mall House, Youghal, Co. Cork.

**I Lathair:**

Councillors. Collins, Hegarty, O' Sullivan, McCarthy & Buckley. Apologies were received from Cllr. Linehan Foley.

**Ag Freastal:**

Maurice Manning, Substitute Director of Services.  
Dave Clarke, Senior Executive Engineer.  
Christy Ring, Senior Executive Engineer.  
Geraldine O' Connell, East Cork Municipal District (Youghal Office)  
Joe McCarthy, East Cork Municipal District Officer.

**1. Election of Cathaoirleach:**

The Municipal District Officer called for nominations for the election of Cathaoirleach of East Cork Municipal District.

Ar moladh ag Cllr. Hegarty, cuidithe ag Cllr. O' Sullivan

"That Cllr. Noel Collins be nominated for the position of Cathaoirleach of the East Cork Municipal District"

There being no other nominations Cllr. Collins was declared to be elected as Cathaoirleach of the East Cork Municipal District".

**2. Election of Leas Cathaoirleach:**

Cllr. Collins took the chair and called for nominations for the position of Leas-Cathaoirleach of the East Cork Municipal District.

Ar moladh ag Cllr. Hegarty, cuidithe ag Cllr. O' Sullivan:

"That Cllr. Susan McCarthy be nominated for the position of Leas Cathaoirleach of the East Cork Municipal District".

Ar moladh ag Cllr. Pat Buckley:

"That Cllr. Pat Buckley be nominated as Leas-Cathaoirleach of the East Cork Municipal District".

There being no seconder for Cllr. Buckley's nomination Cllr. McCarthy was declared elected leas-Cathaoirleach of the East Cork Municipal District.

**3. Nomination of Member to be a Member of Corporate Policy Group:**

The S/Director of Service advised that it intended that each of the Municipal Districts be represented on the Corporate Policy Group. The Corporate Policy Group consists of the Mayor and the Chairperson of the Strategic Policy Committees. The Corporate Policy Group advises and assists the Council in the formulation, development and monitoring and review of policies.

The Cathaoirleach called for nomination of a Member to sit on the Corporate Policy Group.

Ag moladh ag Cllr. Collins, cuidithe ag Cllr. McCarthy, glacadh leis:

“That Cllr. Michael Hegarty be nominated to sit on the Corporate Policy Group”.

#### **4. Standing Orders:**

The Municipal District Officer circulated a copy of the Draft Standing Orders which were issued by the Department of the Environment, Heritage and Local Government to the members and suggested the Members take time to consider the document and have them ratified and adopted as present Standing Orders for the conduct of this meeting. The Draft Standing Orders would be considered by the Members for a period and the matter subsequently reviewed.

Cllr. O’ Sullivan raised the issue of Municipal District and stated that there was some confusion as to what functions would be performed and could he have clarification on how things are going to move forward.

The S/Director of Service Maurice Manning informed the Members that the Municipal District will be a decision making body and will also have reserved functions and that the Standing Orders may need to be tailored to the needs of Cork County Council and there would likely be items included in the Draft Standing Orders which may be unnecessary and items not included with might be added. He stated that budgets and finances regarding the Municipal District will be clarified over the next few months.

#### **5. Schedule of Meetings:**

Ag moladh ag Cllr. Hegarty cuidithe ag Cllr. Buckley glacadh leis:

“That the East Cork Municipal District Meetings shall be held at 11.00 a.m. on the first Monday of each month at alternate venues in the Municipal District Offices in Youghal and Midleton”.

#### **6. Municipal District Functions:**

Cllr. O’ Sullivan stated that there was some confusion as to what exactly the functions of the Municipal Districts would be and he enquired about funding to enable the performance of functions.

The S/ Director of Services, Maurice Manning referred to new regulations in relation to reserved functions for Municipal Districts set out in 3 parts of Schedule 14A of the Local Government Act 2001, as amended by the Local Government Reform Act 2014.

##### **Part 1.**

Reserved functions to be performed by Municipal District Members.

##### **Part 2.**

Reserved functions that may be performed in respect of a Municipal District by Municipal District Members or the Local Authority.

##### **Part 3.**

Reserved functions to be performed by the Local Authority.

The S/Director of Services also advised that the Minister had made Regulations to assist Municipal District Members in the performance respect functions – Local Government (Performance of Reserved Functions in represent of Municipal District Members) Regulations 2014 (made on 29th May, 2014). The primary focus of the Regulations is the need to avoid unnecessary duplication and to ensure that decisions taken are consistent with overall Council policy.

The new Regulations had been discussed at a meeting of the Corporate Policy Group on 10th June, 2014 and the Group agreed that the reserved functions set out in the Act should be reviewed having regard to the new regulations and then guidance would be issued to the Municipal District Members in relation to the manner in which the functions, particularly those in Parts 1 and 2, will be exercised (to be considered at Corporate Policy Group meeting on 1st July, 2014).

The S/Director of Service advised that the issue of Budgets would be clarified over the coming months as the budgetary process for 2015 proceeded.

Cllr. Aaron O' Sullivan stated his view that while it was no reflection on the officials it was extremely bad planning on the part of the government that the meeting was sitting without actually understanding its precise functions. Cllr. Hegarty agreed and stated that it was not good enough to have information on regulations only issued for May 30th 2014.

Cllr. Collins enquired as to whether the East Cork Municipal District would be "an umbrella" for all Council services. The S/Director of Service advised that Municipal District meeting and the former Area Roads Committee Meetings would now be the same, whereas matters relating to housing, environment and water services, for example, would be dealt with by Cork County Council.

The Municipal District Officer stated that the functions and remit of the Municipal Districts would become clearer in time. He described the Municipal Districts as sub-sets of Cork County Council and they must have regard to Cork County Council plans and policies. Municipal Districts could provide an opportunity for County Council Members to focus on more local issues.

## **7. Any Other Business**

### **7.1 Officials in attendance at Municipal District Meetings.**

In reply to Cllr. Hegarty the Members were advised that Meeting would be attended by the Municipal District Officer, the Meetings Administrator, the Senior Executive Engineer, two Executive Engineers, the Assistant Engineer and a member of Municipal District administration staff.

### **7.2 Alienation/Dissatisfaction.**

Cllr. Hegarty informed the Members that he felt it was very important to made a success of the new Municipal district and stated that in his 29 years as a Public Representative he never saw people so disappointed in the functions of the Local Authority. Cllr. Hegarty acknowledged that there were difficulties arising from staff and funding reductions and he stated that the onus is on all Councillors to deliver a report and reasonable service to improve the quality of life for the people they represent.

Cllr. O' Sullivan agreed that the public are very angry and frustrated and alienated from the political process. The Municipal District Members represent approximately 50,000 people in East Cork and have a responsibility to work together to deliver a service through highlighting and addressing issues and not hiding from them, a challenge which he is excited to meet.

### **7.3 Housing Issues.**

Cllr. Buckley informed the Members that there are huge housing issues which need to be addressed and stated that he was finding it difficult to get answers from the County Council as to why empty council houses were not being made available for occupancy. Cllr. Buckley hoped that party

differences would neither determine nor impede the work and progress of the Municipal District.

Cllr. McCarthy agreed with the concerns aired by her fellow Councillors and stated that she is delighted and proud to be representing the people of East Cork.

#### **7.4 Roads.**

Cllr. Collins raised the issue of road conditions in the area and stated that he wondered how people tolerated the condition of some of the roads in the area. He specified in particular the areas of Whitegate, Cloyne & Kilva, Midleton which Cllr. Collins stated are almost a no go area. Cllr. Collins stated that Minister Hogan had inflicted a great injustice in taking away power and imposing a topsy-turvy Municipal District System with no funding to provide services. He also stated that he was disgusted to see the streets of Youghal dug up at the height of the Tourist Season.

Cllr. O' Sullivan advised of submissions having been made and of a meeting with the County Engineer and representatives from Irish Water and Chamber of Commerce following which, it was expected, the works proposed on Strand Street may be deferred until Autumn. There was concern about the lack of communication regarding the works.

Mr. Dave Clarke, Senior Executive Engineer informed the Members that a public notice had been advertised in relation to the proposed closure of Strand Street. The Engineer informed the members that the contractor in question was working for Irish Water and that Cork County Council was merely the roads authority that published the legally required notice inviting submission.

Cllr. O' Sullivan stated that the publication of the notice only met the minimum requirement and he felt people had not been given adequate notice at all. He himself had only learnt of the closure on the previous Friday with the closing date for submissions being the following Tuesday. Cllr. O' Sullivan stated that communication was paramount. Cllr. Buckley supported the position as stated by Cllr. O' Sullivan stating that he h

ad become aware of the matter through Facebook. He felt that the Municipal District Members would have to be kept informed with regards to local issues at all times, particularly having regard to the limited familiarity Members may have with some parts of the expanded area of the Municipal District.

Cllr. Collins stated that Irish Water appeared to be responsible for subsidence and deterioration on several roads.

The Senior Executive Engineer explained that water services excavations over the years had caused deterioration on some roads and this issue was being given attention.

In relation to one location Cllr. Hegarty expressed the opinion that the watermain having been laid by Cork County Council some years ago then Cork County Council should be responsible for repairs to the road. The Senior Executive Engineer stated that this was now the responsibility of Irish Water. Cllr. Hegarty reiterated his view that it remains the responsibility of Cork County Council. All agreed that the issues need to be resolved.

Cllr. O' Sullivan expressed concern about enquiries being passed by Irish Water to Cork County Council and vice versa and requested that these issues be addressed by both bodies and resolved.

Cllr. Collins expressed his thanks to Anne Murray and the staff for their work on behalf of the former Midleton Area committee, which he stated had done their best with little resources provided, and

Cllr. Hegarty wished them well in their future roles.

### **7.5 Allowance of Cathaoirleach**

The Municipal District Officer circulated an e-mail to the Members in relation to Circular LG12/2014 which covers the review of arrangement for allowances for expenses incurred by elected member of Local Authorities. It recommends an allowance of €6,000 be paid to each Municipal District Cathaoirleach.

On the proposal of Cllr. Hegarty which was seconded by Cllr. McCarthy, it was agreed that the recommended allowance of €6,000 be paid to the Cathaoirleach of the East Cork Municipal District.

### **Vote of Sympathy and Condolences.**

The Members proposed a vote of sympathy to Cllr. Buckley on the death of his father.

The Members agreed that the next meeting of the Municipal District would be held on July, 7th at 11.00 a.m. at the Midleton Office.

This concluded the business of the Meeting.