

Councillor M. D’Alton proposed, seconded by Councillor A. Moynihan, the following notice of motion:-

“That Irish Water would:

- i) produce a protocol for the taking in charge of water/wastewater infrastructure within residential estates
- ii) set targets by which the taking in charge of water/wastewater infrastructure within residential estates would be completed
- iii) not exclude residential estates with pumping stations/wastewater treatment plants from inclusion in those targets.

Should Irish Water not address this issue, Cork County Council cannot advance the taking in charge of residential estates throughout Cork County.”

It was agreed that the last line of the motion would be amended to read as follows:-

“Should Irish Water not address this issue, Cork County Council can advance the taking in charge of residential estates throughout Cork County.”

During a discussion, Members made the following points:-

- In 2013, Cork County Council took nearly 130 estates in charge and signified an intention to take another 242 in charge in due course;
- Irish Water has instructed county councils not to take any estate in charge until it has Irish Water’s agreement to take over that estate’s water infrastructure, which creates a major problem for estates where there is a problem with the developer and where the County Council is working with residents to sort it out;
- Irish Water has said that it must assess the risk or cost of taking such larger items of water infrastructure in charge and that it must be “in the general customers’ interests”, what does this that mean?
- Householders will not see benefit to their LPT payments because of the delays in the taking in charge of their estates enforced by Irish Water;
- The Council should proceed and take in charge those estates that continue to wait and could be waiting indefinitely;
- The future of wastewater plants around the county is uncertain, residents need clarity;
- The AILG should progress this matter;
- Unfair to residents whose estates were not taken in charge in the past because of water issues;
- The Council is in a position to advance the taking in charge of estates without Irish Water;
- Council should write to the Public Accounts Committee asking that Irish Water be accountable to them;

The County Engineer said that Irish Water is in the process of formulating a policy on taking in charge along with the Department of the Environment which should be available in the next few weeks. He said that the principle Irish Water adopts, is that if there is no financial implication they would take in charge immediately.

He said that where a local authority takes in charge water infrastructure at a development that they are not empowered to take in charge, Irish Water cannot commit to any liabilities inferred or otherwise entered into by a local authority. If there are no financial implications then they would take in charge immediately.

The Deputy Chief Executive said that despite delays the Council continues to deal with bonds and is advancing discussions with liquidators to secure funds to bring infrastructure up to standard.

The Deputy Chief Executive said that bonds are a last resort and as the Council has the power to call them in, the banks and insurance companies are co-operative to finalise outstanding works and it is in their interest to pay what is required rather than the entire bond.

It was agreed that the motion would be referred to the AILG, Public Accounts Committee, Irish Water and the Department of the Environment.