

“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.”

All around the County, thousands of residents live in estates which have not been taken in charge.

In November 2013, Cork County Council took nearly 130 estates in charge and signified an intention to take another 242 in charge in due course. (Note that there are 201 additional again to these.)

But 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.

This 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.

It creates an even bigger problem for estates with larger items of water infrastructure like pumping stations and wastewater treatment plants. Irish Water has said that it must assess the “risk” or cost of taking such larger items of water infrastructure in charge. In fact, it has said that taking such larger items of water infrastructure in charge must be “in the general customers’ interests”. What does that mean?

In May, the Minister for Housing said her Department was working on a protocol in relation to the taking in charge of estates. This was to have been finished in the coming weeks. But it is now October and there is no sign of the protocol.

In the meantime, householders are expected to pay LPT to avail of local services. Services such as pot-hole filling, dealing with subsidence, gully clearing, managing fallen trees.

But they won’t see any any benefit to their LPT payments because of the delays in the taking in charge of their estates enforced by Irish Water.

So I propose that this Council should insist 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.

I propose that we send this immediate requirement to both Irish Water and the Minister for Housing.

Circular Letter PD 1/08 issued on 26 February 2008 (which I understand is the most recent circular from the Department relating to taking in charge of residential estates) advises that any protocol developed by local authorities for the taking in charge of residential estates requires a statement of the facilities to be taken in charge and the maintenance of services that will be provided.

I don't think we should wait for Irish Water to sort itself out. I think CCC should go ahead and take in charge those estates that continue to wait and could be waiting indefinitely. No change in policy is needed. All we have to do is take the lead from the Department, list the facilities and services we will look after and simply omit the water and wastewater services.

If we don't do this, thousands of people could go on waiting for the basic rights their LPT payment guarantees.