

DRAWING A LINE ON CORK'S BOUNDARY BATTLE

With Cork in the midst of yet another increasingly bitter Civil War about where the boundary line should be drawn between the jurisdictions of both city and county councils, at least one positive from the latest battle is that the 'merger madness' has been discredited and is off the table, writes Dr Aodh Quinlivan, Director of UCC's Centre for Local and Regional Governance (CLRG).

Theodore Roosevelt once said *"the more you know about the past, the better prepared you are for the future"*.

Roosevelt clearly did not know much about local government in Cork but, of course, a knowledge of prior events is always useful, if only for context. Therefore, let us turn briefly to the last boundary extension in Cork.

We had local elections for county councils and city corporations in 1960 and those councils stayed in place until the next elections in 1967. The late Edward Marnane – who wrote a couple of excellent chronicles of Cork County Council – stated that the subject of a city boundary extension *"dominated the proceedings of the county council for almost the full seven years"*.

The starting point came on 31 May 1960 when Cork Corporation petitioned the Minister for Local Government to extend the boundary and increase the city's jurisdiction from 3,346 to 12,936 acres with a population increase from 80,000 to approximately 113,000.

The Corporation's argument was that the city had outgrown its boundary with resultant social and financial imbalances in the city. Predictably, the county council opposed the idea, putting forward mainly financial and planning grounds.

The Minister decided that a public sworn inquiry was needed to resolve the issue. The inquiry opened in City Hall on 24 May 1961 and was chaired by Gerard Meagher, Principal Officer in the Department of Local Government.

It closed on 2 February 1962, although it should be noted that it only sat for 21 days during these eight months. Aside from Cork Corporation and Cork County Council, the main group to present evidence before the inquiry was the Cork Suburban Ratepayers' Association (at this time, people paid domestic rates to their local authority).

After the inquiry and the subsequent report by Gerard Meagher,



Cork City Council HQ at City Hall on Anglesea Street.

the Minister for Local Government did not make a decision until 31 August 1964 – the wheels of change in Irish local government turn slowly. The Minister's decision was that there would be a boundary extension, but not of the scale sought by the Corporation.

The reaction from the county council was speedy – *"Cork County Council objects strenuously to the proposed Provisional Order whereby the Cork City Borough boundary would be extended as the council is of the opinion that there is no justification for any extension whatever."*

BOUNDARY EXTENSION

The boundary extension finally came into force from 1 July 1965. Marnane noted that both councils were not ready to proceed with the transfer of administrative functions and that the 'handover' process took years to complete.



Cork County Council HQ at County Hall on Carrigrohane Road.

In the meantime, both local authorities entered into an arbitration process to determine the amount of compensation that Cork Corporation should pay the county council. In February 1967 the arbitrators ordered the Corporation to pay £1.5 million. Following further negotiations, it was agreed that the compensation would be paid over a 15-year period at a fixed rate of 6.5% interest. The last payment was received by the county council in 1982.

Nearly a quarter of a century later, the Cork City Manager, Joe Gavin, produced a document which proposed a relatively modest boundary extension to take in areas such as Douglas, Glanmire, and Cork Airport (including its business park).

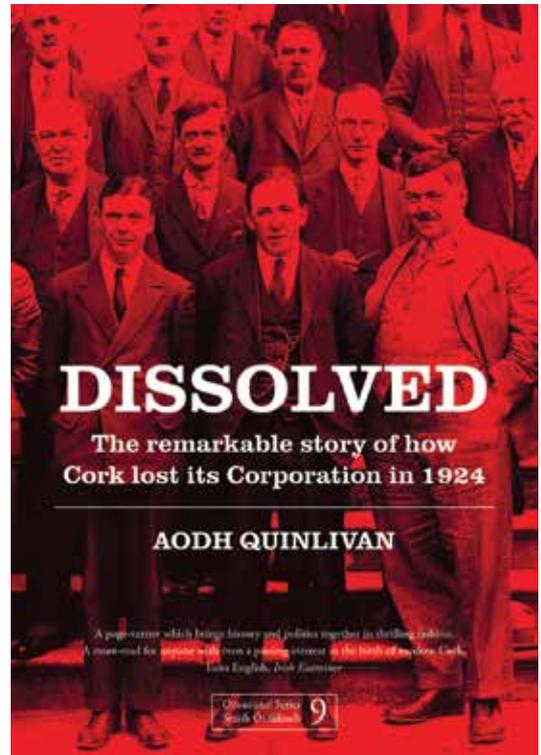
Gavin argued that the extension was necessary to provide the city with enough development land to ensure its growth and expansion over the next three decades. Of course, the County Council rejected the idea. With no lack of hyperbole, one county councillor described it as “an outlandish proposal” and said it was “akin to Napoleon’s move on Russia”. For dramatic effect, he added that Gavin’s plan was “doomed to the same fate.”

Fast forward six years and we had Minister Phil Hogan declaring in 2012, “there would appear to be a good case in principle for considering a boundary alteration in Cork with a view to creating a wider metropolitan area.”

DISSOLVED – HOW CORK LOST ITS CORPORATION IN 1924

When Dublin Corporation was dissolved by ministerial order in May 1924, there was an inevitability that attention would next turn to Cork Corporation. In the politically sensitive post-Civil War years, there was a determination on behalf of the Government to divorce local government from national issues. Politically, Cork Corporation was a difficult council which was divided on pro and anti-Treaty lines.

Dr Aodh Quinlivan’s latest book ‘Dissolved’ brings the story of the nine days of the historic inquiry to life that also brought moments of light relief and humour, all of which are colourfully described in this book.



The Corporation elected in 1920 had an anti-Treaty majority but, in the General Election of August 1923, the people of Cork had elected a majority of pro-Treaty TDs. This fed into a consistent campaign by the Cork Examiner that the Corporation did not represent the feelings of its citizens.

The controversial and bitter mayoral election of January 1924 did nothing to ease tensions in an already divided Corporation. Cllr Seán French, who was anti-Treaty, was elected by his fellow councillors on a vote of 23 to 22. Lord Mayor French struggled to unite the council over the months which followed and some high-profile elected members resigned.

With the Cork Progressive Association and the Cork Examiner calling for an inquiry into local administration on Leaside, Minister for Local Government and Public Health Séamus Burke eventually intervened. He ordered a public-sworn inquiry to be held in Cork Courthouse; starting on Monday 26 August, it ran for nine dramatic days until it concluded on Saturday 6 September.

Following the inquiry, the report was presented to Minister Burke on 15 October 1924. The report was weak and inconclusive; despite this, to no-one’s surprise, the Minister ordered the dissolution of Cork Corporation with effect from noon on 31 October 1924.

At the appointed time, Commissioner Philip Monahan entered the Corporation during a council meeting. He ordered the councillors present to take their belongings and leave immediately. Monahan was now in charge and Cork Corporation would remain dissolved for four and-a-half years.

‘Dissolved: The remarkable story of how Cork lost its Corporation in 1924’ will be launched in the Council Chamber of Cork City Hall on Thursday 26 October. Dr Aodh Quinlivan’s book (the ninth publication in the ‘Occasional Series’ by Cork City Libraries) will be launched by the Lord Mayor of Cork, Cllr Tony Fitzgerald and the President of UCC, Professor Patrick O’Shea.

BOUNDARY EXTENSIONS



Dr Aodh Quinlivan's latest book – 'Dissolved: The remarkable story of how Cork lost its Corporation in 1924' – will be launched on 26 October by Cork's Lord Mayor, Cllr Tony Fitzgerald and Prof Patrick O'Shea, UCC President.

TWO ALTERNATIVES

Critically, he added the following words: "The initiative rests primarily with the local authorities". Hogan gave the two Cork councils five years to agree the details, but he might as well have given them 500 years – it was never going to happen.

By 2015, the new Minister, Alan Kelly, had lost patience with the two local authorities and decided to step in by appointing a statutory committee, chaired by Alf Smiddy, to look into local government arrangements in Cork.

The committee was essentially presented with two alternatives, the latter one emerging from left field with no warning:

1. Whether the city boundary should be extended
2. Whether the city and county councils should be merged

The goalposts had now been dramatically shifted and the temperature rose accordingly. By the autumn of 2015 the committee had concluded its work and produced two conflicting reports.

Three members of the committee, including the chairman Alf Smiddy, favoured a merger of Cork City Council and Cork County Council. However, two committee members – Prof Dermot Keogh and Dr Theresa Reidy – dissented and wrote a minority report rejecting a merger and calling for a boundary extension.

Minister Kelly immediately endorsed the majority view, barely referencing the minority report, which was tucked away in Appendix 6. Not only was the committee split, so too were

politicians for the area and the local business community.

UNIFIED VERSUS SUPER COUNCIL

From my perspective, the Smiddy Report was very shoddy and completely ignored the overwhelming weight of international research evidence, which tells us that local government amalgamations do not lead to efficiencies, savings and economies of scale.

Only one-third of the initial public submissions to the Smiddy committee favoured an amalgamation of the two local authorities. Some parts of the majority report were farcical. For example, it stated that the unified council (post-merger) 'may, or may not, meet as a full 86-member assembly.'

As an alternative, it suggested that the size of the council could be limited to facilitate more streamlined decision-making. At this point, in brackets, it stated, 'say 30 members'. What exactly did this mean?

Would 86 councillors be elected from the city and county's electoral areas to sit on the unified council but a select few (say 30 members!) would be allowed on the super council to make major strategic decisions?



Proposing the merger: Alf Smiddy, who chaired the statutory committee appointed by Minister Alan Kelly, proposed the merger of both councils.



Opposing the merger: UCC's Dr Theresa Reidy co-authored a minority report with Prof Dermot Keogh, calling for a boundary extension.

BOUNDARY EXTENSIONS



Faced with the Smiddy Report, the Keogh and Reidy Report, and the Bovaird Report – and knowing the local tensions better than most – Minister Simon Coveney called for ‘fresh thinking’ and he appointed an expert group to re-examine the issues.

What was the proposed role for the remaining 56 councillors? How would the group of 30 be selected? Would people know at election time that some councillors would be ‘super’ councillors and some would not?

A merger of the two local authorities would effectively have meant the abolition of Cork City Council. Under Smiddy, Cork City Council would have seen its status reduced to a city within a municipal district within a metropolitan division within a unified ‘super’ council. Even more bizarrely, it recommended that the now redundant city should have a directly elected mayor but the unified ‘super’ council would not!

‘FRESH THINKING’ CALLED FOR

Under pressure by some to support the majority report, the then President of University College Cork commissioned a report by Prof Tony Bovaird, Emeritus Professor at the University of Birmingham. Prof Bovaird submitted in January 2016 and he unambiguously found against the majority report.

Bovaird concluded: *“I believe that the option of separate city and county councils, with a significant extension to the city council boundary, is much better substantiated by the arguments presented in the reports and by the international evidence base.”*

Next into the local government ministerial hot seat was Simon Coveney. Faced with the Smiddy Report, the Keogh and Reidy Report, and the Bovaird Report – and knowing the

local tensions better than most – Minister Coveney called for ‘fresh thinking’ and he appointed an expert group to re-examine the issues.

The group was to be chaired by Jim Mackinnon, the former chief planner of the Scottish government. The Mackinnon Group, unanimously, reported in June 2017. In a very comprehensive document, the Smiddy Report was dismantled. Mackinnon stated that he could find “no example internationally of a local government system capable of sustaining a declining rural context alongside managing a growing urban centre”.

He concluded that two local authorities were required to manage both situations in the case of Cork. The report recommended a significant extension of the city boundary to take in Ballincollig, Blarney, Carrigwohill and Cork Airport. Based on census figures, the city’s population would rise to 225,000, with 325,000 living in the county.

TENSIONS RISE HIGHER

Following the Mackinnon Report, a Cork Local Government Implementation Oversight Group was appointed to bring the boundary extension to fruition. In the vacuum of the past few months, tensions and hostilities have risen still higher. In a move which probably took City Hall by surprise, the County Council offered a fairly tight boundary extension.

The City Council rejected the offer and is pushing for a significant extension, broadly in line with the Mackinnon Report. In the meantime, pockets of resistance to the boundary extension have emerged – most notably in Ballincollig with its ‘Keep Ballincollig County’ campaign.

It is not clear what the final outcome will be, but the stakes are high. Writing recently in The Irish Times UCC’s Will Brady referred to the boundary outcome and new National Planning Framework as ‘once-in-a-generation’ decisions if Cork is to become a genuine second city.

The outside view may be that the boundary battle in Cork is an unholy mess but there is some cause for optimism. There are



The proposed merger of Cork city and county councils has proved to be a bridge too far.

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reasonable voices in City Hall and County Hall and if these voices hold sway then a satisfactory compromise will be reached – presumably with a boundary extension less than what the City Council wishes but greater than what the County Council offered.

TIME TO DRAWING THE LINE

In my opinion, the main positive is that the ‘merger madness’ has been discredited and is off the table. In making an offer, Cork County Council has conceded that a boundary extension is needed.

This is progress, even though the size of the extension is clearly problematic. What is needed now is a decisive decision by the Implementation group as to where the line will be drawn, followed by a ministerial order/legislation to make it happen. The future of Cork, city and county, is at stake.

The final, and most important, words come from the conclusion to the Mackinnon Report: *‘Cork is not benefiting from the current hiatus. The long-standing question-mark and uncertainty over local government arrangements in Cork has distracted both local authorities from their core mandate. In the meantime, the world is moving on, with new challenges and opportunities presenting themselves’.*

ABOUT THE AUTHOR

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