



## COMHAIRLE CONTAE CHORCAÍ

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### Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 11 December, 2017.

#### I LATHAIR

Comhairleoir Ó Dúghaill, Leas Mhéara Chontae

Comhairleoiri MacCraith, Daltúin, Ní Fhúarthain, Ó'Donnabháin Dheasmhumhnaigh, S. Ó Coileán, M. Ó Murchú, Ó hEarchaí, R. Mhic Cárthaigh, Ó Colmáin, Lombard, C. Ó Murchú, Ní Cochláin, Ó' Donnabháin, G. Ní Mhuimhneacháin, Críod, Ó Gráda, Ó Luasaigh, Ó Riain, Ó Conbhuí, P. Ó Suilleabháin, C. MacCárthaigh, Ó Ceocháin, Sheppard, De Barra, Ó Cadhla, Rasmussen, N.Ó Coileán, Uí Thuama, Ó hEigearthaigh, S. NicCárthaigh, Léanacháin-Foghlú, Ní Bhrian, N. MacCárthaigh, Ó Floinn, Mhic Dháibhí, J. Uí Mhurchú, Ó Sé, G. Ó Murchú, G. Ó Murchú, B. Ó Muimhneacháin, Uí Mhaoláin, T. Ó Coileán, D. Ó Coileán, Ó Cearúill, J. Ó Suilleabháin, C. Ó Suilleabháin, P.G. Ó Murchú, Ó hAodha.

#### PRESENT

Councillor Ian Doyle, Deputy County Mayor presided.

Councillors McGrath, D'Alton, Forde, Ó'Donnabháin, Desmond, J. Collins, M. Murphy, Harris, R. McCarthy, Coleman, Lombard, K. Murphy, Coughlan, O'Donovan, G. Moynihan, Creed, O'Grady, Lucey, Ryan, Conway, P. O'Sullivan, K. McCarthy, Keohane, Sheppard, Barry, O'Cádhlá, Rasmussen, N. Collins, Twomey, Hegarty, S. McCarthy, Linehan Foley, O'Brien, N. McCarthy, O'Flynn, Doyle, Dawson, J. Murphy, O'Shea, Gearóid Murphy, G. Murphy, B. Moynihan, Mullane, T. Collins, D. Collins, Carroll, J. O'Sullivan, C. O'Sullivan, Hayes.

Deputy Chief Executive, Director of Corporate Services, Senior Executive Officer.

#### CONFIRMATION OF MINUTES

1/12-1

Proposed by Councillor John Paul O'Shea

Seconded by Councillor Noel McCarthy

#### RESOLVED:

“That the minutes of the meeting of the Council held on 27<sup>th</sup> November, 2017, be confirmed and signed by the Mayor.”

## **VOTES OF SYMPATHY**

2/12-1

TO: Eileen Heffernan, Charleville Area Office, on the death of her father, Jeremiah.

TO: James Cott on the death of his mother, Mary

TO: John O'Callaghan, on the death of his sister, Helen.

TO: Christine Desmond, on the death of her husband, Michael.

## **STATUTORY BUSINESS**

### **Section 183 of the Local Government Act, 2001:**

Members noted the following disposals.

### **DISPOSAL OF FREEHOLD INTEREST AT CASTLEFARM, MONKSTOWN, CO.CORK**

3(a)/12-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of freehold interest in house and plot as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 22<sup>nd</sup> November, 2017.

### **LEASE OF ROOM AT FERMOY TOWN HALL, FERMOY, CO. CORK**

3(b)/12-1

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 29<sup>th</sup> November, 2017.

### **DISPOSAL OF LAND AT COMMOGUE, BALLYNACUBBY, KINSALE, CO.CORK**

3(c)/12-1

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 1<sup>st</sup> December, 2017

**DISPOSAL OF PROPERTY AT 16 AVONDALE MEWS, PASSAGE WEST, CO. CORK**

**3(d)/12-1**

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 29<sup>th</sup> November, 2017.

**DISPOSAL OF PROPERTY AT 22 KILBROGAN STREET, BANDON, CO. CORK**

**3(e)/12-1**

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 28<sup>th</sup> November, 2017.

**DISPOSAL OF SERVICED SITE AT NO 2. TUAIRIN GLAS, GREENFIELDS, BALLINCOLLIG, CO. CORK**

**3(f)/12-1**

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 29<sup>th</sup> November, 2017.

**DISPOSAL OF LAND AND PROPERTY AT FARRAN NORTH, FERMOY, CO. CORK**

**3(g)/12-1**

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 30<sup>th</sup> November, 2017.

**NATIONAL ROADS SPECIAL SPEED LIMIT BYE-LAWS 2017**

**4/12-1**

Proposed by Councillor John Paul O'Shea

Seconded by Councillor Mary Linehan Foley

**RESOLVED:**

*“In accordance with Section 9 of the Road Traffic Act, 2004, as amended, the County of Cork National Roads Special Speed Limit Bye-Laws 2017 are hereby adopted by Cork County Council.”*

**FILLING OF VACANCIES ON COMMITTEES AND EXTERNAL BODIES**

**SECTION 4(2) AND SECTIONS 32-35 OF THE LOCAL COMMUNITY DEVELOPMENT COMMITTEE SECTION 128E) REGULATIONS 2014 (SI NO. 234 OF 2014)**

**FILLING OF CASUAL VACANCY ON THE SOUTH CORK LOCAL COMMUNITY DEVELOPMENT COMMITTEE**

**5(a)/12-1**

Proposed by Councillor Joe Carroll

Seconded by Councillor John Paul O'Shea

A casual vacancy has arisen on the South Cork LCDC. In accordance with the provisions of Section 4(2) and Sections 32-35 of the Local Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014), the approval of the members is sought to the appointment of Ms. Arran O'Driscoll, A/CEO as a replacement representative for West Cork Development Partnership CLG on the South Cork LCDC. The previous nominee (Mr. Ian Dempsey) is hereby de-selected.

**FILLING OF CASUAL VACANCY ON THE WEST CORK LOCAL COMMUNITY DEVELOPMENT COMMITTEE**

**5(b)/12-1**

Proposed by Councillor Joe Carroll

Seconded by Councillor Rachael McCarthy

A casual vacancy has arisen on the West Cork LCDC. In accordance with the provisions of Section 4(2) and Sections 32-35 of the Local Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014), the approval of the members is sought to the appointment of Ms. Arran O'Driscoll A/CEO as a replacement representative for West Cork Development Partnership CLG on the West Cork LCDC. The previous nominee (Mr. Ian Dempsey) is hereby de-selected.

**CORPORATE POLICY GROUP**

**COMMUNITY FUND - SERVICE DESIGN REVIEW**

**7(a) 12-1**

On the proposal of Councillor John Paul O'Shea, seconded by Deputy Mayor Councillor Ian Doyle, the Council at its meeting on the 11th December, 2017 approved the Community Fund - Service Design Review.

**CONFERENCE LIST FOR DECEMBER, 2017**

**7(b)/12-1**

Members noted the Conference List for December, 2017.

**LOCAL GOVERNMENT ARRANGEMENTS IN CORK**

Members were provided with a report from the Director of Corporate Services which also included an updated draft map prepared by the IOG.

The Senior Executive Officer read out to the chamber the response that issued to the Chairman of the Cork Local Government Implementation Oversight Group as agreed by Members of Cork County Council at their briefing held on the 4<sup>th</sup> December, 2017.

The response was as follows;

*“The members of Cork County Council, in considering and noting the recommendation of the Chief Executive for the proposed alteration of the boundary with Cork City Council with Cork County Council request that the IOG would in making that proposal to the Government for consideration, would also advise the Minister that the Members of the Council are also requesting that the Government, through its Minister for Housing, Planning and Local Government, would undertake a detailed assessment of the level of support for or against the boundary alteration amongst the citizens residing in the areas to be transferred to the city council. This assessment to be undertaken in an open publicly accountable manner in advance of any finalisation or either a ministerial order or primary legislation being presented to the house of the Oireachtas for consideration”.*

In the discussion that followed Members made the following points:

- It was unacceptable that the briefing held on the 4<sup>th</sup> December was a non statutory meeting and Members expressed their discontent that an agreement was reached with the IOG without members being able to debate it first at a statutory meeting of council.
- It was noted that the Chief Executive and Mayor were unavailable for the meeting.
- Members said they always considered an amalgamation to be the best option, otherwise a reasonable extension based on sound planning reasons, economic and social rationale would have been preferable.
- Members said they had previously debated and agreed the council’s Section 29 boundary alteration proposal and members agreed to hold a boundary line at Glanmire, yet it would now become part of the city
- It would appear that areas including Ballincollig, Blarney and Tower were traded in order to get an outcome or deal.
- The process now is unacceptable and the people of Cork, both city and county, deserve better.
- Members expressed their disappointment with the outcome but acknowledged it was the best deal that could be achieved.
- Members commented that the proposal wording agreed at the briefing held on the 4th December was the wording as proposed by Fianna Fail.
- Members said they should accept and agree the same proposal wording at this statutory meeting
- Members asked if there will be further opportunities to engage and negotiate with the IOG in relation to five key areas in the county where the final boundary line will fall.
- The Sinn Fein Party said that its submission on the boundary alteration still stands and that no major politician from Fianna Fáil or Fine Gael was in favour of an amalgamation or the Smiddy Boundary Report.
- Sinn Fein’s position was the need for an equalisation fund in perpetuity to be established, a strategic authority for the whole of Cork, the need for democratic input, a plebiscite, and the boundary line to be negotiated by both councils.
- People are genuinely unhappy as they do not want be in the city.
- There are questions that need answering regarding the transfer of personnel and elected seats.
- There will be hundreds of consequences arising from the boundary alteration.
- There should be a judicial review of the process.

- Members queried which boundary map are we currently dealing as discussions have been based on a different map to the city council's.
- Members said they had previously voted in favour for the Chief Executive to get legal advice and Members requested to be provided with the legal advice.
- Members requested that special meeting be called within 7 days of members receiving the legal advice
- Members said they were extremely concerned that some parts of the media knew that Blarney and Tower would be ceded to the city before members did.
- The lack of consultation is the biggest issue in this chamber.
- The current process is ongoing since 2015 since the Smiddy Report was shelved, and the process is now attempting to railroad through change.
- Members called for public consultation on the boundary alteration to be carried out forthwith.
- A method and means must be put in place that will allow communities, which will be going into the city, to have their say.
- Members expressed their disappointment with the joint press release from the Mayor and the Lord Mayor of Cork City as it failed to mention the frustration of the elected members.
- Members raised concerns that after ten years the financial compensation package would be open to review.
- The whole process goes against the Government's policy of Putting People First and that both this council and the people of Cork have been sidelined as power rests with Leinster House and the unelected IOG.

Members then requested that the Deputy Chief Executive would respond to the following questions;

- Who created the draft map, and when;
- Were the city council working off the same map;
- Who marked out the red areas on the map;
- Who decided to get the Corporate Policy Group involved in the negotiations that took place with the IOG on the 4<sup>th</sup> December, and
- Why was the briefing held on the evening of the 4<sup>th</sup> December not a statutory meeting.
- Members asked the Deputy Chief Executive to confirm if the boundary alternation is now a done deal.

The Deputy Chief Executive said that the boundary line indicated in the map was a decision of the Implementation Oversight Group and the IOG has the power to make a recommendation to the Minister who will decide on the matter.

The Deputy Chief Executive then referred to the map that was circulated to members at today's meeting, confirming the map is not final as some areas, five in total (as outlined in the map) are still subject to agreement. The Deputy Chief Executive said that a report has gone to the Minister and whilst Cork County Council has not seen or received a copy, the map contained within it outlines the five areas in question that are still subject to agreement.

The Deputy Chief Executive confirmed a deal has not been signed or sealed by both councils.

Members then referred to the proposal document circulated at the beginning of meeting, which outlines the requirement for the Minister for Housing, Planning and Local Government to undertake a detailed assessment of the level of support for or against the boundary alteration amongst the citizens residing in the areas to be transferred to the city council, was agreed as a compromise as many councillors raised concerns about Blarney and Tower being moved into the city.

During the discussion that followed, members noted the following points;

- The legal advice obtained by the Executive was based on the Minister changing the boundary by way of Ministerial Order.
- Primary legislation will make the process of judicial review futile.
- Primary legislation will require cross party agreement in Leinster House.

- Members raised concerns about the loss of Hop Island and the proposed green way route, which will be subsumed into the city.
- Members raised concerned that the compensation package contains no financial detail.

The Deputy Chief Executive commented that the map entitled “working map” circulated to Members on the 4<sup>th</sup> December was prepared by the IOG, which contains five highlighted areas that still need to be discussed.

The Deputy Chief Executive said the executive was not furnished with a copy of the map that was circulated by Cork City Council, and that the Chief Executive had contacted the Chairman of the IOG and raised concerns re same.

The Director of Corporate Services advised that such map appears to have been prepared by Cork City Council officials at short notice on Monday evening to reflect their understanding and interpretation of what was discussed by the IOG and both councils. He advised that this particular map was not agreed with the IOG or County and therefore has no status. The third map provided to members at today’s meeting contains five areas that are highlighted which are currently being reviewed by an independent senior planner on behalf of the IOG, and the five areas are still under discussion.

The Deputy Chief said this map is a copy of the final draft map which was prepared by the IOG and been forwarded by the IOG to the Minister.

The Chief Executive stated that the IOG reports directly to the Minister. The Chair of IOG was appointed an Authorised Person by the Minister and this has given him powers to instruct and request information from the executive, staff and council.

The Deputy Chief Executive said in relation to the members’ query who took the decision to have CPG involved in the boundary meeting with the IOG, the Executive always works with CPG on all matters of policy, and that CPG was fully briefed before and after each meeting with the IOG.

The Deputy Chief Executive informed Members that she has an obligation to protect the interest of the Council and that before releasing the legal advice to members; she would need to seek advice. The Deputy Chief Executive said she would aim to revert to members within 24 hours with an update.

The Director of Corporate Services said that boundary matters have advanced significantly since the legal advice was obtained by the Chief Executive and that there may be a risk involved in releasing the legal advice at this point in time. He stated that it was of utmost importance to seek clarification from the Council’s legal advisors that the release of the advice would not potentially compromise or prejudice the Council’s future options

In the discussion that followed, members made the following points;

- Members unanimously agreed that a statutory meeting would be held within 3 days of the legal advice being circulated to Members.
- Members highlighted the fact that the public had not been consulted in relation to the boundary alteration proposal.
- Members called on the Executive to consider options as regards how public consultation in relation to the boundary alteration proposal could be facilitated.

## **HOUSING STRATEGIC POLICY GROUP**

### **CHOICE BASED LETTING**

**8/12-1**

Proposed by Councillor Seamus McGrath

Seconded by Councillor Melissa Mullane

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

Choice Based Letting, which is provided for under S 6-11 of the Social Housing Allocation Regulations 2011, has been in operation in Cork County Council since 30th November, 2016.

The Choice Based Letting system incorporates the on-line advertisement of vacant units by Cork County Council, allowing qualified social housing support applicants to express an interest in those vacant units. It is the main allocation process that not only affords more choice to applicants for Social Housing support but has also resulted in the refusal rate of offered properties reducing to 6%.

Now that the Scheme is approaching one year in operation, Cork County Council intends to commence the roll-out of the advertisement of vacant Approved Housing Body dwellings on the Choice Based Letting system. In order to facilitate this it is necessary to adapt the wording of the existing Allocation Scheme and I include the draft amended wording below for your consideration and approval.

It is proposed to replace the wording below as set out in the current Allocation Scheme:-

The procedure applied by the housing authority for *Choice Based Lettings* will be as set out in Sections 6 – 11 of the Social Housing Allocation Regulations 2011. In accordance with Regulation 12 (4), a refusal of an offer made under a CBL shall not constitute a refusal as per Section (F)(i) below. In accordance with Regulation 10(1), where an applicant refuses a reasonable offer of a CBL, the household cannot bid for another CBL dwelling for 1 year. Properties are designated by Manager's Order for use for Choice Based Lettings.

**Resolved:**

*'The Council will operate a Choice Based Letting System (CBL) to enable qualified households to exercise greater choice and involvement in selecting a new home. However, not all dwellings becoming available for letting will be offered through CBL. In particular, dwellings designated for example for the accommodation of elderly or older persons, for physically disabled persons or other dwellings as may be required due to exceptional or necessary circumstances will not be allocated through CBL.*

*Only dwellings owned and provided by the Council under the Housing Acts, 1966-2014 or Part V of the Planning & Development Act, 2000 and dwellings owned and provided by approved bodies to the Council for the accommodation of qualified households will be allocated under CBL. The number of dwellings to be allocated under CBL will be designated from time to time by order of the Chief Executive."*

*The procedure applied by the housing authority for Choice Based Lettings will be as set out in Sections 6 – 11 of the Social Housing Allocation Regulations 2011. In accordance with Regulation 12 (4), a refusal of an offer made under a CBL shall not constitute a refusal as per Section (F)(i) below. In accordance with Regulation 10(1), where an applicant refuses a reasonable offer of a CBL, the household cannot bid for another CBL dwelling for 1 year!*

**COBH MUNICIPAL DISTRICT**

**9/12-1**

Councillor Diarmaid O' Cádhlá proposed, seconded by Councillor Des O'Grady the following notice of motion:-



*“That this Council regards as scandalous the private tenancy conditions identified by Primetime throughout the country and in County Cork. That this Council;*

- *Requests that every resource available to Cork County Council be used to prosecute offending landlords, and to enforce the law regarding MINIMUM STANDARDS.*
- *Ensures that such living conditions as identified be eliminated, and that any individuals involved be placed in appropriate housing, as a matter of urgency.”*

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

It is the responsibility of every landlord to comply with the requirements of the Housing (Standards for Rented Houses) Regulations 2017. The case in County Cork identified in the Primetime documentary is currently the subject of an ongoing process with the Council’s Fire Department which may include legal proceedings.

Should any tenants be displaced from sub-standard accommodation as a result of enforcement action against non-compliant landlords, the Council will make every effort to source suitable alternative accommodation for such households.

828 inspections were carried out in 2016 and, up to 30th September 2017, 603 inspections have been carried out this year. In addition to this figure, fire safety inspections were carried out in 14 multi storey residential buildings comprising 268 units.

‘Rebuilding Ireland’s Strategy for the Rental Sector’ which was published in December 2016 outlined that in order to increase the numbers of properties inspected, specific ring-fenced funding for inspection and compliance activity will be identified from 2018 onwards and annual targets for both inspection and compliance will be agreed with local authorities. The strategy outlines an aim of achieving a 25% annual inspection coverage rate by 2021. Cork County Council is committed to working closely with the Department in achieving these aims.

During a discussion that followed, Members made the following points:

- RTE’s primetime programme revealed unimaginable horrors being experienced by people living in sub standard private rented accommodation.
- It is scandalous the conditions people are being forced to live in.
- People are fearful of losing their existing accommodation and are therefore putting up with poor conditions.
- The blame lies with some private landlords who are letting substandard properties as these landlords know there is massive demand for their rental properties.
- Average rents for a bedroom houses in Midleton have increased from €800 to €1300 per month.
- Cork County Council is the body with responsibility to enforce minimum standards and to ensure enforcement however no prosecutions have been taken.
- Enforcement actions are not being taken as staffing levels do not allow so.
- Members said it was disgraceful that so many members left the chamber during this discussion.
- We must be more proactive on enforcement on housing conditions.
- We need to strengthen our hand in relation to this issue.
- Schedules of improvement works are being drawn up by the Council; however, follow up checks are not being carried out by the Council.
- Some HAP tenants are living in appalling conditions.
- Landlords participating in the HAP scheme are guaranteed their rental payment every month
- As a Council we need to provide alternative accommodation for those living in horrendous conditions. If we do not, we are accepting poor standards.
- The Council’s attitude appears to be that substandard properties are better than not being able to provide alternative suitable accommodation.

- It is an indictment on society and local authorities the way people are being treated by the Homeless Persons Unit located in Drinan Street, Cork.
- Council's should have powers to take over sub standard private rented properties.
- Members queried why there are obstacles against rapid build housing.
- Members suggested that a special meeting be called to examine how to deliver alternative housing types.

At 1:15pm, following the proposal of Councillor Kevin Murphy, seconded by Michael Hegarty, members agreed at extension of time until 2:00pm.

The Deputy Chief Executive stated the majority of landlords are found to be compliant; however, this does not in any way excuse those renting properties that are not. The Deputy Chief Executive said that the Council's resources are limited, and that under "Rebuilding Ireland" specific ring fenced funding would be available for the council to carryout enforcement actions. The council is currently inspecting between 800 and 900 private rented properties per year, and that under "Rebuilding Ireland a target of 25% or 5,000 properties will need to be inspected. The Deputy Chief Executive said we therefore have significant progress to make in order to achieve these targets; however, Deputy Chief Executive is confident that progress will be made by working with the Department on these issues.

The Deputy Chief Executive said that Cork County Council has a very active construction programme which includes proposals for rapid build houses. Members were asked to be note that rapid build houses must still go through the required planning processes and that Departmental financial approval must also be obtained before any housing scheme including rapid builds can commence. Site preparation works which take time to complete is required regardless of the type of housing and therefore the timeline of delivering rapid build houses in six weeks may not be realistic. The Deputy Chief Executive said that Cork County Council is working with the Department on each of these in an attempt to streamline the process, and then outlined that the Council will deliver approximately 400 housing units in twenty seven sites across the county and that Social Housing PPP (Bundle 2) Programme is progressing very well which will deliver another two hundred housing units in the county.

The Deputy Chief Executive confirmed that rent payment would be withdrawn from landlords under the HAP Scheme that were found to rent sub standard properties.

Members requested that details of the discussion on the matter would be brought to the attention of the S/Director of Housing.

## **NORTHERN COMMITTEE**

**10/12-1**

Councillor John Paul O'Shea proposed, seconded by Councillor Gerard Murphy the following notice of motion:-

*"That this Committee would seek the Executive & Full Council's support in requesting the Department of Housing to amend the "design brief" given to Local Authorities for the construction of LA Housing so as to allow Local Authorities to design new social housing units with full bedroom and bathroom access downstairs, which is the case now in many private housing developments. This would ultimately save the Government exchequer in the long term with the reduced need for adaptations to LA houses".*

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

The Housing Department agrees with the principle of this motion and would support the view all newly constructed housing schemes should be suitably future-proofed for disability through design, to

ensure that 10% of all new social housing schemes are fully accessible and in compliance with Part M of the building regulations.

During a discussion that followed, Members made the following points:

- Members thanked the S/Director of Housing for the response.
- Members noted the Director of Services' response that all newly constructed council housing schemes should be suitably future-proofed for disability through design.
- 7% of the population live with some form of disability.
- Sixteen houses in Kanturk that were delivered by Cork County Council do not have downstairs bedrooms or bathrooms.
- The Council has 7,000 social housing units with 43 requiring extensions and 150 needing minor adaptations.
- Retrofitting houses can cost between €70,000 and €80,000.
- As part of any future Part 8 planning process for delivering housing units we need to ensure that houses are designed in compliance with Part M of the building regulations.
- Consideration must be given to people with disabilities when we are designing new houses.
- Members said they could not understand how houses were being designed without adaptations.
- Elderly people can also have difficulties access upstairs bedrooms.
- The Council should endeavour to make as much of its housing stock disability and age friendly as possible.
- A minimum of 15% of new council houses should be designed to cater for people living with disabilities.
- 1,217 people on the housing list are looking for 1 or 2 bedroom properties
- Only 8 two bedroom properties were acquired out of a total 180 acquisitions.
- Should reference to the council's void housing stock be included in the motion.

The Deputy Chief Executive said the Department is conscious of the types of housing developed by each local authority and she confirmed the executive will bring to the Department's attention members' request that the principles of universal design be implemented in 15% of all new builds, as a minimum.

Members agreed to write to the Department of Housing, Planning and Local Government requesting that a minimum of 15% of all new social housing units would be designed with full bedroom and bathroom access downstairs.

## **WESTERN COMMITTEE**

**11/12-1**

Councillor Joe Carroll proposed, seconded by Councillor Gerard Murphy the following notice of motion:-

*“Members of the Western Divisional Committee call on Cork County Council to discuss the proposed National Planning Framework and the effect of the proposal on rural West Cork.”*

During a discussion that followed Members noted that there appears to be an emphasis of pushing people into cities and towns rather and rural areas. Members agreed to defer the matter and requested that the executive would brief members on the matter at Development Committee, and requested the Director of Services, Planning and the Senior Planner be in attendance at the briefing at Development Committee.

The Deputy Chief Executive acknowledged the concerns of members and confirmed that a briefing on the matter will be brought to members at Development Committee.

The Deputy Chief Executive said the concerns of members would be raised in the Council's joint submission on the draft National Planning Framework, and advised members that 5pm on the 26<sup>th</sup> January 2018 was the cut off date for making submission on the public consultation on the Issues Paper for the Regional Spatial and Economic Strategy for the Southern Region.

## **INTERNATIONAL AND EU AFFAIRS COMMITTEE**

**12/12-1**

Members noted the report on the Study Visit to Brussels from the 5<sup>th</sup> to 7<sup>th</sup> of September, 2017

## **COASTAL MANAGEMENT COMMITTEE**

**13/12-1**

Councillor Michael Hegarty, Chair of the Coastal Management Committee proposed, seconded by Councillor Joe Carroll the following notice of motion:-

*“To call on the Chief Executive to update full Council on the status of Council bye-laws, and the appointment of Harbour Masters/Constables in the ports and harbours currently without same within Cork County Council’s remit.”*

Members noted the report from Director of Services, Municipal District Operations & Rural Development, which outlined as follows:-

A new draft set of Bye Laws has been prepared to cover the entire county, the need for the new Bye Laws are

1. The taking over by Cork County Council of harbours from the previous Harbour Boards
2. The need to standardise rules across the county for all Piers and Harbours
3. The need to standardise charges across the county
4. The need to generate income in order to fund the costs incurred by Cork County Council in providing the services available to users of piers and harbours

A comprehensive set of maps are required to accompany the Bye Laws identifying the areas that the Bye Laws will refer to. These maps (over 200) are being prepared and checked and the schedule should be complete by the end of January 2018. When the maps are completed the proposal is that the draft Bye Laws will be brought to the Coastal Management Committee for their consideration before going to public consultation. If necessary a special meeting will be arranged.

Once the public consultation is completed the submissions and the draft will be brought to the Full council to be adopted as county wide Bye Laws.

The Public consultation period must be not less than two months.

During a discussion on the matter, Member’s comments included the following;

- The Council’s HR Department were to appoint harbour masters and constables but this has not happened.
- Appointed Harbour Masters should be responsible for a number of piers and harbours.
- There are no harbour masters regulating the operation of piers and harbours in South Cork and East Cork.
- The Council is trying to promote tourism; however, moorings in our harbours that could be revenue generating are not.

- A number of our piers are working fisheries piers and there are large numbers of tourists using these piers, which raises health and safety implications as we do not want to see piers being closed down.
- Members suggested that locals could be employed on a part time basis as harbour constables.
- No one is policing a large number of our piers and harbours, which need to be regulated.
- Illegal activities are often conducted in and around our coastal areas.
- Policing should be included in the new bye-laws, which should enable harbour masters to report incidents to An Garda Síochana.
- We need a deadline for the introduction of the new bye-laws.

The Deputy Chief Executive referred to the response prepared by Director of Services, Municipal District Operations & Rural Development and said that the schedule of maps will be completed by the end of January 2018. The draft Bye Laws will then be brought to the Coastal Management Committee for their consideration before going to public consultation for a period of not less than 2 months. The Deputy Chief Executive said the role and responsibilities of harbour master would be examined as part of the process.

## **CORRESPONDENCE FROM GOVERNMENTS DEPARTMENTS**

### **DEPARTMENT OF EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION**

**14/12-1**

Members welcomed the letter from the Department dated 11<sup>th</sup> October, 2017, in response to the Council's letter requesting additional finance be made available for the training and subsequent employment of young people who come from a deprived background

### **DEPARTMENT OF HEALTH**

**15/12-1**

Members noted the letter from the Department of Health dated 12<sup>th</sup> October, 2017, in relation to medicinal cannabis access programme. During the discussion that followed, Members welcome the Department's response but said that more progress is needed on the rest of the schemes.

### **DEPARTMENT OF HOUSING, PLANNING COMMUNITY AND LOCAL GOVERNMENT**

**16(a)/12-1**

Members noted the letter from the Department of Housing, Planning Community and Local Government dated 12<sup>th</sup> October, 2017, in relation to an easy payment method for motor tax payments.

**16(b)/12-1**

Members agreed to defer the item until the next council meeting to be held on the 8<sup>th</sup> January, 2018

### **DEPARTMENT OF COMMUNICATIONS, CLIMATE ACTION & ENVIRONMENT**

**17(a)/12-1**

Members noted the correspondence from the Department of Communications, Climate Action & Environment dated 2<sup>nd</sup> November, 2017, in relation to the Government's new waste management proposals.

Members expressed their dissatisfaction with the response received, and during the discussion that followed, members noted the following points;

During the discussion that followed, members made the following points;

- The Department's letter refers to a shortage of landfill capacity.
- The council's waste facility at Bottlehill remains unused despite costing €15 million to construct and €2 million per year in security costs.
- Privatisation of the waste industry is licence to print money for private waste operators.
- The €75 annual support for persons with lifelong or long term medical incontinence is not enough
- What supports are there for large families with low income.

Members agreed to write to the Minister requesting the annual support scheme be extended to low income disadvantaged families.

**17(b)/12-1**

Members noted the correspondence from the Department of Communications, Climate Action & Environment dated 10<sup>th</sup> November, 2017, in relation to amendments to the Litter Pollution Act

#### **DEPARTMENT OF TRANSPORT, TOURISM AND SPORT**

**18(a)/12-1**

Members noted the correspondence from the Department of Transport, Tourism and Sport dated 13<sup>th</sup> November, 2017, in relation to the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004.

Members said it was an unsatisfactory response and noted there was very little they could do until April, 2018.

**18(b)/12-1**

Members noted the correspondence the Department of Transport, Tourism and Sport dated 29<sup>th</sup> November, 2017, in relation to the licence process and knowledge test for hackney drivers.

#### **DEPARTMENT OF EDUCATION AND SKILLS**

**19/12-1**

Members noted the correspondence from the Department of Education and Skills in relation to cyber bullying dated the 28<sup>th</sup> November, 2017.

At 2pm, members agreed that the remaining items on the agenda would be deferred until the next council meeting to held on the 8<sup>th</sup> January, 2018.

#### **VOTES OF CONGRATULATIONS**

TO: Tracey Kennedy, following her appointment as Chair of the Cork GAA County Board.

TO: Kinsale Ladies Football Team on reaching the All-Ireland Ladies Intermediate Football Final, and being promoted to senior level.

TO: Whiddy Island and the towns of Clonakilty and Carrigtohill on their recent success at the IPB Pride of Place Competition.

#### **ANY OTHER BUSINESS**

Councillor Gillian Coughlan informed the chamber that Bandon and the surrounding areas of Innishannon and Ballinhassig would not be included in Bus Eireann's late night bus service over the Christmas period. Members noted that several areas including Ballincollig and Carrigaline will be serviced by a late night bus and said that the decision not to include Bandon was a retrograde step.

#### **Opening of Tenders**

14 No. tenders for the Letting of Lands 2018 were opened at the meeting.

**This concluded the business of the Meeting**