



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 10th October, 2016.

I LATHAIR

Comhairleoir S. MacCraith, Méara Chontae

Comhairleoiri Mac Seafrada, Daltúin, D. Ó Donnabháin, Ni Dheasmhumhnaigh, Ó Cainte, S. Ó Coileán, M. Ó Murchú, Ó hEarchaí, R. Mhic Cárthaigh, Ó Colmáin, Lombard, C. Ó Murchú, Ní Cochláin, G. Ní Mhuimhneacháin, Críod, Ó Gráda, Ó Luasaigh, Ó Riain Ó Conbhúí, P. Ó Suilleabháin, C. MacCárthaigh, Ó Ceocháin, Sheppard, Uí Chuileannáin, Rasmussen, N. Ó Coileán, A. Ó Suilleabháin, Ó hEigearthaigh, S. NicCárthaigh, Léanacháin-Foghlú, N. MacCárthaigh, Ní Bhrian, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, J. Uí Mhurchú, B. Ó Muimhneacháin, Uí Mhaoláin, T. Ó Coileán, D. Ó Coileán, N. Ó Donnabháin, C. Ó Suilleabháin, P.G. Ó Murchú, Uí hEigearthaigh, Ó hAodha, Ó hUrthuile.

PRESENT

Councillor S. McGrath, County Mayor presided.

Councillors Jeffers, D'Alton, Ó Donnabháin, Desmond, Canty, J. Collins, M. Murphy, Harris, R. McCarthy, Coleman, Lombard, K. Murphy, Coughlan, G. Moynihan, Creed, O'Grady, Lucey, Ryan, Conway, P. O'Sullivan, K. McCarthy, Keohane, Sheppard, Cullinane, Rasmussen, N. Collins, A. O'Sullivan, Ml. Hegarty, S. McCarthy, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, B. Moynihan, Mullane, T. Collins, D. Collins, N. O'Donovan, C. O'Sullivan, P.G. Murphy, Hegarty, Hayes, Hurley.

Chief Executive, Senior Executive Officer.

CONFIRMATION OF MINUTES

1/10-1

Proposed by Councillor D. Hurley

Seconded by Councillor K. Conway

RESOLVED:

“That the minutes of meeting of the Council held on 26th September, 2016, be confirmed and signed by the Mayor.”

VOTES OF SYMPATHY

2/10-1

TO: The family of Cathal Murphy, Macroom Road, Bandon, former Firefighter, Bandon.

TO: Ted Owens, Cork ETB, on the death of his father, Danny.

TO: John O'Neill, Director of Planning, on the death of his father, Tony.

STATUTORY BUSINESS

Members noted the following disposals of property:-

DISPOSAL OF LISHEENS, BALLINCOLLIG, CO. CORK.

3(a)/10-1

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 20th September, 2016.

<u>Situation:</u>	Lisheens, Ballincollig
<u>Area:</u>	0.051 Hectares
<u>From Whom Acquired:</u>	Nora Mary Murphy
<u>To Whom It Is Proposed To Dispose:</u>	Mike Spitere, Lisheens, Ovens, Co. Cork.
<u>Consideration:</u>	€2,500.00

DISPOSAL OF BAILICK, MIDLETON, CO. CORK.

3(b)/10-1

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 21st September, 2016.

LAND HELD UNDER LEASEHOLD INTEREST:**Bailick, Midleton, Co.Cork**

Folio No. 4064L

FREEHOLD INTEREST:

Folio No. 28516

FROM WHOM ACQUIRED:

Unknown

PERSON TO WHOM FREEHOLD INTEREST IN LAND IS TO BE DISPOSED OF:**James Corcoran****CONSIDERATION:**

€ 350.00 inclusive of administration charges

**COVENANTS, CONDITIONS
AND AGREEMENTS:**

Conditions pursuant to Housing Act, 1966 and
Landlord & Tenant Acts, 1947 – 1984.

DISPOSAL OF 3 BALLYSALLY BUSINESS PARK, CHARLEVILLE, CO. CORK.

3(c)/10-1

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 28th September, 2016.

Situation: Site No. 3, Ballysally Business Park, Charleville.

Area: 0.372 hectares

From Whom Acquired: Michael & Nora Leahy, Avondale, Charleville, Co Cork.

**To Whom It Is Proposed
To Dispose:** Vulcan Machining Ltd, Charleville, Co Cork.

Consideration: €65,000

DISPOSAL OF LAND AT BARTLEMY, RATHCORMAC, CO. CORK.

3(d)/10-1

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 28th September, 2016.

Situation: Bartlemy, Rathcormac

Area: 0.2441 hectares

From Whom Acquired: Denis Barry & Kathleen Barry

**To Whom It Is Proposed
To Dispose:** Kieran Wolfe & Helen Wolfe

Consideration: €3,500

DISPOSAL OF SITE NO. 9 COOLENAVE INDUSTRIAL PARK, MITCHELSTOWN, CO. CORK.

3(e)/10-1

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 28th September, 2016.

Situation: Site no. 9 at Coolenave Industrial Park, Mitchelstown

Area: 0.2019 hectares

From Whom Acquired: Wilton Development Authority

To Whom It Is Proposed

To Dispose: Anthony Considine and Geraldine Considine

Consideration: €65,000

DISPOSAL OF GRANT OF WAYLEAVE AT KILNAGLEARY, CARRIGALINE, CO. CORK.

3(f)/10-1

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 28th September, 2016.

Situation: Grant of Wayleave at Kilnagleary, Carrigaline to accommodate drainage outfalls

From Whom Acquired: Cork County Council Housing Land

To Whom it is Proposed

To Dispose: Minister for Education and Skills

Consideration: €1.00

DISPOSAL OF LAND AT ROUGHGROVE, BANDON, CO. CORK.

3(f)/10-1

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 29th September, 2016.

Situation: Disposal of land at Roughgrove, Bandon, Co. Cork, measuring c.0.2373 hectares

From Whom Acquired: Cork County Council Housing Stock

To Whom it is Proposed

To Dispose: Mr. & Mrs. Shane and Niamh Aspell, Gurteenmahon, Bandon

Consideration: €75,000.00

PPN VACANCY ON PLANNING & STRATEGIC DEVELOPMENT SPC

4/10-1

Proposed by Councillor M. D’Alton

Seconded by Councillor K. Murphy

RESOLVED:

“That the appointment of Mr. Dan Boyle as a replacement representative for the PPN on the Planning & Strategic Development SPC be hereby approved.”

REPORTS & RECOMMENDATIONS OF COMMITTEES

Corporate Policy Group:

CONFERENCE LIST OCTOBER, 2016

5(a)/10-1

Proposed by Councillor F. O’Flynn

Seconded by Councillor D. Hurley

RESOLVED:

“That the Conference List for October, 2016, be hereby approved.”

REPRESENTATIVE FROM AHB SECTOR ON HOUSING SPC

5(b)/10-1

Proposed by Councillor K. Murphy

Seconded by Councillor J. P. O’Shea

RESOLVED:

“That Mr. Gavin Donaldson, Regional Manager, Munster Housing Co-Operative be hereby appointed to the Housing SPC.”

Blarney/Macroom Municipal District:

MAINTENANCE WORKS AT GRANGE MANOR ESTATE, OVENS

6(i)/10-1

Councillor B. Ryan proposed, seconded by Councillor D. O’Grady, the following motion:-

“That Cork County Council use its full powers under Planning and Development Legislation to force the developer of Grange Manor Estate, Ovens, to carry out maintenance on the estate as repeatedly requested by the Residents Committee over a prolonged period.”

Members made the following points:-

- Calling on the Council to use its powers to force the developer to carry out maintenance works on the estate;
- There are numerous issues with the estate, such as condition of footpaths, dead trees, signposts, dangerous boundary fence, etc;
- The developer is building elsewhere this is an insult to the residents;

- Council should prevent developers from receiving planning permission again under S.35 of the Planning & Development Act;

The Chief Executive said that this is a private estate which has not been taken in charge by the Council. The engagement of the Council would be to write to the developer and there would be no reason to take up any other issue. He said that Section 35 can only be used when the conditions of planning have not been met and there is no evidence to suggest this and there would be no reason not to grant planning permission again.

CROOKSTOWN FLOOD RELIEF SCHEME

6(ii)/10-1

Councillor B. Ryan proposed, seconded by Councillor G. Moynihan, the following motion:-

“In the event of the OPW refusing to progress the Crookstown Flood Relief Scheme that Cork County Council would finance and carry out the necessary works.”

Members made the following points:-

- Queried if the Council can undertake these works at a cost of €300,000;
- Not fair on people that Relief Scheme is not being progressed when they are constantly being flooded;
- Cost Benefit Analysis is based on monetary terms no consideration given to the human element;
- Crookstown is constantly flooded and businesses there cannot get insurance cover;
- Funding has been given in the past where the OPW will not carry out the works;
- This village is a vital link between West Cork and the City.

The Chief Executive informed Members that the OPW calculate the Cost Benefit Analysis of a project on the monetary value of the benefit versus the cost of the works and this Scheme has not met the relevant criteria. He said that the Council is reviewing the outputs from the work to date with a view to progressing works through the Minor Works Scheme. He said that Members of the Municipal District will be briefed when this review is done.

Bandon/Kinsale Municipal District:

MANAGER’S REPORT UNDER SECTION 179, PLANNING AND DEVELOPMENT ACT, 2000:

7/10-1

Proposed by Councillor A. Lombard

Seconded by Councillor K. Murphy

RESOLVED:

“Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice of the proposed development was published, that 1 no. Submission was received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

Camden Fort Meagher, Western Harbour Stabilisation Works

REPORTS & RECOMMENDATIONS OF OFFICERS

8/10-1

STATUTORY PUBLIC CONSULTATION ON OPW CRFRAMS

Please see attached full submission made by David Keane, County Engineer to Ms. Eileen Hughes, Assistant Principal Officer, Office of Public Works on 11th October, 2016.

CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS

BREAST CANCER IN MEN

9/10-1

Members noted letter dated 19th September, 2015, from the Department of Health, in response Letter dated 19th September, 2016, in response to Council's motion of 25th April, 2016, regarding breast cancer in men.

Members expressed dissatisfaction with the response. It was agreed to refer the matter back asking the Minister to include men in the breast cancer awareness programme.

WIND TURBINES

10(a)/10-1

Members noted letter dated September, 2016, from the Department of Housing, Planning, Community & Local Government, in relation to Council's motion of 12th September, 2016, in relation to wind turbines.

Members expressed dissatisfaction with the response. It was agreed that the matter would be referred back, asking the Minister to address the issue that wind turbines should be set back at a distance of ten times the tip height for wind turbines.

The CE agreed to check up on Cork County Council's current policy as regard setback distant, and revert to Members.

GLOBAL VALUATIONS

10(b)/10-1

Members noted letter dated 27th September, 2016, from the Department of Housing, Planning, Community & Local Government, in relation to Council's motion of 12th September, 2016, in relation to global valuations.

Members expressed dissatisfaction with the response and it was agreed that the matter would be referred back, stating that the global valuations will have a detrimental effect on the Council's finances for 2017 and asked if the Department will be in a position to provide additional funding on this basis.

The CE confirmed that this is a significant issue for the Local Government Sector, and that it is always on the Agenda at National Level.

Councillor D. O’Grady proposed, seconded by Councillor M. Mullane, the following notice of motion:-

“To request a written report on any plans the Council may have to utilise Accommodation Support Workers throughout the County. This report to outline the duties and responsibilities of Accommodation Support Workers.

The report to also include the number of cases dealt with by the Accommodation Support Worker, in the Northern Division, since talking up employment.”

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

Cork County Council currently has two Tenancy Support Workers (TSOs) dealing specifically with homelessness, employed by Le Cheile, in North Cork, and by Novas, in West Cork. The TSO position in North Cork is funded by both Department of Housing Planning Community & Local Government (DHPC&LG) and Cork County Council while the funding for the TSO position in West Cork is divided between Cork County Council and the HSE.

In South Cork there are three homeless facilities funded by the Department and Cork County Council. The Council participates in a joint homeless forum with Cork City Council and works closely with the different agencies in provision of support services for homeless persons.

The TSO role includes the prevention of and/or early intervention in homelessness through support, advice and practical help to homeless persons. The aim is to enable them to maintain stable accommodation and develop skills to sustain independent tenancies. In addition, the TSOs have developed and maintained links with all relevant agencies and service providers, both voluntary and statutory, within the division to deal with homelessness issues.

In the ten month period since the TSO post was filled in North Cork, a total of 228 individual cases have been referred to the TSO. The principle housing issues which required the intervention of the service were:

Homelessness	Eviction Pending/Notice Served	Rent Arrears and Supplement	Support to Move Property	Council Application	Tenancy Support	Total
20	60	57	82	5	4	228

These referrals have been made by a number of statutory and voluntary agencies including Department of Social Protection, Threshold, MABS and St. Vincent De Paul.

The Tenancy Sustainment Officer in North Cork has dealt with a total of twenty cases where persons have presented as Homeless. Of these, eleven were assisted in seeking to acquire private rented accommodation under the Supplementary Welfare Allowance and Housing Assistance Payment Schemes. The balance was provided with short term emergency accommodation and thereafter with tenancies either by Cork County Council or an Approved Housing Body.

The TSO in West Cork has dealt with 81 referrals, to date in 2016, 36 of which were family units.

During a discussion, Members made the following points:-

- The number of cases mentioned in the report, proves there is a necessity for Tenancy Support Workers;
- Commend the Council for employing TSOs in North & West Cork;
- Disappointed that there is none in Metropolitan Cork an area where more and more people are facing homelessness;
- The service that they provide is invaluable;
- Council should restore the services of Social Workers;
- There is a need for a TSO in the Southern Division also;
- It is a complicated system for people with needs and they need assistance with to navigate the system;
- This will have a positive impact on suicide rate in the County;
- Biggest threat is rising rents forcing people into homelessness.

The Chief Executive said that there are Tenancy Support Workers in North and West Cork. In South Cork, there is a greater level of service provided by DSP, HSE, City and County Councils, in an accessible manner. He said that he is satisfied that services in South Cork are just as good as those in North and West and that it has not come to his attention that there is a need for another Tenancy Support Worker.

Cllr. D. O’Grady said that provision should be made in the Budget for another Tenancy Support Worker.

The Chief Executive said that the Council does not envisage employing Social Workers and that would be a matter for the HSE. The CE agreed to consult with the Director of Service in Housing to get more information as to whether he was of the opinion that there was a need for a TSO in South Cork.

INDIRECT TAXATION ON SALE OF HOUSES

12/10-1

Proposed by Councillor N. Collins

Seconded by Councillor C. Cullinane

RESOLVED:

“That Council request the Minister for the Environment & Local Government to consider removing or reducing indirect taxation on the sale of houses to average income couples or first time buyers.”

PRESIDENTIAL VOTING RIGHTS IN THE NORTH

13/10-1

Proposed by Councillor E. Jeffers

Seconded by Councillor M. Mullane

RESOLVED:

“That we as Council fully support the extension of voting rights to citizens in the north in the Presidential elections and to convey our support to the Taoiseach.”

During a discussion, Members made the following points:-

- This would be a huge step forward in peace and reconciliation;

- Timely motion in the context of Brexit;
- Irish people with Irish Passports living abroad should also be included;
- Does this include British citizens in Northern Ireland?
- This mechanism is outside the powers of the Council to implement.

Councillor Jeffers agreed to extend the Motion to Irish people with Irish Passports living abroad. It was agreed to refer the matter to the Department of the Taoiseach.

CORRESPONDENCE FROM OTHER BODIES

14/10-1

Members welcomed letter dated 3rd October, 2016, in response to Council's letter of 12th September, 2016, in relation to the closure of a ward at Fermoy Community Hospital. It was noted that the ward is due to re-open on 17th October.

VOTES OF CONGRATULATIONS

15/10-1

TO: Ballygiblin GAA on winning the Minor A Cork County Hurling Championship.

TO: The Glen on winning the County Senior Hurling Championship.

TO: Kilmeen, Kilbrin GAA club on winning the Carbery Junior A Hurling Title

TO: Bandon GAA on winning the Premier Intermediate Hurling Championship

TO: Threshold on the launch of their Annual Report 2015.

TO: Christina Desmond on winning bronze medal at the World Boxing Championships.

ANY OTHER BUSINESS

16/10-1

Opening of Tenders

The following tenders were opened at the Meeting:-

- Consultancy Tenders for Midleton Flood Relief Schemes – 6 no.
- Contract A, Haulbowline, East Tip Remediation Works – 5 no.

Trips to Brussels for Councillors

Councillor D. O'Grady referred to the study trips being organised for all Councillors to Brussels and said that Sinn Fein would not be supporting the trips as it would be seen as a junket by the public.

The Chief Executive said that the Council is responding to a request to keep Members of Council up to date on EU policy and legislation and training would cover a whole range of areas such as policies and framework.

The Chief Executive said that the cost of the trips is being funded from Members' Training Allowance, which was provided for in the 2016 Budget. He said that this is the largest local authority and the Council must ensure that Councillors and communities are adequately briefed.

Provision was made in the 2016 Budget, as approved by Council for training. If Members opt to participate in this study trip, there will be no additional cost to the Council, as provision for training has been made. It is a matter for each Member to decide what training they seek and attend.

The Chief Executive said that he is responding to the wish of Council.

This concluded the business of the Meeting