



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 10th September, 2018.

I LATHAIR

Comhairleoir P.G. Ó Murchú, Méara Chontae

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

PRESENT

Councillor Patrick G. Murphy, County Mayor presided.

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

Chief Executive, Head of Finance, Senior Executive Officer.

CONFIRMATION OF MINUTES

1/1-9

Proposed by Councillor Seamus McGrath

Seconded by Councillor Derry Canty

RESOLVED:

“That the minutes of the Meeting of the Council held on 9th July, 2018, be confirmed and signed by the Mayor.”

VOTES OF SYMPATHY

1/1-9

TO: Connie Sheehan on the death of her son, David (Davie)

TO: Ann Carey on the death of her husband, John

TO: Gretta Cooney on the death of her husband, Con

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposals:

DISPOSAL OF LAND AT BARNAHELY ROAD, SHANBALLY, CO. CORK

3(a)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation:	Disposal of Land at Barnahely Road, Shanbally
Area	As contained in Folio no. CK162812F
Consideration:	Unknown. Registered to CCC since 1944.
Consideration:	€1 plus payment of Council's administrative and legal costs.

Having noted the above disposal, the Chief Executive subsequently advised Members that he would not be proceeding with the disposal set out in the Section 183 as circulated and confirmed that a revised proposal will be brought to Municipal District Members in due course

GRANT OF WAYLEAVE AT ARDCARRIG, DOUGLAS, CO CORK.

3(b)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation:	Grant of Wayleave at Ardcarraig, Douglas, Co Cork.
Area	74m² / 0.0183 acres / 0.007 hectares
Consideration:	€12,500

LEASE OF LAND AT CASTLETREASURE, DOUGLAS CO. CORK.

3(c)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation: **Lease of land at Castletreasure, Douglas Co. Cork.**

Area **5.848 hectares as outlined on map.**

Consideration: **Property registered to Cork County Council since 2004.**

Consideration: **€200.00 per annum**

LEASE OF LAND AT CASTLETREASURE, DOUGLAS CO. CORK.

3(c)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation: **Lease of land at Castletreasure, Douglas Co. Cork.**

Area **5.848 hectares as outlined on map.**

Consideration: **Property registered to Cork County Council since 2004.**

Consideration: **€200.00 per annum**

LEASE OF LAND AT GLENBROOK FERRY TERMINAL, STRAND ROAD, PASSAGE WEST CO. CORK.

3(d)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation: **Lease of land at Glenbrook Ferry Terminal, Strand Road, Passage West Co. Cork.**

Area **5.848 hectares as outlined on map.**

From Whom Acquired: **Property registered to Cork County Council since 1994.**

Consideration: €127.00 per annum

Term: 14 years (by way of lease).

LEASE OF LAND AT CARRIGALOE FERRY PORT, BALLYNOE, COBH, CO. CORK.

3(e)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation: Lease of land at Carrigaloe Ferry Port, Ballynoe, Cobh, Co. Cork.

Area 0.4719 hectares as outlined on map.

From Whom Acquired: Property registered to Cork County Council since 1994.

Consideration: €127.00 per annum

Term: 14 years (by way of lease).

RECTIFICATION OF BOUNDARIES AT BALLYNOE, KILDORRERY, CO. CORK

3(f)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation: Rectification of Boundaries at Ballynoe, Kildorrery, Co. Cork

From Whom Acquired: Property registered to Cork County Council since 1949.

Consideration: €1.00

DISOPSAL OF LANDS AT LAURENCE KELLY TERRACE KILLEAGH, CO. CORK

3(g)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation: Lands at Laurence Kelly Terrace, Killeagh, Co. Cork

Area: 0.0528 hectares (0.1305 acres)

From Whom Acquired: Property registered to Cork County Council since 1971 (Folio CK57773)

Consideration: €3,275

RECTIFICATION OF BOUNDARIES AT PARKLANDS, YOUGHAL.

3(h)/1-9

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 28th August, 2018.

Situation: Rectification of boundaries at Parklands, Youghal.
Area: 0.03 hectares
From Whom Acquired: Youghal UDC
Consideration: €1 plus payment of Council's administrative and legal costs.

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

4/1-9

Members noted the Part 8 Report for Ballinspittle Village Improvement Scheme and the cover letter from the Bandon Kinsale Municipal District Officer in relation to the proposed works.

Proposed by Councillor Kevin Murphy

Seconded by Councillor Gillian Coughlan

Resolved:

"Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice of the proposed development was published, 94 No. submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

Ballinspittle Village Improvement Scheme

DECLARATION OF ROAD TO BE A PUBLIC ROAD

5/1-9

Road of Pike Road, Fermoy, L1513-0: Linear length 42 metres.

Proposed by Councillor Frank O'Flynn

Seconded by Councillor Gearóid Murphy

REPORTS & RECOMENDATIONS OF COMMITTEES

CORPORATE POLICY GROUP

6/1-9

Conference List September 2018

Proposed by Councillor Anthony Barry

Seconded by Councillor Sinead Sheppard

Resolved:

“That the Conference List for September, 2018, is approved.”

MUNICIPAL DISTRICT OF COBH

7/1-9

Councillor Anthony Barry proposed, seconded by Councillor Sinead Sheppard, the following notice of motion;

“That this Council requests that the income limits that apply to qualify for social housing in Cork City be extended to all Rent Pressure Zones within County Cork.”

During the discussion members made the following points:

- Areas within the extended city boundary will incorporate the higher limits
- Carrigaline and Cobh will remain in rent pressure zones but will still have the lower income limits
- The income thresholds are too low
- We should look to have income limits raised all over the county
- With the increase in house prices throughout the county people can't access housing
- Shocking to hear that the government is proposing tax breaks for landlords

ClIr Anthony Barry agreed to amend the motion as suggested by ClIr Rachel McCarthy to ‘all parts of the County’

Members agreed to write to the Department.

CORRESPONDENCE FROM GOVERNMENT DEPARMENTS

DEPARTMENT OF CULTURE, HERITAGE AND THE GAELTACHT

8/1-9

Members agreed to liaise and correspond with the City Council to progress this.

DEPARTMENT OF HEALTH

9(a)/1-9

Noted by members

9(b)/ 1-9

Noted by members

DEPARTMENT OF HOUSING, PLANNING AND LOCAL GOVERNMENT

10(a)/ 1-9

Members noted correspondence dated 20th July, 2018, in response to Council's letter dated 9th May, regarding the protection of rights of tenants in private rented accommodation.

10(b)/ 1-9

The Chief Executive agreed to get a list of all estates due to be taken in charge and to circulate same to members.

DEPARTMENT OF COMMUNICATIONS, CLIMATE ACTION AND ENVIRONMENT

11(a)/1-9

Members agreed to write back asking for a timeframe for the introduction of the new wind energy planning guidelines.

The Mayor agreed to also refer this to the Environment SPC.

11(b)/1-9

Members noted that they had previously asked for compostable cups to be used in the canteen of County Hall and that all plastic cups be removed from the County Hall campus, they agreed to refer the matter to the Environment SPC for discussion at their upcoming meeting.

11(c)/ 1-9

Members agreed to write back to the Minister highlighting their concerns and requesting that the introduction of a charge for recycling be avoided.

NOTICE OF MOTIONS

RECREATIONAL FACILITIES FOR CHILDREN

12/1-9

Councillor Noel Collins proposed, seconded by Councillor Marcia D'Alton, the following notice of motion:-

“That this council call on the Minister for Housing, Planning and Local Government to make it part of the contract that all future housing developments (public and private) provide adequate recreational facilities for children”.

During the discussion that followed members made the following points:

- Supports the principle – there needs to be a look at Cork county Council’s own policy
- The Housing SPC is awaiting management’s comment on the draft policy
- With the changing demographics outdoor gyms for older people and walking facilities need to be figured in also

Members agreed to write to the Minister and refer the motion to the Housing SPC.

GOVERNMENT POLICY ON HOUSING AND HOMELESSNESS

13/1-9

Councillor Diarmaid Ó Cadhla proposed, seconded by Councillor Melissa Mullane, the following notice of motion:-

“That this Council resolves as follows:

1. That we declare no confidence in Government policy on housing and homelessness.
2. That we should write to An Taoiseach to inform him of this no confidence.
3. That we ask An Taoiseach what emergency measures he could take in order to curtail the activities of vulture funds, rogue landlords and property speculators.
4. That this Council should draw up development plans for public housing on our own lands, throughout the county, and submit these for approval.”

Introducing the motion Councillor Diarmaid Ó Cadhla requested that the following points be noted:

- There has been a 32% increase in homelessness in our region over the last 12 months.
- Rent prices are at an all-time high.
- Owing to continuing plunder by vulture funds and private interests in the property sector, that the crisis in housing can only get worse.
- The natural formation and development of families and communities is majorly disrupted through lack of access to housing.
- Reliance on privatisation in housing has increased inequality in our society.
- Homeless people are denied basic human rights, and many are left to die on our streets.
- Members of Council have a particular responsibility to represent community interests on the issue of housing.

During the discussion members made the following points:

- National crisis in child homelessness since Rebuilding Ireland
- Supports the regulation of AirBnB
- Cannot support items 1 and 2
- Do not support the motion of no confidence
- There is too much red tape associated with trying to progress new builds, to be silent is to be complicit
- Opposition viewpoints should be listened to more by government
- How many houses have been offered to Cork County Council by the banks and how many were taken up
- RTB is not protective of small landlords
- Add ‘public & private’ to number 4 on the motion

- AHB's too bound up by legislation – Part 8s are very slow off the mark
- The economy is growing and housing will follow
- Contractors can't get people to work on building sites
- Funding is key
- An affordable housing pilot scheme choosing certain towns needs to be developed
- The Repair & Lease Scheme needs more publicity
- A downsizing scheme needs to be developed

In response the Chief Executive stated that he rejected the 'slow off the mark' comment with regard to Part 8, Cork County Council has not refused a single Part 8. Cork County Council has exceeded all government targets under the Action plan, the first in the country. Cork County Council has a dedicated housing capital unit but was denuded of resources for many years.

In response Councillor Diarmaid Ó Cadhla accepted the amendment regarding affordable housing, an amendment to omit parts (1) and (2) was proposed.

The Mayor requested that a vote be taken, which resulted as follows:-

FOR: Councillors Canty, Lombard, K. Murphy, O'Donovan, Creed, Lucey, Sheppard, Barry, N. Collins, Twomey, Hegarty, S. McCarthy, Linehan Foley, N. McCarthy, O'Shea, G. Murphy, B. Carroll, J. O'Sullivan.

[14]

AGAINST: Councillors McGrath, D'Alton, D. Ó'Donnabháin, M. Murphy, J. Harris, R. McCarthy, Coughlan, G. Moynihan, Ryan, P. O'Sullivan, Keohane, Ó Cadhla, C. O'Sullivan, Rasmussen, Ahern, O'Brien, O'Flynn, Doyle, Murphy, Moynihan, Mullane, T. Collins, D. Collins, P. G. Murphy, Hayes.

[25]

The Mayor declared the amendment defeated.

The motion stood and it was agreed to write to the Minister including the amendment on affordable housing.

INSURANCE FOR MEN'S SHED ORGANISATIONS

14/1-9

Councillor **Michael Murphy** proposed, seconded by Councillor Noel Collins, the following notice of motion:-

“That this council write to the Minister for Finance to review the high cost of insurance for Men's Shed organisations which has led to closures in some areas across the county.”

During the discussion members made the following points:

- That other festivals/groups with similar issues be considered also
- Community Halls could also be included

It was agreed to write to the Minister.

Extension of time to 1.30pm

Proposed: Councillor Mary Linehan Foley
Seconded: Councillor June Murphy

ESTABLISHMENT OF AN ANNUAL NATIONAL MAKE WAY DAY

14/1-9

Councillor Patrick Gerard Murphy proposed, seconded by Councillor Seamus McGrath, the following notice of motion:-

“That Cork County Council supports the establishment of an annual national Make Way Day taking place on the 26th of September in 2018;

- Recognising that people with disabilities have the same right to use and enjoy public spaces that we all share,
- Acknowledging the obstacles which people with disabilities face in their daily lives, including badly parked vehicles and bicycles, billboards, overgrown hedges and other ill-placed hazards.
- Understanding that most obstacles are caused by thoughtlessness and genuine lack of awareness.
- Cork Council Council will write to an Taoiseach, Leo Varadkar, and to each individual Minister and Minister of State calling on them to support, establish, fund and resource an annual national “Make Way Day” which would be localised in each region, and that Cork County Council will annually support and promote a local #MakewaydayCorkCounty campaign as part of the wider “Make Way Day”.

VOTES OF CONGRATULATIONS

- TO: Ritchie McCarthy member of the All Ireland winning Limerick Hurling Team
TO: Sinead O’Sullivan on winning the Reserve European Champion Handler in Belgium
TO: The Cork Intermediate Camoige Team on winning the All Ireland
TO: Tirna Cahill on coming third place in the Celtic Games Throw in Grangemount Athletics Stadium
TO: The Cork Senior Camoige Team on winning the All Ireland

ANY OTHER BUSINESS

OPENING OF TENDERS

3 Tenders Received for the N72 Annabella to Lackanamona Pavement Strengthening were opened at the meeting.

CONSTRUCTION OF 37 TURBINES NEAR COOLEA

In response to a query from a Councillor as to whether the Council status over the decision on the letter that issued, the CE stated that, as of now, the decision of Council on the traffic management plan submitted still stands, however it is open to the applicant/developer to engage with the Council on any alternative proposals which management will have considered and, thus, then would have to be dealt with on its merits and without prejudice to the decision that has already issued to the applicant/developer.

CORK BASED FACILITY FOR C&D WASTE

The lack of a Cork based facility for C&D waste was highlighted. It was agreed to send the issue to Environment SPC for discussion and to request that someone from Environment come to a development committee meeting with a report for members.

This concluded the business of the meeting.