



## 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 8<sup>th</sup> May, 2017.

#### ILATHAIR

Comhairleoir S. MacCraith, Méara Chontae

Comhairleoiri Mac Seafraida, Daltúin, Ní Fhúarthain, D. Ó Donnabháin, Ní Dheasmhumnaigh, Ó Cainte, 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, Sheppard, De Barra, Ó Cadhla, Rasmussen, N. Ó Coileán, A. Ó Suilleabháin, Uí Thuama, Ó hEigearthaigh, S. NicCárthaigh, Léanacháin-Foghlú, N. MacCárthaigh, Ní Bhrian, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, J. Uí Mhurchú, Ó Sé, G. Ó Murchú, G. Ó Murchú, T. Ó Coileán, D. Ó Coileán, Ó Cearúill, J. Ó Suilleabháin C. Ó Suilleabháin, P.G. Ó Murchú, Uí hEigearthaigh, Ó hAodha, Ó hUrthuile.

#### PRESENT

Councillor S. McGrath, County Mayor presided.

Councillors Jeffers, D'Alton, Forde, Ó Donnabháin, Desmond, Canty, 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, Sheppard, Barry, Ó Cadhla, Rasmussen, N. Collins, A. O'Sullivan, Twomey, Ml. Hegarty, S. McCarthy, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, O'Shea, G. Murphy, G. Murphy T. Collins, D. Collins, Carroll, C. O'Sullivan, Hegarty, Hayes, Hurley.

Chief Executive, Senior Executive Officer,

The Mayor stated that the Standing Orders allow for Members to speak for 3 minutes on a notice of motion. Considering the length of the agenda, the Mayor requested could Members speak for 1 minute per motion. This was not agreed by the Members.

#### CONFIRMATION OF MINUTES

1/5-1

Proposed by Councillor Noel McCarthy

Seconded by Councillor Mary Linehan Foley

#### RESOLVED:

“That the minutes of meeting of the Council held on the 24<sup>th</sup> April, 2017, be confirmed and signed by the Mayor.”

Proposed by Kevin Conway, Deputy Mayor

Seconded by Councillor Tim Collins

**RESOLVED:**

“That the minutes of the special meeting of the Council held on the 28<sup>th</sup> April, 2017, be confirmed and signed by the Mayor.”

**VOTES OF SYMPATHY**

**2/5-1**

TO: Ned Flynn, former County Engineer on the death of his sister.

TO: The family of the late Donie Long, former Bandon Town Councillor.

TO: Martin Coughlan, former Councillor on the death of his mother, Sheila

TO: The family of the late Stephan Lehane, former member of Kanturk Fire Brigade.

**STATUTORY BUSINESS**

The following disposal notice was noted by Members.

**DISPOSAL OF 3 THE WILLOWS, FOTA ROCK, CARRIGTWOHILL, CO. CORK.**

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

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 27<sup>th</sup> April, 2017.

The following disposal notice was noted by Members.

**DISPOSAL OF LAND (SITE OF ABANDONED SPRING) AND DISCHARGE OF WAY LEAVE AT GNEEVES, BOHERBOY, CO. CORK.**

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

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 27<sup>th</sup> April, 2017.

The following disposal notice was noted by Members.

**DISPOSAL OF LAND AT GORTNAHOWN, KILPHELAN, CO. CORK**

**3(c)/5-1**

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 27<sup>th</sup> April, 2017.

## **REPORTS & RECOMMENDATIONS OF COMMITTEES**

### **AUDIT COMMITTEE 2016 REPORT ON ACTIVITIES**

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

Members noted the Audit Committee's Annual Report for 2016.

### **Local Government Act, 2001 as amended by the Local Government Reform Act, 2014 & the Local Government (Audit Committee) Regulations 2014:**

### **AUDIT COMMITTEE WORK PROGRAMME 2017**

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

Proposed by Councillor Frank O'Flynn

Seconded by Councillor Gerard Murphy

#### **RESOLVED:**

"In accordance with Section 9 of the Local Government (Audit Committee) Regulations the Annual Work Programme for 2017 for the Audit Committee is hereby adopted by Cork County Council."

### **PERFORMANCE INDICATORS IN LOCAL AUTHORITIES 2015**

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

Members noted the Performance Indicators in Local Authorities Report for 2015.

### **ANNUAL SERVICE DELIVERY PLAN 2016**

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

Members noted the Council's Annual Service Delivery Plan Report for 2016.

### **SECTION 134 OF THE LOCAL GOVERNMENT ACT, 2001: ANNUAL SERVICE DELIVERY PLAN 2017**

**5(c)/5-1**

Proposed by Councillor Frank O'Flynn

Seconded by Councillor Kevin Murphy

#### **RESOLVED:**

"It is hereby resolved that, pursuant to Section 134 of the Local Government Act 2001, as amended by Section 50 of the Local Government Reform Act 2014, Cork County Council's Annual Service Delivery Plan 2017, having been considered is hereby adopted."

During a discussion, Members made the following points:

- The 2017 Annual Service Plan omitted reference to the Economic Development Fund
- The 2017 plan is missing criteria that assess the impact the Economic Development Fund is having in areas other than job creation

The Chief Executive said that a report assessing the quantitative impacts and qualitative impacts of the Economic Development Fund would be prepared and referred to the Economic Development SPC for further consideration.

The Members noted the following additional points;

- 2017 Annual Service Plan back to Economic SPC may not be sufficient
- Planning statistics detailing the number of applications received, withdrawn, granted, refused were not adequately addressed in the 2017 Annual Service Plan.

The Chief Executive said that he would notify the Director of Planning of the issues raised and that the “Chief Executive’s Management Report” would incorporate the items of information being sought. The Chief Executive confirmed that the matters raised during the Members discussion would be placed on the agenda of the Planning & Strategic Development SPC for further consideration.

The Chief Executive further requested that Cork County Council’s commitment to the Economic Development Fund, and assessing the true impact of the Economic Development Fund, both qualitatively and quantitatively be recorded.

**CHAPTER 2 SECTION 128B(1) (I) OF THE LOCAL GOVERNMENT REFORM ACT 2014.**

**6/5-1**

The Annual Reports 2016 of the North Cork, South Cork and West Cork LCDCs were noted.

**Ballincollig/Carrigaline Municipal District:**

**REPORT UNDER SECTION 179 PLANNING & DEVELOPMENT ACT 2000**

**7/5-1**

**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 13 no. submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

**Development of Pedestrian and Cycle Greenway and Ancillary Works from  
Glenbrook to Raffeen Bridge**

During a discussion, Members made the following points:

- Complimented staff for their work on the Part 8 Report.
- Cork Harbour is a prime location for the development of Greenways.
- Greenway development projects should be supported.
- A greenway route is already in place between Blackrock and Passage West, and Carrigaline and Crosshaven.
- The only section missing from the existing routes is addressed by the proposed Part 8.
- The proposed greenway would be of benefit to all the people of Cork.
- The existing walkway is predominantly used by older members of the public.
- Anglers who for years have been fishing from a particular section on the route reluctant to move to a different area as the fishing is not as good.
- There are concerns regarding the shared use of the footpath by cyclists.
- Other greenway routes are shared uses spaces.
- Pedestrians can be intimidated by cyclists.
- Users are unsure what side to use as there is inadequate signage.
- The route's proximity to a busy regional road is a safety concern.

The Chief Executive responded to the Members by stating that the proposed Part 8 was for a shared pedestrian and cycle greenway rather than a shared footpath. The proposed greenway was the optimum route that could be achieved in the area concerned and that the greenway was developed with the guidelines. The greenway proposed provides for a 4metre wide route at its widest and reduces to 3 metres where necessary, which is still within the recommended guidelines. The Chief Executive noted that the new Waterford greenway is only 3 meters wide and is not segregated.

The Chief Executive informed Members that there are significant demands on in-house resources to develop greenways in other areas in the County, and that these resources would be redeployed should the Members decide against the proposed Part 8.

The Mayor requested a vote to be taken.

Voting was as follows:-

**For:** Councillors Forde, Cauty, Collins, Harris, Coleman, Lombard, K. Murphy, J. O'Donovan, Creed, Sheppard, Barry N. Collins, McCarthy, Linehan-Foley, N.McCarthy, Dawson, J.Murphy, O'Shea, G.Murphy, Collins, J.O'Sullivan, Hegarty [22]

**Against:** Councillors McGrath, Jeffers, D'Alton, Ó Donnabháin, Desmond, M.Murphy, R. McCarthy, Coughlan, Moynihan, O'Grady, K.McCarthy, Ó Cadhla, Twomey, O'Brien, O'Flynn, Doyle, G.Murphy, Carroll, C. O'Sullivan, Hayes. [20]

**Abstained:** Councillors Conway, Collins, Hurley. [3]

The Mayor declared the proposal carried.

**East Cork Municipal District:**

**REPORT UNDER SECTION 179 PLANNING & DEVELOPMENT ACT 2000**

**8/5-1**

Proposed by Councillor Mary Linehan- Foley

Seconded by Councillor Noel Collins

**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 2 no. submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

**N25 Killeagh Village Footbridge**

**Blarney/Macroom Municipal District**

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

**9/5-1**

Proposed by Councillor O’Grady

Seconded by Councillor Moynihan

**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:-

**Macroom Firestation, Macroom, Co. Cork**

**PROPOSED MACROOM FIRESTATION, MACROOM, CO. CORK**

**CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS**

**CORONER’S BILL**

**10/5-1**

Members noted letter dated 18th April, 2017, from the Department of Justice and Equality in response to Council’s motion of 13th February, 2017, regarding the progression of the Coroner’s Bill.

Councillor D. Twomey welcomed the Department’s response and looks forward to a review of the legislation.

**COMMUNITY EMPLOYMENT SCHEME**

**11/5/-1**

Members noted letter dated 12th April, 2017, from the Department of Social Protection in response to Council’s motion of 13th March, 2017, regarding CE scheme.

Members acknowledged the Department's response and during a discussion on the matter, Members made the following points:-

- Members expressed dissatisfaction with the changes announced to date
- The additional measures will make little or no difference
- People joining the work placement scheme quite often have no transportation of their own. The extra €22.50 per week offered under the Schemes is insufficient in terms of covering transportation costs.
- There is a clear need to extend the duration of the Community Employment scheme
- Clarification is sought regarding the flexibility of people on JobPath to get on the CE Scheme

Members agreed that the matter would be referred back to the Minister.

## **NOTICES OF MOTION**

### **INDOOR SWIMMING FACILITIES**

**12/5-1**

Councillor Susan McCarthy proposed, seconded by Councillor Noel Collins, the following notice of motion:-

““That Council commission a report on the availability of indoor swimming facilities throughout the county. This to include feasibility study comprising cost benefit analysis, projected capital costs, financial projections, on the possible provision of such facilities in the larger urban centres, including Midleton, who currently do not have the benefit of a municipal swimming pool”.

During a discussion on the matter, Members made the following points:

- Grant aid funding towards the cost of constructing new swimming pools is available under the Department's Local Authority Swimming Pool Programme
- New energy efficient technologies make the running of swimming pools more cost efficient
- Local stakeholders, including local sportsclubs and business have expressed interests in new swimming pool facilities.
- Swimming has many benefits and promotes mental health and physical health.
- 140 drowning each year in Ireland, of which 80% occur in inland waterways.
- The number of people that can swim is too low.
- The Primary Aquatics Water Safety is a component part of the Physical Education Strand of the Primary School Curriculum, and is imperative that young children can learn to swim at a reasonable cost
- Management should carry out a review of the fee charged to schools and community groups using the Council's swimming pools.
- Private companies operating 2 Council swimming pools do so at a profit. The use of private companies should be considered in any future swimming pool.
- Members queried the opening date of the new Dunmanway Swimming Pool

The Chief Executive responded to the Members stating that the costs associated with developing a new swimming pool are substantial and construction of the new Dunmanway Swimming Pool has been self funded by the Council in the region of €3m to €4m. The Members that Dunmanway's new pool is substantially complete pending handover from the development, and will open this summer.

The Chief Executive said that he would be happy to bring a preliminary report to the SPC on the provision of swimming pools by public or private operators. The report will assess potential costs, funding and delivery models and will look at usage levels and uptake in the Council's operated swimming pools.

## **APPOINTMENT OF VACANT HOUSING OFFICERS**

13/5-1

Councillor Joe Harris proposed, seconded by Councillor Noel Collins, the following notice of motion:-

“I call on Cork County Council to immediately appoint vacant Housing Officers. Their primary function will be to source, and negotiate, advise, support, on the introduction of vacant or unused properties into Council's housing stock. Liaising with Landlords and owners to get their properties ready for selling or letting.”

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

The employment of additional staff to deal with vacant properties is not being considered. Two new initiatives were set out in Rebuilding Ireland, Action Plan for Housing and Homelessness regarding the utilisation of existing housing stock. These are the Repair and Leasing Scheme and the Buy and Renew Scheme.

The Repair and Lease Scheme is designed to bring properties that have been vacant for at least a year up to the required standard for rented properties and which would be leased to the local authority for social housing. Following a pilot phase in Carlow and Waterford, this scheme has been extended nationwide in the last month.

The Buy and Renew Scheme is focused on older stock and on improving streetscapes in towns and urban areas. It will complement the Repair and Lease Scheme and will allow local authorities to acquire privately owned vacant houses in need of remediation. It is anticipated that this Scheme will be launched also in the coming weeks.

Adverts have been placed in the local press inviting properties owners who are interested in the Repair and Lease Scheme to submit an Enquiry Form in order that their property may be assessed. Social Media will also be utilised to generate awareness on both schemes locally.

To assist with the identification of suitable vacant properties, the Council will be working closely with the Municipal Districts and will utilise the local knowledge of existing staff on the ground.

In relation to the Buy and Renew Scheme, estate agents will be contacted with a view to compiling a record of derelict properties that are currently for sale in the County while also examining the potential of properties that are already on the Derelict Sites Register.

It is also intended that an overall national vacant housing re-use strategy, using detailed 2016 census results will be developed which will provide up-to-date data and will be crucial in pin-pointing:

- Where vacant houses are located;
- Who owns them – in private hands, banks, investors, or others;
- How their location matches current and future needs; and
- What actions would have greatest effect in getting these vacant homes back into use.



It is envisaged that the Housing Directorate will be in a position to identify properties and progress applications for both schemes through to completion.

An information presentation will also be delivered to the Municipal Districts on both schemes in the coming weeks.

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

- Thanked the S/Director of Housing for his report.
- The housing issue is of great concern.
- Huge number of vacant properties in the County which are not coming on the market for a number of reasons.
- Management should re-employ social workers in Housing.
- Vacant Housing Officers are needed in each of Municipal District areas.
- The role of the Vacant Housing Officer should be a specialist pro active role.
- Property owners should to be assisted with any obstacles they encounter when bringing their properties to the market.
- Despite numerous schemes there has been little change.
- People are not aware of the various schemes.
- The roles of Vacant Housing Officers in Scotland and England should be examined.

The Chief Executive provided the Members with updates on the 2 schemes. In relation to the Repair & Lease Scheme, which applies to properties that have been vacant for at least 1 year, the Council has advertised and invited expressions of interest.

The Buy & Renew Scheme has not started. A list of vacant houses will be compiled in each of the Municipal District and matched to the Council's needs, but every property identified may not suit the Council's requirements as some properties may not be up to standard. The Property Section will take on this function. The Chief Executive advised that we have adequate resources; however the current scheme does not provide for the cost of staffing.

## **GREEN INFRASTRUCTURE**

**14/5-1**

Councillor Marcia D'Alton proposed, seconded by Councillor Frank O'Flynn, the following notice of motion:-

“That Cork County Council would initiate its commitment to Green Infrastructure outlined in the Cork County Development Plan 2014 by ensuring the critical elements of green infrastructure within Cork County are identified and mapped during the remaining lifetime of the County Development Plan 2014:

- Biodiversity and ecological networks
- Water quality and flood attenuation infrastructure
- Recreational/quality of life infrastructure.”

Members noted report from Director of Services, Planning, which outlined as follows:-

It is intended as part of the upcoming review of the Cork County Development Plan, 2014 to ensure that Green Infrastructure issues will inform the Councils approach to a range of policy issues that will be addressed as part of that review. This work will include recognising the importance of biodiversity and ecological networks, water quality and flood attenuation infrastructure and recreational/quality of life infrastructure as key elements of Green Infrastructure.

It should be noted that the key elements of Green Infrastructure are already mapped in the current CDP e.g. SAC, SPA, PNHA's, NHA's, High Value Landscapes, key tourism assets (mountains, coastlines and rivers), however not packaged under the Green Infrastructure banner.

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

- Members thanked the Director of Services, Planning for the report.
- Green infrastructure is an interconnected network of green spaces which conserve the natural functions of ecosystems.
- Chapter 13 of the County Development Plan 2014 addresses how the Council will plan for green infrastructure.
- Objective GI 2-1 of the County Development Plan commits to developing and implementing a Green Infrastructure Strategy for Cork County during the lifetime of the plan which will help to identify, protect, manage and develop Green Infrastructure.
- Objective GI 3-1 is to require new developments to contribute to the protection, management and enhancement of the existing green infrastructure of the county and the delivery of new green infrastructure, where appropriate, while Objective GI 3-2 is to require significant new developments (multiple residential developments including Part 8 applications) to submit a green infrastructure plan as an integral part of any planning application.
- The requirement for water harvesting systems should be a condition of planning decisions and should form part of planning policy.
- The construction of housing developments is starting again. A green infrastructure strategy would ensure that housing estates are appropriately linked up.

The County Development Plan runs until 2020, when the development plan is reviewed in approximately 12 months time the green infrastructure objective will be added. The Chief Executive confirmed that at this stage the majority of green infrastructure has already been mapped; however it has not yet been developed in any specific plan.

## **LOCAL INFRASTRUCTURE HOUSING ACTIVATION FUND**

**15/5-1**

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

“In welcoming the €20.4m funding received by Cork County Council under the Local Infrastructure Housing Activation Fund (LIHAF) I wish to request a written report on the scheme as it applies to Cork County. The report to contain the list of proposed infrastructure projects the Council submitted for funding under LIHAF including the potential number of housing units proposed to be delivered in each project by 2021 and the amount of finance applied for in each case. The report to state the amounts received from central government for each of the 4 successful schemes and the amounts the Council will need to contribute through self-funding to each of these particular schemes including the source of the Council's financial contributions. The report to also give the reasons that schemes in the county were deemed unsuccessful and to state if there is a possibility of further funding being made available under LIHAF to progress these in the near future.”

Members noted report from the Senior Planner dated the 6<sup>th</sup> April, 2017, which outlined as follows;

The following tables summarise the recent award of funding to the County Council under the LIHAF scheme announced by Minister Coveney on 28<sup>th</sup> March 2017. No explanation for the decision to

either approve or reject particular proposals has been issued. There have been some references from the Minister to the possibility of further instalments in the future but there is no certainty on this.

**Table A: LIHAF – Approved Schemes**

<b>Table A: LIHAF – Approved Schemes</b>						
<b>Location</b>	<b>Infrastructure Item(s) (Sought)</b>	<b>LIHAF Application</b>		<b>LIHAF Award</b>		
		<b>Funding Sought (€m)</b>	<b>Total Housing Units<sup>1</sup></b>	<b>Total (€m)</b>	<b>Funded by LA<sup>2</sup> (€)</b>	<b>Funded by DHPCLG (€m)</b>
Ballincollig (Maglin)	Eastern Spins Link Road, Flood/Drainage/SUDS Study & Implementation (Phase 1), Killumney Road Upgrade Phase 1	8.6	3,500 (520)	7.4 <sup>3</sup>	1.85	5.55
Carrigaline (Shannonpark)	N28 Improvements	0.6	1,200 (400)	0.6	0.15	0.45
Glanmire (Ballinglanna)	Glanmire Sustainable Transport Package 1 <sup>4</sup> , Riverstown Road Bridge, New Link Road (ALDI)	5.9	1,200 (300)	5.9	1.48	4.43
Midleton – Water Rock)	Link Road (1.01km), Minor Road Improvements, Storm Water Sewer, Railway Station	7.7	2,500 (520)	6.5 <sup>5</sup>	1.63	4.88
<b>TOTALS</b>		<b>22.8</b>	<b>8,400</b>	<b>20.4</b>	<b>5.11</b>	<b>15.31</b>
Notes	<p>1 2021 estimate in brackets</p> <p>2 Housing Finance Agency (HFA) loan facilities will be available. Other funding sources are also under consideration</p> <p>3 Funding award excludes land acquisition costs (€1.2m)</p> <p>4 Comprises alterations to 'IBIS Slip, improvements to pedestrian footpaths (4 projects), Controlled Pedestrian Crossings (3 projects), Cycle lane route CR02 from hazel wood junction to Brooklodge Rbt, upgrade to Glanmire Road/Church Road Junction, improvement to Riverstown X junction, signalisation of: Glanmire Road/Hazelwood Link junction, Glanmire Road/ Glanmire Bridge junction, East Cliffe Road/L3010</p> <p>5 Funding award excludes cost of railway station</p>					

**Table B: LIHAF – Submitted Schemes NOT Approved**

Location	Infrastructure Item(s)	Funding Sought (€m)	Total Housing Units
Carrigaline	Carrigaline Western Relief Road, Minane Bridge L2495 upgrade	8.2	521
Carrigtwohill Terry's Land/Polaniska	Western Spine Road, Storm water network, Road Upgrades, 2(no.) Railway bridges	19.6	2534
Charleville	The Turrets L 1311 Road upgrade	5	625
Clonakilty	Clogheen Road upgrade, SUDS Clonakilty South	9	1181
Cobh	Tay Road L2993 road re-alignment	10	345
Carrigaline Road, Douglas	Carrigaline Road R855 improvement works	3	240
Crosshaven	R612 & Church Bay Road L2500 road improvement works	3	244
Garrandarragh	Upgrading N71 to Dual Carriageway and construction of access roundabout	6	253
Fermoy	L1513 Upgrade	3	597
Lehenagh	Lehenagh More / Lehenagh Beg L2454 / L2455 road upgrade	5	380
Mallow West	N20 Annabella Roundabout upgrade, Kennel Hill L1203 upgrade	4	929
Mallow North	N72 Ballyvinter Cross	3.5	479
Middleton	Lakeview Roundabout	2	1092
MitchelstownN.E.	L1428 upgrade	2	322
MitchelstownS.E.	L1418 / L96391 upgrades	2	294
<b>TOTALS</b>		<b>85.6</b>	<b>10034</b>

Councillor Des O’Grady proposed that under Standing Orders a motion would be considered as urgent business, as follows;

“That this Council add a Construction Division to construct mixed tenure social and affordable housing to the proposed “arms length” infrastructure company being developed with the National Treasury Management Agency and the Department of Housing, Planning, Community & Local Government.”

The Chief Executive said that Members had already been briefed in committee on this issue, and that it would not be appropriate to comment at this time.

The Mayor advised Cllr O'Grady that his proposal should appear on the agenda for the next Council meeting in the normal way.

The Senior Executive Officer read to the Members Standing Order 25 in relation to dealing with motions of urgent business as follows;

“Notwithstanding any other provisions of these Standing Orders a motion may be proposed without notice for the purpose of dealing with urgent business related to a function of the local authority, subject to the requirement that not less than one half of the total number of the members of the authority vote in favour.”

The Chief Executive advised that this proposal was too previous, as he has brought no formal proposal to full Council yet.

The Mayor called for a vote on the proposal.

Voting was as follows:-

**For:** Councillors Jeffers, M. Murphy, R. McCarthy, O'Grady, K. McCarthy, Ó Cadhla, Twomey, Hayes. [8]

**Against:** Councillors McGrath, D'Alton, Desmond, Lombard, K. Murphy, Coughlan, O'Donovan, G. Moynihan, Lucey, Conway, Rasmussen, Hegarty, Linehan-Foley, N. McCarthy, O'Flynn, O'Shea, G.Murphy, G.Murphy, Collins, Carroll, J. O'Sullivan, C. O'Sullivan, Hegarty, Hurley [24]

**Abstained:** Councillors P. O'Sullivan, J. Murphy [2]

The Mayor declared the proposal defeated.

## **SOCIAL HOUSING SUPPORT**

16/5/-1

Councillor Rachael McCarthy proposed, seconded by Councillor Eoghan Jeffers, the following notice of motion:-

“To call on the housing Department of Cork County Council to increase the thresholds for those applying for Social Housing Support in County Cork to be in line with Cork City Council thresholds.”

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

The income limits for eligibility for social housing support are set out in Part 4 of the Social Housing Assessment Regulations S.I. No. 84 of 2011 as amended by S.I. 136 of 2011. A household with an income in excess of these income thresholds shall be ineligible for social housing support in the

functional area of that authority. A maximum income threshold of €35,000 applies to a household comprising one person that is seeking social housing support in the functional area of **Cork City Council**.

The maximum income threshold may be increased by:-

- (a) 5% in respect of each additional household member aged 18 years or more, subject to a maximum increase of 10%, and
- (b) 2.5% in respect of each household member aged less than 18 years, subject to a maximum increase of 10%.

A maximum income threshold of €30,000 applies to a household comprising one person that is seeking social housing support in the functional area of **Cork County Council**.

A maximum income threshold may be increased by:-

- (a) 5% in respect of each additional household member aged 18 years or more, subject to a maximum increase of 10%, and
- (b) 2.5% in respect of each household member aged less than 18 years, subject to a maximum increase of 10%.

In accordance with the regulations each housing authority must set the maximum income thresholds as set out in the relevant part of the regulations, except where a housing authority, having regard to the market rent in respect of, and the average purchase prices for, dwellings in its administrative area, decides to set a lower income threshold for a household comprising one person. If such a lower income was set the authority would have to adjust such thresholds for households comprising more than one person in accordance with the criteria set out above.

There is no provision within the regulations that allows a housing authority to increase the maximum income thresholds above those set out in the regulations.

During a discussion on the matter, Members made the following points:

- There should be parity in the income thresholds across local authority areas
- There is disparity between the City and County
- People that cannot afford high rents, afford a mortgage and qualify for social housing are in limbo
- The regulations only allow for the income threshold to be increased
- There should be discretion to increase the income threshold
- The Council should adopt its own scheme.

The Mayor said that the income threshold anomaly between the City and County is an issue.

The Mayor and Members said they fully supported the proposal and it was agreed to write to the Minister for Housing, Planning, Community & Local Government.

## **HAULBOWLINE ISLAND**

**17/5-1**

Councillor Kieran McCarthy proposed, seconded by Councillor Cathal Rasmussen the following notice of motion:-

"To seek a written report on the necessary clean-up works that was identified to be carried out on Haulbowline Island. The report to outline the works already carried out, the amount of

works left unfinished and when the clean-up work on the toxic waste site Haulbowline's east tip ceased? The report to also outline:

- a) Why environmental remedial work ceased on Haulbowline and what is the cause of the delay in resuming the clean up?
- b) Whether Cork County Council or the State are in breach of current EU legislation while the work is not in operation?
- c) Whether Cork County Council can guarantee the health and welfare of the communities living Cork Harbour while toxic waste remains on the site?
- d) Can Cork County Council confirm that a contractor involved in the original cleanup operation of the site, and who was subsequently instructed to leave the site, is currently taking a legal action against the state under whistle blower legislation?"

Members noted report from the Director of Services, Environment Department, which outlines as follows;

## **1.0 INTRODUCTION**

Cork County Council was appointed in 2011 as Agent for the Minister for Agriculture, Food and Marine to oversee the regularisation of the East Tip to fulfil the State's obligations under the Waste Framework Directive and address the related shortcomings identified in the Letter of Formal Notice issued in September 2010 [C(2010)6536], arising from a judgement of European Communities Court of Justice.

Subsequently, an all-Island approach was adopted in terms of addressing the steelworks factory site legacy and the Department of Agriculture, Food and the Marine expanded Cork County Council's scope to include responsibility for the remediation of the former steelworks factory site.

The overall project objective is to remediate Haulbowline Island in an environmentally and financially sustainable manner in compliance with the planning and waste licence conditions while facilitating value engineering through the promotion and implementation of innovative solutions throughout the procurement, design and construction stages.

This briefing document only pertains to the **East Tip** the subject of the European Court of Justice ruling.

Further information pertaining to the remediation project can be found on the project web page at [www.corkcoco.ie/haulbowline](http://www.corkcoco.ie/haulbowline). Enquiries or comments may be directed to the Project Comment Line on 021 4285517. Phone lines are open Monday to Friday 09:00 to 17:00 (excluding Public Holidays).

## **2.0 WORKS IDENTIFIED TO ACHIEVE THE REMEDIATION OBJECTIVE**

A risk-based assessment of unregulated waste disposal sites is considered to be best practice. To this end the design of the remedial solution for the East Tip and the foreshore is predicated on the findings of the Detailed Quantitative Risk Assessment (DQRA) – it's function being the quantification of risk to human health and the environment posed by the site and the identification of a remediation solution to mitigate those risks. In 2012 White Young Green were appointed to deliver the DQRA.

In summary the DQRA concluded that:

- No risks to the wider community now or in the long term were identified;
- There is no evidence to suggest that actual pollution of Cork Harbour waters is occurring to the extent that water quality standards are being exceeded;



- The construction of a low permeability capping system will break the pathway associated with risks to human health and will reduce infiltration; and
- The construction of a perimeter engineered structure will prevent erosion of waste material and reduce the theoretical impact of dissolved phase contaminant discharge to Cork Harbour.

Specifically the Haulbowline Island East Tip Remediation Project will involve the following construction works:

- Remediation of the Haulbowline bridges to ensure the load bearing capacity of the bridge is adequate to facilitate the remediation works on the Island;
- Improvements to the Island Approach Road from the public road (L2545) to and along the access road to the East Tip;
- Dismantling and deconstruction of existing structures on site and site clearance works;
- Construction of a Perimeter Engineered Structure (PES) around the harbour perimeter of the East Tip (including all necessary temporary works);
- Construction of a Perimeter Engineered Structure (PES) on the western boundary of the East Tip (boundary with the Naval Dockyard);
- Construction of a Rock Armour revetment to face the PES on the Northern, Southern and Eastern boundaries of the site;
- Re-grading of the site to a profile suitable for placing of capping system;
- Excavation of steel, slag and other waste material to facilitate the re-grading works;
- Processing to produce an engineering grade material from the steel slag and other waste materials on site;
- Recovery of scrap metal and other iron-rich material encountered in the course of the re-profiling and processing works;
- Upgrading the access road on Haulbowline Island between bridge and the entrance to the East Tip;
- Construction of the engineered capping system over the re-profiled surface of the East Tip;
- Installation of drainage measures across the site; and
- Development of a recreational public park with trails, car parking facilities and other amenity and ecological features.

### **3.0 PROGRESS TO DATE**

To date the remediation process has largely entailed site investigation, identification of the remedial solution, preparation and grant of the required consents, procurement of multi-disciplinary consultancy services and undertaking advance construction works to facilitate the main remediation works. The following works have been completed to date:

#### 2011 and 2012

- Establishment of the Cork County Council Haulbowline Island Remediation Project Team.
- Appointment of multi-disciplinary environmental consultancy services for site investigations and associated Detailed Quantitative Risk Assessment (DQRA).
- Procurement and appointment of Site Investigation Contractor and completion of site investigation works at the East Tip to inform the DQRA.
- Preparation of DQRA for the East Tip to identify the remedial solution.
- Appointment of multi-disciplinary environmental consultancy services for preparation of outline design and required consents for the East Tip namely: waste licence, foreshore licence and a planning application including Environmental Impact Statement and Appropriate Assessment.
- Liaison with project stakeholders including European Commission, Department of Environment Community and Local Government, Department of Agriculture Food and the Marine, Department of Defence (Naval Service), Cork Co. Co. Councillors, the Public and Cork Harbour Alliance for Safe Environment (CHASE).



#### 2013 and 2014

- Submission of Planning Application for the remediation of the East Tip and its transformation into a public recreational amenity to An Board Pleanala.
- Submission of Waste Licence application for the remediation of the East Tip to the Environmental Protection Agency.
- Submission of Foreshore Licence application for the remediation of the East Tip to the Department of Housing Planning Community and Local Government.
- An Board Pleanala oral hearing (Ref: PL04.MT0001).
- Planning granted for the remediation of the East Tip and its transformation into a public park (the planning consent can be viewed at [www.pleanala.ie](http://www.pleanala.ie)).
- Waste Licence granted for the remediation of the East Tip (the Waste Licence can be viewed at [www.epa.ie](http://www.epa.ie) Licence No. W-0289).
- Foreshore Licence granted for the remediation of the East Tip.
- Detailed design, procurement and appointment of a works contractor and completion of remediation works to Haulbowline Island Bridges.
- Liaison with project stakeholders including European Commission, Department of Environment Community and Local Government, Department of Agriculture Food and the Marine, Department of Defence (Naval Service), Cork Co. Co. Councillors, the Public and Cork Harbour Alliance for Safe Environment (CHASE).

#### 2015 to date

- Procurement and appointment of multi-disciplinary consultancy Engineering and Design Services pertaining to the Remediation and Development of Haulbowline Island.
- Detailed design, procurement and appointment of a geotechnical site investigation contractor and completion of the site investigation works on the Foreshore at the East Tip.
- Detailed design, procurement and appointment of works contractor and completion of improvements to Haulbowline Island Approach Road.
- Procurement of multi-disciplinary Works Contractor for the remediation of the East Tip site at Haulbowline Island.
- Detailed design, procurement and appointment of works contractor and completion of security fencing at the East Tip.
- Detailed design, procurement and appointment of works contractor and completion of deconstruction, dismantling and site clearance works at the East Tip.
- Appointment of Environmental Clerk of Works.
- Detailed design, procurement and appointment of works contractors and completion of installation of environmental monitoring equipment.
- Liaison with project stakeholders including European Commission, Department of Environment Community and Local Government, Department of Agriculture Food and the Marine, Department of Defence (Naval Service), Cork Co. Co. Councillors, the Public and Cork Harbour Alliance for Safe Environment (CHASE).

#### **4.0 CURRENT STATUS**

The remediation works at Haulbowline are ongoing and on programme.

The process to procure contractors to undertake the remediation works and develop the public recreational amenity commenced in December 2015 and concluded in December 2016 following a rigorous tender evaluation process. Cork County Council issued the Letter of Intent issued to the preferred tenderer in February 2017.

Cork County Council is currently awaiting Sanction from the Department of Agriculture, Food and the Marine to award the works contract. The works are scheduled to take 18 months to completion from award.

## 5.0 PLANNED WORKS 2017 AND 2018

Cork County Council is currently awaiting Sanction from the Department of Agriculture, Food and the Marine to award the works contract. The works are scheduled to take 18 months to completion from award.

These works will include:

- Construction of a Perimeter Engineered Structure (PES) around the perimeter of the East Tip (including all necessary temporary works) and along the western boundary with the Navy;
- Construction of a Rock Armour revetment to face the PES on the Northern, Southern and Eastern boundaries of the site;
- Re-grading of the site to a profile suitable for placing of capping system;
- Excavation of steel, slag and other waste material to facilitate the re-grading works;
- Processing to produce an engineering grade material from the steel slag and other waste materials on site;
- Recovery of scrap metal and other iron-rich material encountered in the course of the re-profiling and processing works;
- Upgrading the access road on Haulbowline Island between bridge and the entrance to the East Tip;
- Construction of the engineered capping system over the re-profiled surface of the East Tip;
- Installation of drainage measures across the site;
- Development of a recreational public park with trails, car parking facilities and other amenity and ecological features; and
- Improvements to the Approach Road from the bridge to the entrance to the East Tip.

## 6.0 RESPONSE TO SPECIFIC QUERIES

Ref	Query/Response
a)	<i>Why environmental remedial work ceased on Haulbowline and what is the cause of the delay in resuming the clean up?</i>
	The remediation works at Haulbowline are ongoing and on programme.
b)	<i>Whether Cork County Council or the State are in breach of current EU legislation while the work is not in operation?</i>
	The remediation works at Haulbowline are ongoing and on programme. Cork County Council acting as Agent for the Minister for Agriculture, Food and Marine in conjunction with the Department of Agriculture Food and Marine and other stakeholders is overseeing the regularisation of the East Tip to fulfil the State's obligations under the Waste Framework Directive and address the related shortcomings identified in the Letter of Formal Notice issued in September 2010 [C(2010)6536], arising from a judgement of European Communities Court of Justice.
c)	<i>Whether Cork County Council can guarantee the health and welfare of the communities living Cork Harbour while toxic waste remains on the site?</i>
	Please refer to section 2.0 above pertaining to DQRA recommendation
d)	<i>Can Cork County Council confirm that a contractor involved in the original clean-up operation of the site, and who was subsequently instructed to leave the site, is currently taking a legal action against the state under whistle blower legislation?</i>
	Cork County Council acting as Agent for the Minister for Agriculture, Food and Marine in conjunction with the Department of Agriculture Food and Marine and other stakeholders is overseeing the regularisation of the East Tip to fulfil the State's obligations under the Waste Framework Directive and address the related shortcomings identified in the Letter of Formal

Notice issued in September 2010 [C(2010)6536], arising from a judgement of European Communities Court of Justice.  
Legacy issues pertaining to previous operation of the site do not form part of the current Cork County Council Haulbowline Island Remediation Project scope.

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

- The Members thanked the Director of Environment for the briefing document
- The document did not address all of the questions raised
- Queried what plans are in place to clean up the whole island
- The briefing document referenced the ongoing cleaning works; however, no works are currently taking place
- No further waste material will be taken of the island and the site is to be capped
- Previous reports showed the site is relatively stable
- Contamination on the site has never been addressed
- Current clean up contract only covers the east tip on the site]
- Cobh relies on tourism and site in its current states is an eyesore for the Harbour

The Chief Executive said that it was important that the report should be read in full for completeness, which outlines progress to date, and sets out details of the planned works to be undertaken. Remedial works on site are ongoing and within program in relation to items (a), (b) and (c). Item (d) is not relevant to Cork County Council as it is a legacy issue. The Chief Executive informed the Members that a letter of intent issued in 2017 following a competitive tender process, and that the Council is currently awaiting sanction from the Minster to award the contract.

On the proposal of Councillor Frank O' Flynn seconded by Councillor G Murphy an extension of time up to 13.45pm was agreed by the Members.

## **COUNTY FIRE SERVICE**

**18/5-1**

Councillor Christopher O'Sullivan proposed, seconded by Councillor Joe Carroll, the following notice of motion:-

- "That this Council would provide a report on wildfires in Cork County including
- (a) the number of call outs by the Cork County fire services to wildfires over the past 5 years, and
  - (b) the estimated cost of callouts related to wildfires over the past 5 years."

Members noted report from the Chief Fire Officer, which outlines as follows;

Fires involving forest, grass, bog, gorse, etc are classified together as a single fire type for the purposes of annual statistical returns. Statistics for the period 2012 to 2017 for this collective classification of fire type are tabulated below. Our payroll system, however, is not designed to directly assign payroll costs to this combined fire type. An estimated value for the basic hourly payroll costs (excluding annual retainer) has been provided.

Year	Number of Forest, Grass, Bog Fires	Estimated payroll costs
2017	129 (to April 30th)	€60,225 (to March 31st)
2016	268	€275,905
2015	237	€277,732
2014	173	€260,877
2013	317	€200,800
2012	139	(data not available)

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

- Commended the great work of the Fire Department that respond to the fires
- €1million of rate payers money has been spent attending the fires
- The issue of wildfires called for an honest and open debate
- There is a total disregard for wildlife, flora & fauna, as well as people's homes and property
- Only a matter of time before there is a loss of life
- Lack of prosecutions is a serious problem and prosecutions would serve as a deterrent to future fires
- The Council needs to raise awareness
- The Department of Agriculture imposes fines on farmers for not clearing gorse
- Under the CAP Review grants to manage lands should be examined.

#### **IRISH HUMAN RIGHTS AND EQUALITY COMMISSION ACT 2014**

19/5-1

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

“That Council give priority to its obligations under the **Irish Human Rights and Equality Commission Act 2014**, with particular reference to Section 42 of the Act by:

1. As a matter of urgency, carry out an assessment of the Human Rights and Equality issues relevant to the Council's functions.
2. Adopting a pro-active approach to dealing with Human Rights and Equality issues, rather than reacting after rights violations have already taken place.
3. To work with other state and voluntary agencies, in particular in the area of housing and homelessness, to ensure that Human Rights are respected and that service users (the public, vulnerable groups/communities etc.) are proactively assisted at all times.
4. Engaging with the Irish Human Rights and Equality Commission for the purpose of training both the members and staff of Council and in the development of a corporate plan for its Public Sector Duty in this area.
5. Commit to ensuring participation by organisations representing groups experiencing inequality and human rights violations in developing and implementing the plan.
6. That the CEO report back to Council on the development and rollout of such a plan, including on the reporting and monitoring requirements and engagement with the public in general.”

Members noted report from the County Solicitor, which outlines as follows;

In response to the Notice of Motion I confirm that Section 42 of the Irish Human Rights and Equality Commission Act 2014 provides as follows:

- “42. (1) A public body shall, in the performance of its functions, have regard to the need to—*
- (a) eliminate discrimination,*
  - (b) promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and*
  - (c) protect the human rights of its members, staff and the persons to whom it provides services.*
- (2) For the purposes of giving effect to subsection (1), a public body shall, having regard to the functions and purpose of the body and to its size and the resources available to it—*
- (a) set out in a manner that is accessible to the public in its strategic plan (howsoever described) an assessment of the human rights and equality issues it believes to be relevant to the functions and purpose of the body and the policies, plans and actions in place or proposed to be put in place to address those issues, and*
  - (b) report in a manner that is accessible to the public on developments and achievements in that regard in its annual report (howsoever described).*
- (3) In assisting public bodies to perform their functions in a manner consistent with subsection (1), the Commission may give guidance to and encourage public bodies in developing policies of, and exercising, good practice and operational standards in relation to, human rights and equality.*
- (4) Without prejudice to the generality of subsection (3), the Commission may—*
- (a) issue guidelines, or*
  - (b) prepare codes of practice in accordance with [section 31](#), in respect of the development by public bodies of performance measures, operational standards and written preventative strategies for the purpose of reducing discrimination and promoting human rights and equality in the public sector workplace and in the provision of services to the public.*
- (5) Where the Commission considers that there is evidence of a failure by a public body to perform its functions in a manner consistent with subsection (1) and that it is appropriate in all the circumstances to do so, the Commission may invite the public body to—*
- (a) carry out a review in relation to the performance by that body of its functions having regard to subsection (1), or*
  - (b) prepare and implement an action plan in relation to the performance by that body of its functions having regard to subsection (1), or both.*
- (6) A review or an action plan under subsection (5) may relate to—*
- (a) equality of opportunity or human rights generally, or*
  - (b) a particular aspect of human rights or discrimination, in the public body concerned.*
- (7) The Commission may, and, if requested by the Minister, shall, review the operation of subsection (1).*
- (8) For the purposes of assisting it in carrying out a review under subsection (7), the Commission shall consult such persons or bodies as it considers appropriate.*
- (9) Where the Commission carries out a review under subsection (7) it—*
- (a) may, or*
  - (b) where the Minister has requested the review, shall, make a report of the review to the Minister and any such report shall include such recommendations as the Commission thinks appropriate.*
- (10) The Commission shall cause a copy of the report to be laid before each House of the Oireachtas.*
- (11) Nothing in this section shall of itself operate to confer a cause of action on any person against a public body in respect of the performance by it of its functions under subsection (1).”*

Section 42 to 55 of the said Act came into operation on the 1st November 2014 pursuant to the Irish Human Rights and Equality Commission Act 2014 (Commencement) Order 2014 (S.I. No. 449/2014).

Cork County Council is a public body for the purposes of Section 42 because Section 2 of the said Act defines a public body as including a local authority within the meaning of the Local Government Act 2001. The most important point to make is that because of the provisions of Section 42(11) litigation against Cork County Council cannot be taken for breach of its duties under Section 42.

Turning to the terms of the Notice of Motion itself, it is wrong in principle to suggest that the Council should give priority to its obligations under any one piece of legislation. The Council is obliged to perform all its statutory functions and is not entitled to prioritise one over the other and indeed adopting a policy of prioritising one over the others as is suggested in the Notice of Motion would be ultra vires and expose the Council to litigation risk.

As regards paragraph 1 of the Notice of Motion there is no requirement for urgent action in Section 42 rather Cork County Council's obligations under Section 42(2)(a) and (b) are to set out in its strategic plan an assessment of the human rights and equality issues relevant to the functions and purposes of the Council and the policies, plans and actions in place or proposed to be put in place to address those issues and report in its annual report on developments and achievements in that regard. If the Council is not already complying with Section 42(2) then it should ensure it does so by its' next strategic plan and its' next annual report. There is a limitation on the obligations in Section 42(2) whereby the public body in complying with that sub-section is entitled to have regard to its size and resources however a public body of the size and with the resources of Cork County Council would not be entitled to rely on that limitation.

As regards paragraph 2 of the Notice of Motion this amounts to giving a commitment to comply with Section 42(1) and is not objectionable.

Paragraph 3 of the Notice of Motion goes beyond the scope of Section 42 which only imposes obligations on the Council to its own members, staff and those to whom it provides services and not a wider role in the general promotion of human rights and equality in the area of housing and homelessness. The Council has specific statutory responsibilities as a Housing Authority but those do not arise under Section 42 of the 2014 Act and generally so long as the Council as a Housing Authority complies with the Housing Acts there should be no question of it violating anyone's human rights.

As regards paragraph 4 of the Notice of Motion it is a question of resources as to whether the Council engages with Irish Human Rights and Equality Commission training. There is no obligation in Section 42 for the Council to engage in such training.

There is no requirement in Section 42 for the Council to develop a corporate human rights and equality plan, rather the obligation is to assess and take account of human rights and equality issues in existing and future policies, plans and actions, and therefore the references to such a corporate plan in paragraphs 4 and 5 and 6 of the Notice of Motion have no basis in the 2014 Act and would necessarily involve a diversion of resources from the Council's statutory functions

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

- Minorities are discriminated against on regular basis
- Proactive programme to address discrimination and to ensure a lack of discrimination on any level
- Could the LECP examine the issue of Human Rights
- People coming into Cork County Council should be made aware of everything they are entitled to at a single point of contact.
- The Council needs to carry out an assessment of its services/delivery areas.
- Training should be provided.



The Chief Executive advised Members that there has never been a finding of discrimination against Cork County Council, and that there are no instances of discrimination that need to be dealt with. Cork County Council is proactive dealing with Human Rights and the he is satisfied that the organisation is meeting all of its obligations. The Council goes through significant public consultation when formulating and developing any of its plans and policies, and acknowledged that the Members would not adopt any plan without considering human rights and equalities. The Chief Executive stated when the **Local Economic and Community Plans (LECP)** are being reviewed the review process will have regard to the above matters.

The Chief Executive informed Member that publication of guidelines by the Irish Human Rights and Equality Commission would be beneficial.

### **MORTGAGE INTEREST RATES**

**20/5-1**

It was agreed to be placed on the next agenda the following notice of motion to the next council meeting standing in the name of Councillor Noel Collins

“That this Council call on the Minister for Finance to intervene, by way of legislation, with Banks & other Financial Institutions, to prevent them gouging mortgage holders, with penal interest rates.”

### **BROADENING OF THE 'COMPASSIONATE ACCESS PROGRAMME' TO MEDICINAL CANNABIS**

**21/5-1**

Councillor Paul Hayes proposed, seconded by Councillor June Murphy, the following notice of motion:-

“That this Council supports campaigners in their call for a broadening of the 'compassionate access programme' to medicinal cannabis, and writes to the Minister for Health requesting that the current legislation is amended without further delay.”

During a discussion that followed, Members made the following points

- The current legislation is very restrictive and is causing problems
- An amendment of the legislation is need to give clarity
- The Minister for Health has not gone far enough to bring some resolution to the plight of Vera Twomey’s Daughter
- The Department is open to General Practitioners applying for licences; however, Consultants are reluctant.
- The INMO is in favour of legislation for medicinal cannabis.
- Access to medicinal cannabis needs to be strictly controlled, regulated and restricted for the treatment of patients only.

Members said they supported the proposal and it was agreed to write to the Minister for Health.

## **INTRODUCTION OF A MINDFULNESS AND YOGA PROGRAMME AS A PILOT SCHEME TO THE JUNIOR CYCLE CURRICULUM**

22/5-1

Councillor Michael Murphy proposed, seconded by Councillor Eoghan Jeffers, the following notice of motion:-

“That this Council write to the Minister for Education and Skills to introduce a Mindfulness and Yoga programme as a pilot scheme to the Junior Cycle Curriculum with a view to introducing to all 2<sup>nd</sup> Level Schools.”

During a discussion that followed, Members made the following points

- According to World Health Organisation mental health is serious issue for young people
- 2/3 of students preparing for exams are suffering from anxiety
- Yoga is a very good idea for children that are not involved in sports

Members said they supported the proposal and it was agreed to write to the Minister for Education and Skills.

## **LOWERING OF THE VOTING AGE**

23/5-1

Councillor Eoghan Jeffers proposed, seconded by Councillor Diarmaid Ó Cadhla, the following notice of motion:-

“That this Council supports the lowering of the voting age to sixteen years of age for the General, Local, Presidential and European Elections and Referenda”.

During a discussion that followed, Members made the following points

- 16 and 17 year olds should have a say on who leads policy decisions
- Young people who work and pay taxes should also be entitled to vote
- Members support engagement in the democratic process
- 2<sup>nd</sup> Level Students should be educated about politics before they are given the right to vote

Councillor Gearoid Murphy proposed the following amendment to the motion

“That this Council supports the lowering of the voting age to sixteen years of age for the Local and European Elections only”

The Mayor called for a vote on the amendment which resulted as follows

**For:** Councillors P. O’Sullivan, S. McCarthy, G.Murphy, G.Murphy,

[4]

**Against:** Councillors McGrath, Jeffers, M. Murphy, Harris, R. McCarthy, K. Murphy, O’Donovan, G. Moynihan, Creed, O’Grady, Lucey, Ó Cadhla, M. Hegarty, Linehan-Foley, O’Flynn, Doyle, Dawson, O’Shea, Carroll, J. O’Sullivan, C. O’Sullivan, Hayes, Hurley



[23]

The Mayor declared the amendment defeated

The Mayor then called for a vote on the substantive notice of motion which resulted as follows

**For:** Councillors McGrath, Jeffers, M. Murphy, Harris, R. McCarthy, G. Moynihan, O'Grady, P. O'Sullivan, Rasmussen, S. McCarthy, Linehan-Foley, O'Flynn, Doyle, O'Shea, G. Murphy, D. Collins, C. O'Sullivan, Hayes, Hurley

[20]

**Against:** Councillors K. Murphy, O'Donovan, Creed, Lucey, M. Hegarty, Dawson, G. Murphy, Carroll, J. O'Sullivan,

[9]

The Mayor declared the amendment carried.

It was agreed to write to the Minister on the original motion.

## **CORRESPONDENCE FROM OTHER BODIES**

### **CHARLEVILLE TRAIN STATION**

24/5-1

Members noted letter dated 10<sup>th</sup> April, 2017, from Irish Rail, regarding Charleville Train Station

### **CFRAM**

25/5-1

Members noted letter dated 22<sup>nd</sup> March, 2017, from the Office of Public Works (OPW), regarding the boundaries outlined in the CFRAM report.

### **ST. STEPHEN'S HOSPITAL, SARSFIELD COURT, GLANMIRE**

26/5-1

Members noted letter dated 11<sup>th</sup> April, 2017, from the HSE, regarding the future use of St. Stephen's Hospital, Sarsfield Court, Glanmire.

### **SALE OF LETHAL HUNTING KNIVES**

27/5-1

Members noted letter dated 7<sup>th</sup> April, 2017, from the European Court of Human Rights, regarding the introduction of tougher laws on the sale of lethal hunting knives

## VOTES OF CONGRATULATIONS

28/5-1

- TO: Leaside AFC, on winning the FAI Championship  
Councillor P' O SULLIVAN also asked that they would be afforded a civic reception
- TO: David Keane (former County Engineer, on his retirement from Cork County Council.
- TO: Coláiste an Chraoibhín, Fermoy, for its support in the 2017 Cycle Against Suicide awareness event
- TO: Shane O'Driscoll, Mark O'Donovan and Denise Walsh, Skibbereen Rowing Club on their recent success at World Rowing Cup Regatta in Belgrade
- TO: Ross Bulman, on winning the U18, U19 titles at the National Snooker Championships
- TO: Brendan Cooney, CYMS President on being named coach of the year
- TO: Natasha Sutton, Caoimhe Ni Shuilleabhain, Maebh McCarthy, Laura Walsh, and their Mentor, Eileen Harte of Sacred Heart Secondary School, Clonakilty on winning the 2016-2017 Conern Debates Final,
- TO: Ibane Gaels on winning the U15B Hurling Final in Blackrock
- TO: John Joe Lyons on being named the 2017 Irish Red Cross Volunteer of the Year
- TO: Duncan Rose on receiving the Irish Red Cross Young Volunteer of the Year Award.
- TO: Paul O'Callaghan and Special Olympics Team Ireland for their recent success at the Winter Special Olympics in Austria.
- TO: Ronan Daly and Pádraic Malone of St Francis College, Rochestown on winning the International Schools Debating Championship
- TO: Kilmeen Drama Group on winning the Macra Drama All Ireland Finals
- TO: Dara Sweetnam on receiving the Munster Young Player of the Year award.
- TO: Douglas Hall AFC on their recent success.
- TO: James Healy, on his election as President of Macra na Feirme
- TO: Helen Bowman, on her recent promotion and transfer to Personnel.

**This concluded the business of the Meeting**