



# Comhairle Contae Chorcaí

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## Cork County Council

**Minutes of Proceedings at Meeting of Cork County Council held by Microsoft Teams on 28<sup>th</sup> June 2021 at 11am.**

### **I LATHAIR**

#### **Comhairleoir Gillian Uí Chochláin, Méara Chontae**

Comhairleoiri: Ó Muineacháin B, Ó Dubhghaill, Ó Sé, Sean Pól, Ó Murchú, Gearóid, Críod, Ní Mhuineacháin G, Ó Luanaigh,, Uí Loinsigh, Ó Luasa, Ó hAodha, Padraig, Ó Murchú, Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léanacháin - Uí Foghlú Ó Héigheartaigh, Ní hEachthigheirn, Uí Thuama, MacCarthaigh S, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaioich, Ó hAodha, Pól, Uí Chochláin G, Ó Murchú, Caoimhín Ó Suilleabháin, Sean, Uí Shuilleabháin, Máire, Ó Donnabháin, Ó Coileáin D, Ó Murchú PG, Uí Mhurchú Cáit, Ó Conaill, Mac Craith, Uí Daltún, Ó Muircheartaigh, Uí Bhuachalla, O'Conchubair L, Daltún Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conchubair S, Ó Conchubair A, Ó Flionn, Uí Bhriain, , Dawson, De Róiste

### **PRESENT**

#### **Councillor Gillian Coughlan, County Mayor, presided.**

**Councillor:** Moynihan B, Doyle, O'Shea JP, Murphy Gerard, Creed, Moynihan G, Looney, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan – Foley, Hegarty, Ahern, Twomey, McCarthy S, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul, Coughlan G, Murphy K, O'Sullivan J, O'Sullivan M, O'Donovan, Collins D, Murphy P.G, Murphy Katie, O'Connell, McGrath, D'Alton, Murtagh, Buckley, O'Connor L, Dalton – O'Sullivan, O'Callaghan, Barry, Sheppard, Rasmussen, O'Connor S, O'Connor A, O'Flynn, O'Brien, Dawson, Roche,

Chief Executive, Ms. Loraine Lynch, Head of Finance, Mr. Padraig Barrett, Director of Services, Roads & Transportation, Senior Executive Officer.

### **[a] CONFIRMATION OF MINUTES**

**1/6-2**

*Proposed by Cllr. Michael Hegarty*

*Seconded by Cllr. Karen Coakley*

### **RESOLVED:**

That the minutes of the Meeting held on 14<sup>th</sup> June, 2021 be confirmed and signed by the Mayor.

**[b] VOTES OF SYMPATHY**

2/6-2

**TO:** Ms. Margaret Corcoran on the death of her mother, Mary Corcoran.

**TO:** Councillor William O’Leary on the death of his grandfather, Noel Murphy.

**[c] STATUTORY BUSINESS**

3/6-2

**DISPOSAL OF PROPERTY:**

**SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001:**

*Members noted the following disposals:*

**MUNICIPAL DISTRICT OF FERMOY:**

*Disposal of Land at Fermoy Town, Hall, Fermoy, Co. Cork*

3(a)/6-2

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 18<sup>th</sup> June, 2021.

**SITUATION:** Fermoy Town Hall, Fermoy, Co. Cork-lease of room on second floor and right of way over general areas in the building, for 2 years.

**AREA:** Area contained within Folio CK52202 (plan 42 – entry no 211)

**CONSIDERATION:** €6,000 per costs

**MUNICIPAL DISTRICT OF BANDON - KINSALE:**

*Disposal of land at Brownmills, Kinsale Co. Cork*

3(b)/6-2

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 18<sup>th</sup> June 2021.

**SITUATION:** Disposal of land at Brownmills, Kinsale, Co. Cork

**AREA:** 0.253 hectares (0.63 acres) – part of Folio CK157723F

**CONSIDERATION:** €30,000

**MUNICIPAL DISTRICT OF COBH:**

3(c)6-2

*Disposal of land at Inishmore Park, Cobh Co. Cork*

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 18<sup>th</sup> June, 2021.

**SITUATION:** Disposal of land for ESB substation site at Inishmore Park, Cobh, Co. Cork

**AREA:** 3.2m x 2.5m

**CONSIDERATION:** €1

4/6-2

**SECTION 85 OF THE LOCAL GOVERNMENT ACT, 2001 (AS AMENDED):**

Section 85 Agreement – Mallow to Dungarvan Greenway feasibility project – to enable Cork County Council to act as the lead local authority for the Mallow to Dungarvan Greenway feasibility project, the following motion to be considered by Cork County Council:

*Proposed by Cllr. Pat Hayes*

*Seconded by Cllr. Frank O’Flynn*

**RESOLVED:**

Pursuant to section 85 of the Local Government Act 2001 (as amended) and Section 14 of the Roads Act, 1993 (as amended), Cork County Council hereby agrees to enter into an Agreement with Waterford City and County Council whereby Cork County Council will carry out all the functions of the Local Authority in respect of the Mallow to Dungarvan Greenway Feasibility Project. It is hereby resolved under Section 85 of the Local Government Act 2001 (as amended) to enter into Agreements with the Local Authority listed above for the provision of the services as outlined above.

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

Appointment of Councillor Michael Paul Murtagh to Committees as follows:

- Joint Policing Committee
- Roads and Transport Strategic Policy Committee
- Planning Strategic Development Strategic Policy Committee
- Traveller Consultative committee

*Proposed by Councillor Liam O'Connor*

*Seconded by Councillor John Paul O'Shea*

[e] **REPORTS AND RECOMMENDATIONS OF OFFICERS  
TUAIRISCÍ AGUS MOLTAÍ OIFIGH**

6/6-2

**CHIEF EXECUTIVE'S MANAGEMENT REPORT TO COUNCIL:****Finance Department**

6(a)/6-2

Quarterly report of the Finance Directorate for the 3-month period up to 31<sup>st</sup> March 2021.

*Members noted the Finance Directorate Quarterly Report.*

**Corporate Services**

6(b)/6-2

Quarterly report of the Corporate Services Directorate for the 3-month period up to 31<sup>st</sup> March 2021.

*Members noted the Corporate Services Quarterly Report.*

**Library Services**

6(c)/6-2

Quarterly report of the Library Services for the 3-month period up to 31<sup>st</sup> March 2021.

*Members noted the Library Services Quarterly Report.*

During this discussion the Members made the following points:

- The Mayor complemented the Directors for the reports.
- Members said that the Libraries provided a fantastic service.
- Members asked when was the start date for Kinsale library contract.

The Chief Executive said that the Council was in discussion with the preferred contractor and noted there were significant changes for the construction industry. He said once there is more certainty about the contract the Municipal District Members will be briefed.

[e] **REPORTS AND RECOMMENDATIONS OF COMMITTEES**

7/6-2

**GUIDANCE ON THE USE OF IRISH FOR TEMPORARY TRAFFIC MANAGEMENT ON PUBLIC ROADS:**

Members approved the Guidance Document which was developed by the Roads & Transportation SPC 14<sup>th</sup> June 2021.

*Proposed by Councillor Declan Hurly*

*Seconded by Councillor Gobnait Moynihan*

During this discussion the Members made the following points:

- Members stated that the Municipal District offices were very good at resolving any issues with signs that were not displayed in Irish.
- The Mayor welcomed the report and thanked Mr. Barrett and the SPC Chairperson for the work involved.

[g] **CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS**

8/6-2

**DEPARTMENT OF THE ENVIRONMENT, CLIMATE AND COMMUNICATIONS:**

Correspondence dated 18<sup>th</sup> June 2021 in response to Council's letter dated 10<sup>th</sup> May 2021 in relation to the backlog of approving and carrying out works as part of the Warmer Home Scheme.

During this discussion the Members made the following points:

- Expressed their dissatisfaction with the response as people are in fuel poverty and the letter does not say there is an urgency to deal with the applications.

*Members agreed to write back to the Minister for the Environment, Climate and Communications Eamon Ryan TD requesting that he urgently address the waiting list for works to be carried out as part of the Warmer Home Scheme.*

9/6-2

## **DEPARTMENT OF TRANSPORT:**

Correspondence dated 16<sup>th</sup> June 2021 in response to Council's letter dated 26<sup>th</sup> April 2021 in relation to the wearing of high visibility clothing to promote the need for visibility on our roads.

During this discussion the Members made the following points:

- Members welcomed the detailed reply.
- Members said more people were walking and cycling now. Since there is an exceptional growth rate of hedgerows as the moment, the Council must promote a campaign "Be seen / be safe".
- Members complemented the outdoor staff for wearing their high visibility gear and keeping the Council trucks spotless. They also praised the "Think safety" message on the trucks.
- The Mayor stated she will continue to support road safety in any way she can.

## **[h] NOTICE OF MOTIONS**

### **COMPENSATION CLAIMS:**

10/6-2.

*Councillor Joe Carroll proposed, seconded by Councillor Seamus McGrath:*

"I am calling on this council to provide the members with a breakdown of all compensation claims being taken against the council. i.e. the number of claims, the type of claims, and, most importantly, the total value of these claims if they were to be awarded

### **RESPONSE:**

The most recent figures available from our insurers, IPB, date from Q4, 2020.

The total number of active claims as of 31<sup>st</sup> December 2020 stood at 501, the bulk of which relate to public liability claims (466 claims). We are not in a position to disclose the estimated value as that is sensitive information.

All open claims at Q4 2020 are included in the total active claims figure, including claims which date back a number of years.

The top 5 causes at Q4 2020 are as follows:

<b>Top causes</b>	<b>Number of active claims</b>
Footpath & slip/trip	146
Pothole	120
Road	115
Other	44
Flood	15

During this discussion the Members made the following points:

- Members are concerned with the level of active claims.

- They asked if the Council could handle the level of claims.
- Members noted that footpath & slip/trips were the highest number of claims.
- Members asked if priority was given to repairs to these obvious hazards resulting in claims.
- Members questioned when will the money coming back to the Council be spent on footpaths.
- Members stated that Insurance does not always cover for damage done to vehicles by potholes.
- They stated that prevention was better than the cure.
- There will always be claims but they can be reduced by investments in footpath and pothole repairs.
- Members requested clarification on what is covered by “Roads” category in report to Members.
- Members mentioned that footpaths have deteriorated in some towns as they are not getting the same attention as they did when there were Town Councils. They referred to specific potholes that reappear every few months despite repairs.

The Chief Executive said that IPB Insurance has served the Council well over the years. He stated the Council has invested in footpath improvements over the last number of years. The Council will work on Risk Assessments to reduce claims. He stated that some information relating to insurance claims is commercially sensitive.

Ms. Lynch, Head of Finance said that the Council is looking at hotspots for claims with Area Engineers to reduce risks. She also stated that she will revert to the Members regarding what is covered by the category of “Roads” in the report. Ms. Lynch stated that some of the claims currently being assessed would be included in the figures given for the last quarter of 2020 and some of these claims might ultimately not be valid claims.

11/6-2

#### ALL TERRAIN BEACH WHEELCHAIRS

*Councillor Danielle Twomey proposed, seconded by Councillor Paul Hayes:*

“That this Council would provide all terrain beach wheelchairs at all blue flag, life guarded beaches within Cork County.”

#### **RESPONSE:**

Cork County Council is committed to universal access to as many of its facilities as possible. Where the Council is developing new facilities - or carrying out major refurbishment of existing facilities - the various statutory requirements for universal access are complied with. Universal access involves consideration of a wide range of measures including, for example, the needs of those who are mobility impaired, visually impaired, wheelchair users, age friendly interventions etc. The Social Inclusion, Community and Rural Development Strategic Policy Committee has been very proactive in that regard.

With regard to beach facilities, the Council has operated a beach wheelchair trial in the Warren Beach, Rosscarbery, for the past two years. The facility requires an on-site presence by suitably trained local community volunteers in order to facilitate and provide support to users in operating it. In the case of the Warren, the facility is managed and operated by representatives from the local Pitch and Putt Club. It is important to acknowledge and record our gratitude to the Club representatives for their ongoing support and commitment; the service would not have been possible without their onsite support and assistance.

The number of users of the Warren facility in 2020 was 12 no. (persons used the facility a total of 27 no. times over the course of the bathing season).

There are a number of important matters that need to be satisfactorily addressed, in advance, in order for a proposed beach wheelchair facility to be capable of being operated, and for it to be successful:

(1) a topographical assessment and safety risk assessment would be needed to be carried out for the location. The topography would need to be suitable, e.g. access from carpark to beach, sand/dune ground conditions, levels etc. The topography of some locations will make them unsuitable for this kind of proposal, while other locations may require minor - or major - accommodation works to be carried out to facilitate an operation.

(2) operational structure - it is only through successful partnership with a suitable locally based volunteer organisation that the facility can be provided, i.e. people available locally to provide assistance and support to users. Such volunteers would need to be suitably trained and be willing to commit to being available to provide on site support

(3) the provision of equipment that would be appropriate to the location - there are various types and models of beach wheelchair, each of which has offers distinct advantages and disadvantages. The type selected would need to be suitably certified for public use

(4) a booking system to allow users to book in advance. In the case of the Warren, the Pitch and Putt Club operate the booking system.

(5) a suitable storage facility for the wheelchair unit with controlled access for signing in and out of the chair

(6) the provision of appropriate insurance cover for the location, attendants and users.

It should be noted that Cork County Council provides a beach lifeguard service at 12 no. beaches. The primary focus and responsibility of the lifeguards is to ensure the safety of people using the water at beaches. It is imperative that this function is not compromised by any ancillary activities.

#### Planned Next Steps

In the context of the Outdoor Recreation Infrastructure Scheme 2021 (ORIS), the Council proposes to submit a funding request for a feasibility study regarding accessibility across 5 no. beach locations. This funding request is being submitted in the context of a newly introduced "Project Development Measure" category under the ORIS scheme, and will allow the council to obtain expert advice and to develop a roadmap for the delivery of improved infrastructure across our beaches which will lead to enhanced access for all.

Furthermore, the matter has recently been discussed at the Social Inclusion, Community & Rural Development SPC, and further discussion will take place at the Committee to advance the matter and to enable the council to continue to pursue any other appropriate funding opportunities to develop enhanced accessibility to our beaches.

During this discussion the Members made the following points:

- Members stated that it was important that the Council make outdoor areas accessible for all.
- They noted that there is an all terrain wheelchair in place in the Warren and it is very successful. The bookings for it are taken by the local Pitch & Putt Club.
- Said such a facility is needed in East Cork.
- Stated that the current issue are storage, maintenance and access to beaches.
- They suggested that the all terrain wheelchair should be put where suitable lifeguard arrangements are in place.



- Members stated that this matter was previously raised by Councillor Jeffers in 2018 and it was hoped more beaches would have this facility by now.
- Suggested that Mini Board Walks should be considered for other beaches to make them more accessible for wheelchairs and buggies.
- Members requested that Blue Flag beaches should be looked at for beach wheelchairs and this would open up some of the fantastic beaches in Cork county to all.
- Stated that a “wheelchair mat” could be used where an alternative is necessary.
- Suggested that a huge investment would not be necessary to make Cork county beaches more accessible.
- Members believed that this could be linked in with the “Explore Cork” App.
- Recommended that an audit be done on slipways to see if some are suitable for wheelchairs.
- Members stated that boardwalk and beach buggies are standard on the continent.

The Chief Executive stated it was the objective to make Cork county beaches more accessible to all. He stated that cost was not the issue for provision of facilities. The Council will need the support of local groups and infrastructure issues will have to be overcome.

The Council has submitted a funding request to the Outdoor Recreation and Infrastructure Scheme to provide more access to 5 beaches across the county that will be identified through the Municipal Districts.

#### **[K] VOTES OF CONGRATULATIONS**

[12/6-2](#)

**TO:** Glanworth GAA Club on winning the North Cork Junior Hurling Championship 2020.

#### **[I] ANY OTHER BUSINESS**

[13a/6-2](#)

Members commented that the audio for meetings could be improved if everyone used headphones at future meetings.

[13b/6-2](#)

Members agreed that the Affordable Housing Fund (Circular 23/2021) would be discussed further at the Development Committee on the 16<sup>th</sup> July 2021.

**~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~**