**COMHAIRLE CONTAE CHORCAÍ**

**Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 23rd March, 2020.**

**I LATHAIR**

**Comhairleoir Martin Ó Cochláin, Leasmhéara**

**Comhairleoiri:** Ó Sé J.P., Críod, Ó Luanaigh, Ó Cochláin M, Ó Coileáin N, Ní Heachthigheirn, Ó Muirthile, Uí Chochláin G, Ó Murchú Caoimhín, Uí Shuilleabháin M, Ó Coileáin D, Ó Conaill, MacCraith, UÍ Daltún, UÍ Bhuachalla, Barra, Rasmussen, Ó Conchubair A, Ó Flionn

**PRESENT**

 **Councillor Martin Coughlan, Deputy Mayor, presided.**

**Councillor**: O’Shea J.P, Creed, Looney, Coughlan M, Collins N, Hegarty, Hurley, Coughlan G, Murphy Kevin, O’Sullivan M, Collins D, O’Connell, McGrath, D’Alton, Buckley, Barry, Rasmussen, O’Connor A, O’Flynn

Chief Executive, Senior Executive Officer Maurice Murphy.

**CONFIRMATION OF MINUTES**

**1/2-3**

***Proposed by Cllr. Declan Hurley***

***Seconded by Cllr. Frank O’Flynn***

**RESOLVED:**

“That the minutes of the Meeting held on 9th March, 2020 be confirmed and signed by the Mayor.”

**SUSPENSION OF STANDING ORDERS**

Councillor Declan Hurley requested a suspension of standing orders to discuss the closure of Public Amenities and Beaches, seconded by Audrey Buckley.

The Deputy Mayor confirmed these matters would be discussed after statutory business.

**STATUTORY BUSINESS**

**Disposal of Property**

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

# Members noted the following disposals.

**Municipal District of East Cork**

 **2(a)/2-3**

***Grant of Wayleave at Knockgriffin, Midleton, 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 12th March, 2020

**Situation:** Grant of Wayleave at Knockgriffin, Midleton, Co. Cork

**AREA:** 7m x 16m wide

**Consideration:** €1.00

**Municipal District of Macroom**

 **2(b)/2-3**

***Disposal of land as contained in Folio CK 9533 (Property no. 2) at Cooleclevane, Kilmichael, Macroom, 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 12th March, 2020

**Situation:** Disposal of land as contained in Folio CK 9533 (Property no. 2) at Cooleclevane, Kilmichael, Macroom, Co. Cork

**Consideration:** €10.00

***Disposal of freehold title at Millstreet Road, Macroom, Co. Cork***

**2(c)/2-3**

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 12th March, 2020

**Situation:** Disposal of freehold title at Millstreet Road, Macroom, Co. Cork

**AREA:** 0.398 hectares/ 0.984 acres

**Consideration:** €100.00 plus Cork Council’s legal and administrative costs

**Municipal District of West Cork**

 **2(d)/2-3**

***Disposal of Substation Site at Beechgrove, Clonakilty, 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 12th March, 2020

**Situation:** Disposal of Substation Site at Beechgrove, Clonakilty, Co. Cork.

**Consideration:** €1.00

***Grant of Wayleaves at Woodlands, Clonakilty, Co. Cork***

**2(e)/2-3**

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 12th March, 2020

**Situation:** Grant of Wayleaves at Woodlands, Clonakilty, Co. Cork

**AREA:** 122.8m x 10m wide and 22.7m x 10m wide

**Consideration:** €1.00

***Disposal of Land at Sarue, Reenascreena, Rosscarbery, Co. Cork***

**2(f)/2-3**

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 12th March, 2020

**Situation:** Disposal of Land at Sarue, Reenascreena, Rosscarbery, Co. Cork

**AREA:** 0.0193 hectares/0.048 acres

**Consideration:** €1.00

***Scout Hall, Old Market Square, Skibbereen, Co. Cork***

**2(g)/2-3**

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 12th March, 2020

**Situation:** Scout Hall, Old Market Square, Skibbereen, Co. Cork

**AREA:** 0.0127 hectares (0.031 acres or 126.5 square metres)

**Consideration:** €100.00 per annum

**Part 8 Managers Reports**

**Section 179(3) of the planning & development act 2000 (as amended):**

**Municipal District of Fermoy**

**3/2-3**

Members noted the following Part 8.

# Part 8 – The construction of 7 no. two story residential housing units, comprising of 6 no. 2 bed houses and 1 no. 3 bed houses at Pound Lane in the townlands of Kilworth.

**Section 128B (1) (*i*) of the local Government Reform Act 2014:**

**2019 l.c.d.c Annual Reports:**

**4/2-3**

Members noted the following reports.

1. 2019 North Cork LCDC Annual Report
2. 2019 South Cork LCDC Annual Report
3. 2019 West Cork LCDC Annual Report

**Section 85 Agreements:**

**5/2-3**

# Pursuant to section 85 of the Local Government Act 2001 as amended Cork County Council hereby agrees to enter into an agreement with Clare County Council, Kerry County Council, Limerick City & County Council and Waterford City & County Council whereby Cork County Council will carry out all of the functions of these local authorities in respect of the public lighting energy saving led retrofit project – South West Region with the exception of obtaining any necessary planning approvals and undertaking public consultation procedures as required under the planning and development acts and regulations.

# It is hereby resolved under section 85 of the Local Government Act 2001 as amended to enter into agreements with the local authorities listed above for the provision o f the services as outlined above.

***Proposed by Cllr. Frank O’Flynn***

 ***Seconded by Cllr. John Paul O’Shea***

**Section 9 of the Road Traffic Act 2004**

**6/2-3**

Members approved the following.

That the Draft County of Cork Road Traffic Special Speed Limit Bye Laws for National Roads 2020 proceed to the Public Consultation Phase.

***Proposed by Councillor John Paul O’Shea***

***Seconded by Councillor Declan Hurley***

**Filling of Vacancies on The South Cork Local Community Development Committee.**

**7/2-3**

**Section 4(2) and Sections 32-35 of the Local Community Development Committee**

**(Section 128E) Regulations 2014 (SI No. 234 of 2014):**

A casual vacancy has arisen on the South Cork LCDC. In accordance with the provisions of Section 4(2) and Sections 32-35 of the Local Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014), the approval of the members is sought to the appointment of Mr. Paddy Roche as a replacement representative for Avondhu/Blackwater Partnership CLG on the South Cork LCDC. The previous nominee (Mr. Sean Hegarty) is hereby de-selected.

***Proposed by Councillor Michael Hegarty***

***Seconded by Councillor Seamus McGrath***

**ANY OTHER BUSINESS**

**CLOSURE OF PUBLIC AMENITIES AND BEACHES**

Councillor Declan Hurley proposed suspension of Standing Orders to discuss the closure of public amenities and beaches, seconded by Councillor Audrey Buckley.

Members noted statement issued by the Chief Executive Tim Lucey to Members in response to concerns regarding access to Public Amenities and Beaches in Cork County.

**RESPONSE:**

The matter of controlling and limiting access to beaches, parks and open amenity spaces has again become one of significant public commentary, including many representations from Members of Council over the weekend.

There are varying views being expressed on this matter including requests for the closure of car parks, monitoring and control of the numbers using such places and, that there is a significant personal responsibility on every citizen to adhere to the HSE guidance on social distancing.

In the circumstances, and in view of the fact that there is a presumption in much of the social media commentary and correspondence received, that Cork County Council can resolve the matter through measures such as car park closures, and monitoring access arrangements it is important to set out what the current situation is and how we as an organisation will respond to such calls.

The current request form the Department of Health is that we would allow public parks and such spaces to be open to the public. As you know, this request also included playgrounds, however we took the decision on last Monday to close such facilities as that is a somewhat easier and more controllable solution.

Many of the beaches and open spaces all over our county are accessible from a variety of locations. Only some have publicly owned car parks, while some have privately owned car parking facilities which are utilised by the public when accessing beaches. Many beaches attract a significant amount of on road car parking, much of which can be a danger to road users depending on the nature of the car parking and volume of same. Large open parks present similar sets of circumstances. In addition, many public parks are not in the ownership and control of Cork County Council.

As we presently stand there is no doubt that the matter of controlling access to such areas requires deeper consideration. It is not however a matter that Cork County Council on its own should currently unilaterally take a decision on. This is a matter that has a multi agency aspect to it if measures are to be effective, while at the same time, the matter of each citizen taking personal responsibility in their own individual use of such areas is of paramount importance. This is a view which is also held locally by An Garda Siochana, same being confirmed to me in telephone conversation this morning with Chief Superintendent Con Cadogan of the Western Division.

Council might note that the Minster for Health has indicated that the National Public Health Emergency Team will consider this particular matter tomorrow. Members of Council might also note that the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 provides significant powers for government to put in place measures to control the spread of Covid-19.

In the circumstances, Council should await any advice or request that will emerge from same and we will, as heretofore, respond swiftly to any advices that we might receive.

During this discussion the Members made the following points:

* Members emphasised the urgency for closing down public amenities, beaches and open spaces
* Members questioned if Cork County Council could enforce these measures at a local level
* Members also expressed concerns on closing such amenities as these are important outlets for mental and physical health
* Acknowledged that social distancing needs to be taken more seriously
* Stated that the closure of public car parks may result in road traffic accidents

**CASUAL TRADING**

Councillor Audrey Buckley raised concerns regarding casual traders carrying out business in open spaces saying it has a significant impact on the ability of members of the public to practise social distancing.

During this discussion the Members made the following points:

* Members requested that all mobile traders should cease trading in open spaces, beaches and parks in order to assist in the control of Covid-19
* Members asked that citizens reconsider availing of trading services where social distancing arrangements are not in place
* People need to be more observant of HSE guidelines in adhering to social distancing advice
* Members also questioned country markets but this is not under the remit of Cork County Council

It was agreed that a statement would be issued to Casual Traders appealing for them to cease trading in open spaces and beaches as a matter of urgency on public health grounds.

**~ This concluded the business of the Meeting ~**