



Comhairle Contae Chorcaí

Cork County Council

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork and by Microsoft Teams on 14th November 2022 at 11am.

I LATHAIR

Comhairleoir Deirdre Uí Bhriain, Leas-Mhéara

Comhairleoiri: Uí Chochláin G, Ó Colmáin, Ó Murchú C, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Murchú PG, Ní Chroinín, , Ó Conaill, Mac Craith, Uí Daltún, Ó Muirheartaigh, Uí Bhuachalla, De Faoite S, Daltún Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conchubair S, Ó Conchubair A, MacCarthaigh N, Ó Flionn, Uí Bhriain, Ó Laoghaire, Dawson, De Róiste, Ó Muineacháin B, Ó Dubhghaill, Ó Sé SP, Ó Murchú G, Críod, Ní Mhuineachain G, Ó Luanaigh, Ó Cochláin M, Uí Loinsigh, Ó Luasa, Ó Haodha Padraig, Ó Murchú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léineacháin Uí Foghlú, Ó hÉalaithe, Ó Héigheartaigh, Ní Heachthigheirn, Uí Thuama, MacCarthaigh S, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaioich, Ó Haodha Pól

PRESENT

Councillor Deirdre O'Brien , Deputy Mayor, presided.

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

Chief Executive, Michael Lynch Director of Services Planning, Senior Executive Officer.

[a] CONFIRMATION OF MINUTES

1/11-1

Proposed by Councillor Noel McCarthy

Seconded by Councillor Pat Hayes

RESOLVED:

That the minutes of the Meeting held on 24th October 2022 be confirmed and signed by the Mayor.

[b] VOTES OF SYMPATHY

2/11-1

TO: The Phelan family on the death of Vicky Phelan

TO: Councillor Gobnait Moynihan and Deputy Aindrias Moynihan on the death of their father Donal Moynihan. The Chief Executive asked to be associated with the Vote of Sympathy to Donal Moynihan.

TO: The Holland family on the death of Jerry Holland

TO: The Canty family on the death of Kathleen Canty

TO: The Callanan family on the death of Sheila Callanan

TO: Hilary Sharpe on the death of her mother Brigid Hogan-O’Higgins

TO: Debbie Griffin on the death of her husband Pdraigh Griffin

[c] STATUTORY BUSINESS

3/11-2

MUNICIPAL DISTRICT OF KANTURK/MALLOW:

Disposal of Land at Bweeng, Co. Cork

3(a)/11-2

In accordance with the provisions of Section 183 of the Local Government Act, 2001 the proposed disposal of property, as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 4th November 2022.

Situation: Disposal of land at Beenamweel, Bweeng, Mallow, Co Cork.

Area: 0.0049 hectares/0.0121 acres

Consideration: €1

MUNICIPAL DISTRICT OF KANTURK/MALLOW:

Disposal of Land at Buttevant, Co. Cork

3(b)/11-2

In accordance with the provisions of Section 183 of the Local Government Act, 2001 the proposed disposal of property, as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 4th November 2022.

Situation: Transfer of Nos. 1 & 2 Daniel O’Brien Terrace, Buttevant, Co. Cork.

Consideration: €1.00.

MUNICIPAL DISTRICT OF BANDON/KINSALE:

Disposal of Land at Bridget’s Terrace, Bandon, Co. Cork

3(c)/11-2

In accordance with the provisions of Section 183 of the Local Government Act, 2001 the proposed disposal of property, as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 4th November 2022.

Situation: Disposal of land at rear of 1 St. Bridget’s Terrace, Bandon, Co.Cork.

Consideration: €1000.00.

4/11-2

THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED) & PLANNING & DEVELOPMENT (STRATEGIC INFRASTRUCTURE) ACT 2006.

Consideration of the Chief Executive’s report to Elected Members in accordance with the requirements of Section 37E (4) and 37E (5) of the Planning and Development Act 2000 (as amended). Strategic Infrastructure Development Application – construction of 14 turbines with 110kv electrical substation and all related site works and ancillary development, in Gortyrahilly, Gortnatrubbid, Ballyvourney, Co.Cork

Michael Lynch, Director of Services outlined the proposal which involves the construction of 14 turbines with 110kv electrical substation and all related site works and ancillary development. A 10-year planning permission and 35-year operational life from the date of commissioning of the entire wind farm is being sought. The applicant Gortyrahilly Wind Designated Activity Company, applied to An Bord Pleanála on 9th of September 2022

The proposed development is located within the townlands of Townlands of The townlands of Cahernacaha (Cathair na Cáithe), Gortnabinna (Gort na Binne), Derryfineen (Doire Fhínnín), Gortyrahilly (Gort Uí Raithile), Rath West (An Ráth Thiar), Derree (Na Doirí), Fuhiry (Na Foithrí), Derreenaculling (Doire an Chuilinn), Lumnagh Beg (An Lománach Bheag), Lumnagh More (An Lománach Mhór), Scrahanagown (Screathan na nGamhan), Bardinch (Barr d’Ínse), Milleeny (Na Millíní), Inchamore (An Inse Mhór), Derreenaling (An Doirín Álainn), Coolea (Cúil Aodha), Gortnatubbrid (Gort na Tiobraid), Murnaghbeg (An Muirneach Beag), Slievereagh (An Sliabh Riabhach), Togher (An Tóchar), Caherdowney (Cathair Dhúnaigh), County Cork.

The proposal also involves development in County Kerry. The location of the proposal is located approximately 4.3km south-west of Ballyvourney.

Mr Lynch outlined the key points arising from the assessment by Cork County Council of the proposal:

- It is an objective under BE 15-2 of the Cork County Development Plan 2022 to protect and where possible enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network. The facilitation of this proposal would ultimately result in the loss of a significant area of Annex I Habitat and thus further reduce the extent of these diminishing and pressurized habitats at both a County and National level.
- There are significant concerns relating to this proposal regarding its location within habitats of County and National importance and the inadequacy of the information and assessment provided by way of supporting documentation.
- The Natura Impact Statement lacks sufficient detail as to provide a robust scientific assessment to establish beyond reasonable scientific doubt that adverse effects on the Killarney National Park, Macgillycuddys Reeks and Caragh River Catchment SAC and the Mullaghanish to Musheramore Mountains SPA will not occur as a result of the proposal.
- There are serious concerns in relation to the extent of habitats of high ecological value to be impacted. It is considered that the impact and assessment provided in relation to loss of habitats listed as Annex I Habitats under the Habitats Directive and habitats of high natural value has been significantly underestimated. This is contrary to Objective ET 13-7 of the Cork County Development Plan which states "*commercial wind energy development is open to consideration in these areas where proposals can avoid adverse impacts on: Natura 2000 sites (SPA's and SAC's), Natural Heritage Areas (NHA'S), proposed Natural Heritage Areas and other sites and locations of significant ecological value*".

Mr. Lynch said it is the considered view of Cork County Council that based on the information submitted and the detailed assessment provided above that a refusal should be issued by An Bord. The Planning Authority recommends Refusal of Permission as follows:

The proposed development would contravene materially development objective BE 15-2 of the Cork County Development Plan 2022 the aim of which is to protect and where possible enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network. The facilitation of this proposal would ultimately result in the loss of a significant area of Annex I Habitat and thus further reduce the extent of these diminishing and pressurized habitats at both a County and National level. It is considered that the impact and assessment provided in relation to loss of habitats listed as Annex I Habitats under the Habitats Directive and habitats of high natural value has been significantly underestimated. This would contravene materially development objective ET 13-7 of the Cork County Development Plan which states "commercial wind energy development is open to consideration in these areas where proposals can avoid adverse impacts on: Natura 2000 sites (SPA's and SAC's), Natural Heritage Areas (NHA'S), proposed Natural Heritage Areas and other sites and locations of significant ecological value".

If An Bord Pleanála, (being the 'competent authority') consider **granting planning permission** for the proposal, a schedule of suggested conditions, as requested in the Advice Guidelines that accompanied the publication of the Planning and Development (Strategic Infrastructure) Act 2006 is attached (Appendix A).

If An Bord Pleanála, (being the 'competent authority') consider that **further information** is required, a schedule of items as requested in the Advice Guidelines that accompanied the publication of the Planning and Development (Strategic Infrastructure) Act 2006 is attached (Appendix B).

Mr Lynch said that the Elected Members are asked to note that, in accordance with Section 37E (6), the Elected Members of the Planning Authority may, by resolution, decide to attach recommendations specified in a resolution to the report. Where the Members so decide recommendations (together with the meetings administrators record) shall be attached to the Report submitted to the Board under Section 37E (4).

During a discussion, Members made the following points:

- Members said they have been in favour of windfarms providing renewable energy.
- The EU might allow areas of conservation to be used in the future to deal with the energy crisis.
- Members said ecology is important but energy is a crucial issue and some sacrifices might have to be made.
- Members asked how they could submit recommendations on this matter to An Bord Pleanála.

The Chief Executive said the report goes directly to An Bord Pleanála.

5/11-2

SECTION 134 OF THE LOCAL GOVERNMENT ACT, 2001:
ANNUAL SERVICE DELIVERY PLAN 2022

Members considered the Cork County Council Annual Service Delivery Plan 2022 and resolved to adopt the Plan pursuant to Section 134 of the Local Government Act 2001, as amended by Section 50 of the Local Government Reform Act 2014, without amendment.

Proposed by Councillor John Paul O'Shea

Seconded by Councillor Michael Hegarty

[e] **REPORTS AND RECOMMENDATIONS OF COMMITTEES**
TÚAIRISCÍ AGUS MOLTAÍ Ó CHOISTÍ

6/11-2

CORPORATE POLICY GROUP

6(a)/11-2

Approval of attendance by Members at conferences on the Conference list for November 2022

Proposed by Councillor John Paul O' Shea

Seconded by Councillor Karen Coakley

6(b)/11-2

Local Government Act 2001 Section 142-Approval of Members' training-

Proposed by Councillor Gobnait Moynihan

Seconded by Councillor Gearóid Murphy

9/11-1

HSE

Correspondence received 28th October from the HSE in response to the Council's letter dated 10/10/22 in relation to the Owenacurra Centre.

Members noted the correspondence from the HSE.

During this discussion, the Members made the following points:

- Members requested to write back to the HSE on this matter to request a direct response from the CEO of the HSE.
- Members said they want to escalate this issue beyond local management in HSE
- Said that local communication has been exhausted.
- Said very little government action is being taken to support the residents of Owenacurra Centre.
- Members agreed to write back to the HSE and also send the letter to Minister for Mental Health.

10/11-1

DEPARTMENT OF HEALTH

Correspondence received 28th October from the Department of Health in response to the Council's letter dated 10/10/22 in relation to establishing an occupational injury scheme for healthcare workers with Long Covid.

Members noted the correspondence from the Department of Health.

During this discussion, the Members made the following points:

- Members expressed disappointment with the response from the Department of Health.
- Said the response shows a lack of support for healthcare workers with Long Covid.
- Members said healthcare workers risked everything to work during the pandemic and some are now paying heavily for it.
- Members agreed to write back to the Minister for Health to follow the recommendations of the EU strategic framework to provide financial security for healthcare workers with long covid.
- Also agreed to write to the Minister for Social Protection.

11/11-1

IRISH WATER

Correspondence received 2nd November from Irish Water in response to the Council's letter dated 24/10/22 in relation to the Castletownshend Sewerage Scheme.

Members noted the correspondence from Irish Water.

During this discussion, the Members made the following points:

- Members said that the received did not give a proper explanation regarding Castletownsend.
- Members said Irish Water needs to fully connect up towns/villages when completing works.

- Members called for enhanced communication between Irish Water and Councillors.
- Members agreed to write back to Irish Water to ask that 100% of towns and villages would be connected up when a project is being done in a town or village.
- Members said all residents in Castletownsend should be treated the same.

12/11-1

DEPARTMENT OF FINANCE

Correspondence received 3rd November from the Minister for Finance in response to the Council's letter dated 24/10/22 in relation to allocating concessionary medical cards to persons with Spinal Cord Injuries.

Members noted the correspondence from the Department of Finance.

[h] NOTICES OF MOTION FOGRAÍ RÚN

13/11-1

SOLAR COMPACTOR BINS

“Can this council issue an update report on county wide plans to increase our number of solar compactor bins within the county and what areas are being focused on, in future plans.”

Councillor Danielle Twomey proposed, seconded by Councillor Audrey Buckley

RESPONSE:

Members noted the response from the **Director of Services, Municipal District Operations & Rural Development** which outlined as follows:-

Cork County Council has no plans at present to extend the number of compactor bins in the county. The Council previously reviewed the bins from a cost efficiency and effectiveness perspective and concluded that the existing collection arrangements represent better value for public monies at the time. More recently, a number of compactor units have been installed in Cobh as part of a trial. The effectiveness of these units is being examined having regard to the service, maintenance and support costs involved. It should be noted that the deployment of compactor units results in operational challenges and special lifting gear needs to be purchased and installed on council fleet in order to safely lift and empty the bins. The council is committed to ensuring that value for money is maximised and it is in this context that the matter is kept under regular review.

During this discussion, the Members made the following points:

- Members discussed the reduced frequency of waste collections and lack of staff to maintain bins.
- Said solar bins would not need to be emptied as often, were cleaner, produced little greenhouse gas, provided analytics and required less manpower to manage.
- Members asked if funding had been sought.
- Said the response to the matter is disappointing and hard to explain to the public.
- Members said other Local Authorities offset the cost by sponsorship from local businesses.
- Members said it is disappointing that were removed from Haulbowline due to antisocial behaviour.

- Said that different cohorts of people use bins.
- Said they are in use successfully in Cobh.
- Said Council promoted “Take Your Litter Home” message but there was still a litter problem.
- Members said that litter would be reduced if there were increased bin numbers and more staff to maintain them.
- Stated solar bins need less staff and will reduce waste.
- Said that compactor bins are in use in Kilkenny and work well.
- Members said that there has been an increase in litter, especially after the Covid pandemic.
- Members gave examples of villages where bins were removed and litter has increased substantially.
- Said that solar bins will have an app and will send a notification to the MD office when they are full.
- Said that these bins would take the pressure off staff and reduce the scourge of littering.
- Members said that they are asking for the bins that were removed to be reinstated.
- Said that Tidy Towns need the support of Local Authorities in the provision of bins.

The Chief Executive said additional bins will not reduce the issue of litter. He noted the success of Tidy Towns and the recent awards won by Tidy Towns. He said Cork County Council is very supportive of the work of Tidy Towns. The Chief Executive said that awareness needs to be raised around littering. He said a report on the Cobh Pilot Scheme will be brought to the Cobh MD and to the relevant SPC. He said solar bins require additional lifting equipment and these matters need to be considered.

14/11-1

BICYCLE PARKING FACILITY AT COUNTY HALL

“That Cork County Council would install a secure, covered bicycle parking facility at the front of County Hall to clearly evidence the organisation’s support for and encouragement of commuting by bike.”

Councillor Marcia D’Alton proposed, seconded by Councillor Alan O’Connor

RESPONSE:

Members noted the response from the **Director of Services, Corporate Services**, which outlined as follows:-

Cork County Council is currently examining suitable options for an additional potential location of a covered bicycle parking facility to augment the three existing bicycle parking stations on-site.

In 2023, another public bicycle parking station will become operational. Cork County Council is working with the NTA in respect to the development of a public cycling transport scheme at the front of the campus fronting on to the Carrigrohane Road, which will provide a parking and hire station for an additional 30 publicly available bicycles as a replacement for 4 vehicular parking spaces, this work is scheduled to begin soon.

The examination mentioned will determine the possibility of bringing the total number of bicycle parking stations on campus to five, four of which will be open to the public.

The evolution of the site at HQ over the past number of years appropriately represents the Council’s support for cycling as an alternate means of transportation to cars.

During this discussion, the Members made the following points:

- Members said the car is used for 74% of trips in Cork while the bicycle is only used for 1% of trips.
- Said that it is quicker for someone to use a bicycle to do quick trips during their lunch time from County Hall to the City rather than use the car.
- Said that parking spaces for cyclists need to be visible to the public.
- Said that spaces for cyclists in County Hall need to be covered and secured as bike equipment is valuable.
- Said bike theft is an increasing issue.
- Members said UCC has a good system in place for cyclists with 8 bike parking stations and 240 bike spaces.
- Said all efforts are needed to support a model shift to more sustainable transport options.

The Chief Executive said that customers who travel to County Hall are from a distance so predominately have to travel by car or public transport. He said there is a strong commitment by Cork County Council to provision of cycling infrastructure across the county, and to sustainable travel options and strong engagement with NTA.

15/11-1

MOTOR TAX OFFICE

“That Cork County Council call on the Motor Tax Office to revert to the pre pandemic opening hours.”

Councillor John Healy proposed, seconded by Councillor Ben Dalton O’Sullivan

RESPONSE:

Members noted the response from the **Head of Finance** which outlined as follows:-

The vast majority of Motor Tax customers now renew their motor tax online. In Cork, 90% of motor tax transactions are conducted online. It is the easiest and quickest way for people to renew their motor tax where they have access to the internet.

The Cork Motor Tax Office also provides a very efficient postal service to those customers who do not have access to the internet or who prefer not to conduct their motor tax business online and this is now by far our busiest service stream, seeing a significant rise in use throughout 2021 and business levels remaining steady throughout 2022. Postal applications can be sent to the Cork Motor Tax Office, Model Business Park, Model Farm Road, Cork.

For those customers who for whatever reason wish to visit the Motor Tax Office in person, Cork County Council continues to provide an in person counter service and has been offering a very efficient appointments service since August 2021. Appointments are offered throughout the day from 9.15am to 4pm (last appointment 3.45pm) and can be booked by contacting 021-4544566 or online via our online booking system which allows users to book their own appointment via www.yourcouncil.ie.

The provision of application forms and a post box in the foyer of the building is an additional measure to allow people arriving at the Motor Tax Office, without knowing that they need an appointment, to drop their applications in and have them processed and posted out the following day.

The change to our service provision was broadcast on Cork’s 96 and 103FM stations over a 7-day period from the 30th September 2021 and again in March 2022, to make the public aware of the change and of the need to make an appointment for visits to the Motor Tax Office, so as to avoid disappointment.

Our model of service provision in Motor Tax is reflective of a continuous decline in the numbers of people using the walk-in service in the years before Covid, a decline which accelerated during the

pandemic years. The change is also in keeping with the Government's policy of moving public services online, while ensuring that alternatives are available to those who do not have internet access or are not equipped to use online services. The changed model has allowed for staff to be redeployed to other areas within the Council, such as Housing, Planning and Finance where less alternative service delivery options exist.

During this discussion, the Members made the following points:

- Members said over 20% of adults over the age of 60 are not IT users.
- Said that renewing online can be difficult if waiting on paperwork after buying a car.
- Said that 250,000 cars that need to be taxed at any one time.
- Members said that taxing a car has become an issue for elderly since Covid.
- Said that they have had requests from the public to assist them with renewing their tax online.
- There are a cohort of people who need to renew in person in the tax office.
- Members said there should be some part of the week where the public can walk into the tax office as they used to before the pandemic.

The Chief Executive said that the Motor Tax Office is open from 9.15 to 4 pm, five days a week by appointment. It is a government strategy to move public services online. He said there may be a waiting time of 7 days, but this is a lot shorter than other services. He said appointments can be made online or through a dedicated phone number. He said the postal motor tax system was efficient and was making the best use of staff resources.

16/11-1

ROAD CLOSURE NOTICES

“That Cork County Council call on the Minister for Transport to undertake a review of the present Road Closure Notices rules to make the law in relation to Road Closure Notices more effective and legal in controlling traffic during road construction and road works and to safeguarding communities, the public and road users in the interest of safety and to protect the existing road network, as the existing road closure system is not fit for purpose.”

Councillor Frank O'Flynn proposed, seconded by Deputy Mayor Deirdre O'Brien

During this discussion, the Members made the following points:

- Members said road closure notices are not fit for purpose.
- Members gave road works in North Cork as an example.
- Said there is a surge in traffic on minor roads when a road is closed.
- Said people are nervous of driving on their local roads due to increased traffic.
- Said it is a pity that roads have to be redone due to the impact of diversions.
- Members asked if a contractor has a responsibility to clean the roads after a certain amount of work has been done.
- Members agreed to write to the Minister for Transport to request a system is put in place for Road Closure Notices.

The Chief Executive said this is a 4km road that will need to remain closed for six months. He said it is critical for the public to follow the required diversion route. He said national roads are within the remit of TII.

Extension of Time to 2pm

Proposed by Councillor Seamus McGrath

Seconded by Councillor Gillian Coughlan

17/11-1

DESIGN PROCESS OF PUBLIC INFRASTRUCTURE & ACTIVE TRAVEL PROJECTS

“That Cork County Council implement a change to the detailed design process of public infrastructure and active travel projects, so that the design team would actively consult with representative groups of vulnerable users - such as the NCBI, IWA, IDS and so on to establish their views and to ensure their feedback is fully incorporated into final design proposals.”

Councillor Jack White and Councillor Seamus McGrath proposed, seconded by Councillor Michael Paul Murtagh

RESPONSE:

Members noted the response from the **Director of Services, Planning Department**, which outlined as follows:-

The Design Manual for Urban Roads and Streets (DMURS) provides guidance relating to the design of urban roads and streets which has universal accessibility as a core principle. Since March 2013 the Design Manual for Urban Roads and Streets (DMURS) has been mandatory when providing new or modifying existing urban roads and streets within the 60 km/h urban speed limit zone except for: -

- Motorways;
- In exceptional circumstances, certain urban roads and streets with the written consent of the relevant Sanctioning Authority eg NTA

The Guidelines, which were further updated in 2019, outline practical design measures to support the National Planning Framework and its objectives in relation to compact cities, place making and the encouragement of more sustainable travel patterns in urban areas. DMURS also supports road safety and urban design and provides guidance and standards for both new and existing urban roads and streets in Ireland, incorporating good planning and design practice

The steering group charged with the oversight, preparation and update of DMURS includes representation from the National Disability Authority and as such accessibility is frontloaded as a consideration of the design process.

In addition the public consultation processes undertaken as part of the various consent processes informing the delivery of active travel infrastructure encourage and facilitate input from representative groups and individual users. Any submissions are acknowledged in the Manager’s Report and Director’s Report for Part 8 and Section 38 processes respectively, and are reflected in the detailed design of schemes where appropriate to do.

As such accessibility considerations inform active travel projects for which the DMURS Manual is mandatory from the project inception stage, through the consenting / consultation processes and detailed design and delivery.

It is considered the most appropriate manner in which to ensure vulnerable users are taken into account to the optimum extent possible is at the project inception stage when regard is being had to DMURS.

In this context representative bodies of vulnerable users may wish to be included on the DMURS Steering Group or other such structures, to inform updated mandatory guidelines.

RESPONSE:

Members noted the response from the **Director of Services, Roads and Transportation**, which outlined as follows:-

The Design Manual for Urban Roads and Streets (DMURS) provides guidance relating to the design of urban roads and streets which has universal accessibility as a core principle. Since March 2013, the application of DMURS has been mandatory when providing new or modifying existing urban roads and streets within the 60 km/h urban speed limit zone except for motorways and in exceptional circumstances, with the written consent of the relevant Sanctioning Authority.

DMURS outlines practical design measures to support the National Planning Framework and its objectives in relation to compact cities, place making and the encouragement of more sustainable travel patterns in urban areas. DMURS also supports road safety and urban design and provides guidance and standards for both new and existing urban roads and streets in Ireland, incorporating good planning and design practice.

The steering group charged with the oversight of the preparation and update of DMURS included representation from the National Disability Authority. In addition the public consultation process undertaken as part of the various consent processes which pertain to the delivery of active travel infrastructure encourage and facilitate input from representative groups and individual users. Any submissions are acknowledged in the Chief Executive's Report and Director's Report for Part 8 and Section 38 processes respectively, and reflected in the detailed design of schemes where appropriate.

During this discussion, the Members made the following points:

- Members said there needs to be more consultation during the design stage process.
- Said they have been in discussion with the design office on this issue who are reviewing what potential changes can be made.
- Asked if the NCBI, IWA and IDS could be contacted in advance of the part 8 process and design stage to invite feedback from them.
- Said feedback and advice could also be sought from the Irish Guide Dogs for the Blind.
- Members said inclusivity and connectivity needs to be considered for all.
- Asked if these guidelines need to be written into law nationally.
- Members said the opening of the Glounthane cycling and walkway route has been very successful, but there have been issues of access for users who are visually impaired.
- Said Cork County Council gives great support to the "Make Way" Day initiative.

The Chief Executive said pre consultation is done in advance of part 8s. It allows for stakeholders to come forward and issues to come to light at that point. He said DMURS guidance provides the standards for design and this is met in Cork County Council.

18/11-1

ENGAGEMENT OF HOUSING DIRECTORATE WITH THE HSE

"That this Council would receive a detailed report from the Housing Directorate on their engagement with the HSE, other state agencies and associated housing associations on the provision of Housing for people with disabilities and mental health care needs".

Councillor John Paul O'Shea proposed, seconded by Councillor Michael Paul Murtagh

RESPONSE:

Members noted the response from the **Director of Services, Housing Directorate**, which outlined as follows:-

The Housing Directorate has engagement with the HSE and other bodies on an ongoing basis on the provision of housing for people with disabilities and mental health care needs.

The main areas of interaction are through the following:

- Local Strategic Plan/Housing and Disability Steering Group;
- Assessment and Allocation Process;
- Capital Assistance Scheme.

Local Strategic Plan/Housing and Disability Steering Group

Cork County Council adopted a Local Strategic Plan for Housing People with a Disability in 2021. Under this Strategy Cork County Council will endeavour to provide 20% of total allocations to People with Disabilities subject to funding and approval.

This target will be achieved through a number of methods including the following;

- Acquisitions;
- New Builds;
- Casual Vacancies;
- Vacant units: Priority for adapted properties will be to people with a physical disability on the Housing List;
- Housing Adaptation Grants.

Cork County Council has provided 21% of total allocations in 2022 to date to people with a disability.

The Cork County and City Council's Joint Housing and Disability Steering Group assists in the delivery of Strategic Plan. The Steering Group meet bimonthly. The membership includes both Cork County and Cork City Council's Directors of Housing, Council staff from relevant sections across Housing Directorates, Senior HSE representatives from Disability Services and Mental Health Services, representatives from the disability sector and representatives from the Approved Housing Body sector.

The focus of the Steering Group encompasses not only the question of the physical provision of appropriate housing, but the interdependence with the provision of the services and supports required to facilitate independent living for Persons with Disabilities. The Steering Group monitors the delivery of social housing for persons with disabilities against the targets set. This includes ongoing review of the County Council and Approved Housing Bodies pipelines for delivery, to allow for timely input into the appropriateness of developments for specific housing types.

Assessment and Allocation Process

The Social Housing (Amendment) Regulations 2021 brought about the introduction of the HMD Form 1 Disability and/or Medical Form that must be completed by any applicant who is applying for social housing or a social housing transfer due to a disability or medical grounds.

The form is completed by the person with a disability or medical condition or by the applicant if the person seeking medical priority is a dependent of the applicant. It must also be completed by two Healthcare professionals who work with the person with the disability or medical condition. An Occupational Therapist report must be provided where there is a need for a specific accommodation requirement.

The intention of this form is to assist the assessment officer with sufficient information to enable them in their deliberations to make an informed decision as to whether a medical priority or adapted property is appropriate or not when initially assessing their application for social housing support.

If under consideration for the allocation of a Cork County Council property or under consideration to be nominated to a vacant property of an Approved Housing Body, where an applicant has a medical priority and where appropriate, a Housing Officer would make contact with the afore-mentioned Healthcare Professionals who completed the HMD-Form1 to determine the applicant's needs, and if applicable, to get engagement from them regarding the ongoing supports available (particularly in the case of mental health categories) in the event that they would be successful in obtaining a LA or AHB tenancy, this is with the intention of ensuring the prospective tenant has the best possible chance of sustaining that tenancy.

Due regard is given in both the assessment and allocation processes to the guidelines on same as set out in the in the National Guidelines for the Assessment and Allocation Process for Social Housing Provision for People with a Disability.

Capital Assistance Scheme

The Capital Assistance Scheme (CAS) is a capital funding scheme used by Approved Housing Bodies to provide accommodation for priority groups including people with disabilities and mental health care needs. There are currently eight priority Categories of which three are relevant:

- Disability
- Congregated Settings
- Mental Health

The current projects within the CAS scheme with applications ongoing under these categories are:

- Masseytown, Macroom (Tuath Housing Association) - 5 bed Acquired Brain Injury Community Dwelling;
- Bayview, Seskin, Bantry (CoAction West Cork) - 8 bed detached house.

Discussions are also ongoing with a number of other Approved Housing Bodies around potential applications and Cork County Council remains committed to support the Approved Housing Body sector in the provision of units in these categories under the Capital Assistance Scheme.

During this discussion, the Members made the following points:

- Members said they are pleased with the response from the Housing Directorate and it is positive to see that 21% of allocations this year have been allocated to people with disabilities.
- Asked if Cork County Council is providing any projects as a Council directly with disability groups.
- Said we need to work more with disability groups and would welcome a housing quarterly progress report.
- Members asked if there is a provision in place for people who may remove themselves from the housing list due to the effects of their illness.
- Members asked that the Divisional Housing report would include an update on allocations to people with disabilities.
- Members agreed to refer the motion to the Housing SPC for further discussion.

The Chief Executive said there are specifics that can be worked through at Housing SPC. He said the Council had exceeded its targets and the Council responds to individual cases as well as possible. He said the preference to work with AHBs as this brings a range of wrap around supports.

IRISH WATER

“That Cork County Council would write to an Taoiseach and Minister for Public Expenditure that the company Irish Water would guarantee that this resource would stay in the ownership of the Irish State.”

Councillor Ian Doyle proposed, seconded by Councillor Gearóid Murphy

During this discussion, the Members made the following points:

- Members said that they are conscious that the government is considering how to approach this.
- Said that privatisation can creep in very quickly – lessons should be learned from Eircom privatisation.
- Said they want to ensure that this resource will remain in the ownership of people for future generations.
- Members said water is a vital resource and should be returned to Local Authorities
- Said Irish Water needs to be controlled by a public body.
- Said that development that has taken place so far has been very delayed and would need to be financed properly.
- Said that the public need to start paying for their water to ensure Irish Water is properly funded
- It is in the programme for Government.
- Members agreed to write to an Taoiseach, Minister for Public Expenditure and the Minister for Local Government and Heritage to ask that that the company Irish Water would guarantee that this resource would stay in the ownership of the Irish State.
- Members also agreed to circulate this resolution to other Local Authorities.

GAMBLING REGULATIONS BILL

“That this council would write to James Browne, T.D., Minister of State at the Department of Justice, requesting that the long-awaited Gambling Regulations Bill, with all due scrutiny and with the priority of protecting vulnerable individuals, be enacted as soon as possible.”

Councillor Alan O’Connor proposed, seconded by Councillor Karen Coakley

During this discussion, the Members made the following points:

- Referred to a public health study that was carried out in England that showed 409 suicides were associated with gambling.
- Said gambling has become too accessible now that it is available online.
- Members said the development of the industry has outgrown the means to regulate it
- Said the gambling regulations are archaic.
- Said the government need to enact the Gambling Regulations Bill as a matter of urgency
- Said households and families are in turmoil because of gambling.
- Said there has been a surge in advertising of betting companies and betting products.
- Members agreed to write to the Minister of State at the Department of Justice to request that the Gambling Regulations Bill be enacted as soon as possible.

DISTANCE RESTRICTIONS ON HOME BIRTHS

“That Cork County Council calls on the HSE to reconsider their recommendation regarding the implementation of distance restrictions on home births.”

Councillor Eileen Lynch proposed, seconded by Councillor Susan McCarthy

During this discussion, the Members made the following points:

- Members said the proposed distance restrictions on home births are very discriminatory for people who live in rural areas.
- Said there are safeguards already in place that would pre-empt a difficult birth.
- For people living in rural areas, homebirths can avoid the danger of people giving birth in cars or ambulances as they travel to a hospital.
- Members said they fail to see the point of implementing these guidelines if they are to be interpreted with flexibility.
- Said they understand the complications of home births but women who are low risk should be allowed to have home births.
- Members said the ambulance service must be adequate.
- Members agreed to write to the HSE to reconsider their recommendation regarding the implementation of distance restrictions on home births.

[K] VOTES OF CONGRATULATIONS

22/11-1

TO: Ballygiblin Hurling Club on winning the County Final

TO: Inniscarra Hurling Team on winning the IHC Title against Castlemartyr

TO: Ballinhassig Camogie Club on their performance in Junior A Camogie Final

TO: Bandon AFC on 50 years established in the community.

TO: Richard & Anthony Hickey on their brave actions on saving the lives of two girls in Youghal on 21st July 1993

TO: Munster Rugby on playing a historic first rugby match at Cork's Pairc Ui Chaoimh

TO: Cork GAA on hosting the historic first rugby match between Munster Rugby and South Africa

[I] ANY OTHER BUSINESS

23/11-1

1. Members requested the reintroduction of pre planning discussions. The Chief Executive said Cork County Council has not suspended pre planning discussions.
2. Members said there have been high amounts of surface water on roads in the county over the past few weeks. Members said they will bring to MDs and Roads and Transportation SPC for further discussion.
3. Members asked that an update on Council owned companies would be brought to Full Council.

~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~