



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 11th April 2023.

I LATHAIR

Comhairleoir Dónal Ó Coileáin, Méara Chontae

Comhairleoiri: Ó Murchú C, Ó Suilleabháin S, Uí Shuilleabhájin M, Ó Donnabháin, Ó Murchú PG, Ní Chroinín, Ó Conaill, Mac Craith, Uí Daltún, Ó Muircheartaigh, Uí Bhuachalla, De Foite Sean, Daltún-Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conbhubhair Sean, Ó Conchubair Alan, MacCarthaigh N, Ó Fionn, Uí Bhriain, Ó Laoghaire, Dawson, De Róiste, Ó Dubhghaill, Ó Sé Sean Pól, Ó Mhurchú Gearóid, Críod, Ní Mhuineacháin Gobnait, Ó Luanaigh, Uí Loinsigh, Ó Luasa, Ó Haodha Padriagh, Ó Múrcú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé Tony, Léineacháin, Uí Foghlú, Ó hÉalaithe, Ó Héigheartaigh, Ní Heachtigheairn, Uí Thuama, MacCarthaigh Susan, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaioich, Ó Haodha Pól.

PRESENT

Councillor Danny Collins, County Mayor, presided.

Councillor: 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, Doyle, O'Shea JP, Murphy Gerard, Creed, Moynihan Gobnait, Looney, 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, Senior Executive Officer Corporate Services

[a] CONFIRMATION OF MINUTES

Proposed by Cllr. Karen Coakley

1/4-1

Seconded by Cllr. Michael Hegarty

RESOLVED:

“That the minutes of the Meeting held on 27th March 2023 be confirmed and signed by the Mayor.”

[b] VOTES OF SYMPATHY

2/4-1

TO: Alan Foley on the death of his father Martin Foley.

TO: The Collins Family on the death of their mother Breda Collins.

[c] STATUTORY BUSINESS

PART 8 MANAGER'S REPORT SECTIONS 179(3) OF THE PLANNING & DEVELOPMENT ACT 2022 (AS AMENDED)

3/4-1

RESOLUTION UNDER SECTION 179 OF THE PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

MUNICIPAL DISTRICT OF EAST CORK:

Proposed by Councillor Michael Hegarty

Secoded by Councillor Susan McCarthy

Members resolved to approve Part 8 Chief Executive's Report for the development of a contemporary flexible covered events space & related ancillary works from the environs of Green Park, Youghal-lands, County Cork.

During this discussion, the Members made the following points:

- Members said the proposed design was very sympathetic to the existing park and said that it was a very good proposal.

**CHAPTER 2 SECTION 128B (1) OF THE LOCAL GOVERNMENT REFORM ACT 2014
2022 LCDC NORTH, SOUTH & WEST CORK ANNUAL REPORTS:**

4/4-1

Requirement to LCDC to prepare, adopt and submit to the local authority a report in relation to the performance of its functions for the previous year. North Cork LCDC Annual Report was adopted at meeting held on 20th March 2023, West Cork and South Cork Annual Reports adopted at their meetings held on 23rd March 2023.

Members noted the Annual Reports for the North, South and West LCDCs.

**FILLING OF CASUAL VACANCY ON THE SOUTH CORK LOCAL COMMUNITY
DEVELOPMENT COMMITTEES:**

5/4-1

Section 4(2) and Sections 32-35 of the South Cork Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014):

In accordance with the provisions of Section 4(2) and Sections 32-35 of the South Cork Local Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014).

Members resolved to approve the appointment of Ms. Leighann Kennedy as a replacement representative for the DEASP on the South Cork LCDC. The previous nominee (Mr John Lyne) is hereby de-selected.

Proposed by Councillor Seamus McGrath

Secoded by Councillor Cathal Rasmussen

**FILLING OF CASUAL VACANCY ON THE WEST CORK LOCAL COMMUNITY
DEVELOPMENT COMMITTEES:**

6/4-1

Section 4(2) and Sections 32-35 of the West Cork Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014):

In accordance with the provisions of Section 4(2) and Sections 32-35 of the West Cork Local Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014).

Members resolved to approve the appointment of Ms. Leighann Kennedy as a replacement representative for the DEASP on the West Cork LCDC. The previous nominee (Mr John Lyne) is hereby de-selected.

Proposed by Councillor Karen Coakley

Seconded by Councillor Michael Hegarty

**[d] REPORTS AND RECOMMENDATIONS OF COMMITTEES
TÚAIRSCÍ AGUS MOLTAÍ Ó CHOISTÍ**

CORPORATE POLICY GROUP

7/4-1

Approval of attendance by Members at Conferences/Training on the Conference list for March 2023.

Proposed by Councillor John Paul O'Shea

Seconded by Councillor Kay Dawson

**[g] CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS
COMHFHREAGRAS Ó RANNA RIALTAS**

HSE

8/4-1

Correspondence received 30th March 2023 from HSE in response to the Council's letter dated 27/02/23 in relation to meeting the families of the residents of the Owenacurra Centre.

Members noted the correspondence from the HSE

During this discussion, the Members made the following points:

- Members said there is no progress being made and there is no capacity in the area for vulnerable adults in need of placement or respite.
- Members said that the situation was handled in an unusual and unprofessional manner.

MINISTER FOR CHILDREN, EQUALITY, DISABILITY, INTEGRATION AND YOUTH

9/4-1

Correspondence received 28th March 2023 from the Department of Children, Equality, Disability, Integration and Youth in response to Council's letter dated 12/12/23 in relation to expediting payments that are due to providers of accommodation to Ukrainian Refugees.

Members noted the correspondence from the Minister for Children, Equality, Disability, Integration and Youth.

[h] NOTICES OF MOTION

SUSPEND PLANS TO RESTRICT PUBLIC ACCESS TO KEELBEG PIER

10/4-1

Mayor Cllr Danny Collins proposed, seconded by Cllr. Joe Carroll

“That Cork County Council suspend their plans to restrict public access to any sections of Keelbeg Pier until an alternative solution is found and that Cork County Council renew its efforts to secure funding from the Department to carry out the necessary works required to reconstruct the Pier which the community have been using for the past 100 years.”

RESPONSE:

Members noted the response from Ms Nicola Radley, Substitute Director of Services, Municipal District Operations and Rural Development and from Mr Kevin Morey, County Engineer as follows:

Structural and Safety Assessments

In 1995 the Department of the Marine was engaged with Cork County Council to transfer the responsibility for the piers at Keelbeg to council management. As part of this process the Department carried out an assessment of the old pier. Their engineers were concerned about the poor structural condition of the 'nose end' of the pier and they recommended that it should be shored up with rock armour and that bollards should be erected to prevent vehicular access.

In 2008, Atkins consulting were engaged by Cork County Council to prepare a preliminary report for the remediation of the old pier. They found that the pier was structurally unsound with ongoing evidence further settlement. The report set out a number of options for replacement or remediation of the old pier. In 2011 Cork County Council commissioned Cronin Millar Consulting Engineers to carry out a 'Facilities Survey and Safety Audit' of the overall Keelbeg pier facilities (including the main pier and the old pier). This report again identified evidence of settlement and structural concerns at the head of the old pier. It also referred to reports of wave overtopping at the old pier and recommended that the deck level should be raised.

I understand that some form of barrier had been put in place blocking off access to the worst part of the old pier but was removed by unknown, unauthorised persons in the intervening years.

In 2020, Byrne Looby Consulting Engineers were commissioned to carry out an updated Facilities Survey and Safety Audit. This report recommended that the berthing area of the main pier should be extended as there was regular rafting (tying up outside each other) of large vessels which is not recommended. It reaffirmed previous structural concerns about the head of the old pier. It recommended that new, more substantial barriers be installed to restrict access to the northernmost 15 to 20m of the pier as well as some additional measures to improve accessibility for the remainder of the pier on an interim basis. This report also highlighted a high risk of wave overtopping during storm events.

In light of the identified serious safety concerns, there is an obligation on Cork County Council to restrict access to the head of the old pier in the absence of significant improvement works.

The Council will be arranging to progress with the installation of an appropriate barrier type to ensure that access, including vehicular access, will be restricted to the northern 15-20m of the pier. This is absolutely necessary based on the Survey and Safety Audit of 2020. This does not restrict access to the remaining part of the pier, however users will need to ensure that if it is intended to use same, that such use is done so in a manner that reflects the nature of the facility and their own personal safety responsibilities.

Both the BALAMI Scheme and the Departments own previous scheme for pier investments provided funding for capital works only. Funding therefore could not be obtained for the undertaking of and preparatory studies, permitting and design works. This is recognised and accepted by the Council on a proposal for some safety works (including fencing to close off the head of the old pier) and minor improvement works at the main pier at Keelbeg was submitted under the BALAMI programme but funding was not approved. It should be noted however that the Department had grand aided the works to the main pier to the value of €148,000 under their annual grant scheme in 2021

Proposed Future Actions

Recognising that there is a need to progress a solution to further enhance the facilities at Union Hall, the Council will progress and self-fund the following:

1. Carry out a structural survey of the former pier – to understand its structure & condition in advance of assimilating it into a masterplan for the pier
2. Prepare a masterplan for the pier to include facilities for commercial fishing, RNLI, leisure, staff & public carpark. An understanding of the former pier and options/opportunities are important before commencing this plan.

The Council met with representatives from the Keelbeg Pier Users Community group on seven occasions between August 2020 and December 2022 to discuss issues affecting pier users including the re-installation of the barriers at the former pier and will continue to engage with the group about any issues at the pier which affect the local community.

This response has been prepared with the input of the Office of the County Engineer.

During this discussion, the Members made the following points:

The Mayor stated that this issue of funding for this pier was raised in the Dáil and the response was that there was no funding applications received from Cork County Council. The Mayor stated that he had copies of the applications for funding which were not approved by the Department. He also said that this Pier is used a lot by members of the public and it brings an economic boost to the area.

- The Mayor noted the attendance of Members of the Public from Union Hall in the Chamber
- Members said that there was issues with Health and Safety previously but there needs to be a Plan B as people want the pier restored properly.
- Members said that €220,000 is needed to properly restore the pier and this is needed as a matter of urgency.
- Members said that they fully stand with residents and other stakeholders.
- Said that they hoped to resolve this issue at Municipal District level but Councillors felt there was no other alternative but to escalate it.
- Members said that the pier provides fantastic facilities for many people since 1885.
- Members said that the Pier had no investment since 1995 and is currently used as an amenity by numerous users.
- Members said that residents are not happy with the proposed implementation of barriers and asked to defer the installation of barriers and produce a plan for the pier's repair.
- Members said that the pier is the life and soul of Union Hall.
- Said the residents need to be given hope in the matter of the pier.
- Members said that they are disappointed that the Union Hall community had to protest to be heard.
- Members said that they need to give assurances to residents that the pier won't be left in this condition and a master plan is required to secure funding for capital works.
- Members said that the allocation for the maintenance of slipways is too low all over the country.
- Members said that we are an island nation but losing our connection to the water and becoming "sea blind".
- Members said that additional signage is needed.
- Member said that they support the West Cork Members and there are mixed messages being received from various government departments which will have a worrying impact on livelihoods and recreation.
- Members stated that marine infrastructure along Cork's coastline is in a deplorable state and more investment is needed to maintain our piers.
- Said that the Department needs to pick up the slack on funding our marine infrastructure.
- Members said that the pier should not be closed until an alternative proposal is in place.

- Members stated that the Coastal Committee put a proposal to Council to have projects at shovel-ready stage before applying for funding and money was provided in Budget for preparation of masterplans.
- Members stated that “Battery Strand” Pier in Cobh was closed four years ago
- Said safety is very important but we must protect our special harbour amenities.
- Members called on the Council to suspend plans to put barriers in place on Keelbeg pier.

The Chief Executive said that the proposal is to close off part of the pier. He stated that Council have a strong history of getting funding for projects. He stated that a report was done by the Department in 1995 and bollards were recommended at this time, there was a further report completed in 2008 in which closure was recommended, a report in 2011 recommended closure of access to the head of the pier and a further report was completed in March 2020 by Byrne Looby in which there were two extracts from Section 4.11 and Section 8 stating as follows:

Section 4.11 Keelbeg Old Pier

“Keelbeg Old Pier is constructed primarily of random coursed stone, with evidence of previous patching and repair work and is believed to be well over 100 years old. The old pier extends approximately 20-25m beyond the face of Keelbeg pier, providing some shelter to berthing vessels from South Easterly weather conditions.

The pier deck is in poor structural condition with evidence of subsidence at the pier head. A large quantity of rock armour had been placed around the north-eastern corner, to prevent further degradation/subsidence to the pier head. This can only be considered to be a temporary repair, but it has been in place for many years. It was evident from the site visit that settlement and movement of the structure was ongoing at the northern end, due to the condition of the pier deck with multiple cracks visible in the stone and concrete deck.

Large gaps are visible in the joints between the limestone quay wall blocks at various points of the pier, leading to suspicions that the core material under the deck of the structure may have been subject to erosion. Attempts have been made to close off the worst affected section of the old pier, however the barriers have been removed by unauthorised persons.

The old pier is in poor structural condition. Considerable structural assessment and repair works are required for the Old Pier. Byrne Looby would recommend that a thorough structural assessment of the structure be carried out in order to determine the structural integrity of the pier prior to any repair cost estimates are developed.

Byrne Looby recommend that new, more substantial barriers are installed and access to the head of the pier restricted until additional assessments of the pier has been carried out to determine its integrity.

Section 8 Recommendations

8.1 Safety & Health

- *Close public access to the old pier;*

8.2 Further investigations

“We recommend that some additional investigations and surveys are carried out in order to fully understand the condition of the pier structure and navigation safety.”

He said that he is recommending a thorough structural assessment and recommends that access to the head of the pier be restricted.

He said that as Chief Executive there is a significant responsibility when given this report and it must be acted upon. He accepts that a masterplan is required but a portion of the pier should be closed off as it is a health and safety issue. The barriers are required for safety reasons.

He said that Council will continue to engage with residents and is seeking their co-operation. He said Members suggesting preventing closure is unhelpful.

He stated that barriers will be erected to prevent access to a portion of the pier and a structural survey and masterplan will commence immediately and he hopes that this will lead to funding for capital works. The Chief Executive asked members for their support to actions regarding health and safety.

Councillor Paul Hayes said that the Chief Executive was picking and choosing portions of the report.

The Chief Executive asked Councillor Hayes to withdraw his remark immediately and stated he was not misleading the Council as he was reading from a report and the remark was out of order.

Councillor Hayes apologised and withdrew his remark which the Chief Executive accepted.

- Members want to expedite this work and said that urgent action is needed and the Minister must be contacted.
- Members said that it is important to put forward an application based on an extensive survey of the pier.

The Chief Executive said that the 2021 application for funding was based on a budget of €210,000 which was not approved and stated that the timeline was 15 months to prepare documents and carry out a survey and related investigations. He said that he recognises that it needs to be done urgently and the timeline for completion of report would be mid-2024. The Chief Executive stated that he will keep members informed. He said there will be a focus on Union Hall. He reaffirmed that there had been seven meetings held locally regarding the pier.

“Members agreed to write to the Department of Agriculture, Food and the Marine to seek funding to carry out the necessary works required to reconstruct Keelbeg Pier which the community have been using for the past 100 years. Members also agreed to write to the Minister and West Cork Oireachtas Members to seek a meeting with a delegation of Dáil Deputies and Councillors from West Cork as soon as possible to discuss this issue.”

PLANNING POLICY ON THE CONSTRUCTION OF LOG CABINS

11/4-1

“That this Council would define a clear planning policy with respect to the construction of log cabins and other similar structures in rural areas given the increase in applications for same in recent years from persons who wish to use these as a primary residence and owing to the fact that the Cork Rural Design has no guidance on same with respect to the finishing of such structures.”

Councillor William O’Leary proposed, Councillor Kay Dawson seconded.

RESPONSE:

Members noted the response from Mr Michael Lynch, Director of Services, Planning & Development as follows:

In the context of the daily and on-going national debate regarding housing delivery issues the use of rapid and modular forms of construction including log cabins as being an alternative and cheaper and faster way of delivering homes is becoming more common. Currently the use of log cabins as a home is quite rare in Ireland.

Essentially, the construction of log cabins is just another form of a modular house build using factory based technology where rapid build technologies are used both in the factory and then on site where the assembly takes place.

In the specific case of log cabins, it is considered they may not normally be appropriate in the open countryside or built up areas but could be better suited to heavily wooded areas or in close proximity to a forestry setting, on the basis of character setting and the site context. Justification and planning assessment for a proposed modular house design will be no different in principle to a concrete type build subject to assessment of site location, site context, siting, visual impact, exposure, levels, road access, suitability of ground conditions for drainage, etc.

It should be noted Cork County Council has granted planning permission in the past for log cabin and modular home type houses at appropriate locations following detailed case-by-case assessment and remain open for consideration subject to normal proper planning considerations.

The Planning Policy Unit will give consideration to Guidance on the matter and bring same to the Planning and Development SPC for further discussion; such that any future review of the Rural Design Guide will include for Design Guidance in relation to Modular Homes and with specific reference to Log Cabins.

During this discussion the Members made the following points:

- Members said that they have been contacted by people that were refused planning permission for log cabins and there is a need to look at a way forward.
- Members asked can log cabins be incorporated into Rural Design Guidelines?
- Members stated that they were low footprint, sustainable constructions and applicants should not face this uphill battle.
- Members asked why ‘heavily wooded areas’ was highlighted in the response and if design guidelines cannot be changed there is a need to be upfront with applicants to save them expense.
- Members said that the line in the response stating “any future review of the Rural Design Guide will include for Design Guidance in relation to Modular Homes and with specific reference to Log Cabins” was welcome.
- Members said there was no accommodation for workers coming to Ireland and these modular homes and log cabins would be a solution.
- Members said that there is a need to have a policy in place, similar to the recreation and amenity policy, until the review is completed.
- Members stated that it is important to fast track this through the Planning SPC.
- Members said that there seems to be a perception that log cabins are basic but in fact they are a very sustainable way forward and are much more economical to construct than traditional homes.
- Members said that there is no housing in some areas for workers in the farm and horse industry and there needs to be progress made on this.
- Members said that they are considering amending the County Development Plan to allow for log cabins.
- Members said that there is a lack of guidance around this issue and they do not want to waste people’s time and money.
- Members said it’s a good option for people with limited funds and this should go through the planning process.
- Members said it’s important to assist people in the housing crisis and stated that system built homes were built in the past.
- Said that modular homes are exempt from planning on local authority owned lands.
- Members said that people are looking at alternative methods of construction and this applies to urban areas also and not just rural areas.

- Members said the younger generation cannot afford to build to the standard required and these log cabins are environmentally friendly and affordable to heat and this could play a big part in solving the housing crisis.
- Members said it's an affordable way to remove the long list of people on the housing list.

The Chief Executive said that there is a lot of design innovation in housing and that this Notice of Motion is welcome. He said the Council is working with different forms of construction innovations already and there is a need for this to be reviewed in the Planning SPC and Cork County Council could be a lead in this area.

INCREASE VACANT PROPERTY REFURBISHMENT

12/4-1

“That Cork County Council welcomes the decision by government to extend the Croi Conaithe Vacant Property Refurbishment Grant to those who wish to renovate a vacant or derelict property and rent it out. This measure will boost the supply of rental properties and will deliver on a key plank of Housing for All which is to reduce vacancy and dereliction in our cities, towns, villages and rural countryside. This council further calls on government to increase the vacant property refurbishment grant rates from their current €30,000/ €50,000 to €50,000/ €70,000 respectively to reflect the significant costs involved in renovating a vacant or derelict property.”

Councillor John Paul O'Shea proposed on behalf of the Fine Gael Party, Councillor Liam Madden seconded.

During this discussion the Members made the following points:

- Members said that increasing the refurbishment grant rates from €30,000 to €50,000 and from €50,000 to €70,000 would be a significant movement in reducing vacancy and dereliction in towns.
- Members said changes in the scheme are enormous and hopes that all work being done will clear dereliction and there is a need to increase the grant.
- Members said that there is inflation in construction costs and there is a need to increase the grant to try and get as many properties back into use.
- Members said HAP properties are non-existent and this would be an increase in supply and stated that landlords are paying a lot of tax and many are leaving the rental sector.
- Members said that the scheme has been successful and it is worth funding.
- Said that one flat rate would suffice.
- Members said that increasing the grant rate would lead to more success stories.
- Members said living over the shop was popular in the past.
- Members said that vacancy is a blight in many towns and it is too costly for individuals to do up.
- Said that the Peter McVerry Trust in Charleville carried out refurbishment of the old school building and was very successful.

Members agreed to write to the Minister for Housing, Local Government & Heritage to increase the vacant property refurbishment grant rates from their current €30,000/ €50,000 to €50,000/ €70,000 respectively to reflect the significant costs involved in renovating a vacant or derelict property.

SOLIDARITY WITH SEÁN BINDER AND SARAH MARDINI

13/4-1

“That Cork Co. Council would write to the Greek Embassy in Dublin, stating our solidarity with Seán Binder and Sarah Mardini, who have been subject to criminal charges in Greece that have been internationally condemned by agencies such as Human Rights Watch and Amnesty International, as well as by many MEPS, stemming from their work co-ordinating humanitarian efforts to save asylum

seekers from drowning in the Aegean sea; and to urge the Greek Embassy to intervene with its own government to drop these charges.”

Councillor Liam Quaide, Councillor Gearóid Murphy seconded.

During this discussion the Members made the following points:

- Members said that Seán Binder volunteered as a rescue diver in the Aegean Sea and was arrested in 2018 with a group of 24 volunteers charged with criminal offences for their work in saving refugees.
- Members said that the charges were baseless and politically motivated.
- Members said that over 70 MEPs have signed a letter of support of the release of Seán Binder and Sarah Mardini
- Members said that the way they are being treated is unacceptable.

Members agreed to write to the Greek Embassy in Dublin stating the Council’s solidarity with Seán Binder and Sarah Mardini and to urge the Greek Embassy to intervene with its own government to drop these charges.

[k] VOTES OF CONGRATULATIONS

14/3-2

TO: Niall Barrett of Enniskeneane who came third in the World Championships for Irish Dancing in Montreal.

TO: Doneraile Junior Golf Team Boys & Girls on winning the Home Nations Championship.

TO: Paula Walsh on winning the Munster over 18s Women’s Senior Championship.

TO: The Well, Kinsale on their official opening of Kinsale Community Health & Wellbeing Resource Centre.

TO: Dunmanway Ladies Soccer Team on winning the West Cork League.

[i] ANY OTHER BUSINESS

ONLINE PLANNING WEBSITE

Members asked if the timeline for certain planning projects be extended due to the IT issues that took place last week.

The Chief Executive confirmed that there was no disruption to the planning services during this time and all planning submissions were processed appropriately.

VACANT HOMES /PROPERTY FUNDING

The Chief Executive informed the Members that a Memo was circulated to Members relating to Vacant Homes/Property Funding from Department of Housing, Local Government & Heritage. He said there was a substantial application made for funding to the Department and asked the Members to note same.

On the proposal of Councillor John Paul O’Shea, seconded by Councillor Michael Hegarty the Memo was noted.

~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~