



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 28th January, 2019.

I LATHAIR

Comhairleoir P.G. Ó Murchú, Méara Chontae

Comhairleoiri MacCraith, Mac Seafrada, Daltúin, Ní Fhúarthain, D. Ó'Donnabháin Dheasmhumhnaigh, Ó Cainte, M. Ó Murchú, Ó hEarchaí, Ó Colmáin, Lombard, C. Ó Murchú, Ní Cochláin, J. Ó' Donnabháin, G. Ní Mhuimhneacháin, Críod, Ó Luasaigh, Ó Riain, Ó Conbhuí, P. Ó Suilleabháin, C. MacCárthaigh, Ó Ceocháin, Sheppard, De Barra, Ó Cadhla, Rasmussen, N.Ó Coileán, Ó hEachteirn, Uí Thuama, Ó hEigearthaigh, S. NicCárthaigh, Léanacháin-Foghlú, Ní Bhrian, N. MacCárthaigh, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, Uí Mhurchú, Ó Sé, Gearoid. Ó Murchú, G. Ó Murchú, B. Ó Muimhneacháin, Uí Mhaoláin, T. Ó Coileán, Ó Cearúill, C. Ó Suilleabháin, Uí hEigearthaigh, Ó hAodha. D. Ó hUrthuile.

PRESENT

Councillor Patrick G. Murphy, County Mayor presided.

Councillors McGrath, Jeffers, D'Alton, Forde, D. Ó'Donnabháin, Desmond, Canty, M. Murphy, Harris, Coleman, Lombard, K. Murphy, Coughlan, O'Donovan, G. Moynihan, Creed, Lucey, Ryan, Conway, P. O'Sullivan, K. McCarthy, G. Keohane, Sheppard, Barry, Ó Cadhla, Rasmussen, N. Collins, Ahern, Twomey, Ml. Hegarty, S. McCarthy, Linehan Foley, O'Brien, McCarthy, O'Flynn, Doyle, Dawson, O'Shea, Gearóid Murphy, Gerard Murphy, B. Moynihan, Mullane, T. Collins, D. Collins, Carroll, C. O'Sullivan, Mary Hegarty, Hayes, Hurley. Chief Executive, Senior Executive Officer.

CONFIRMATION OF MINUTES

1/2-1

Proposed by Councillor Kevin Conway

Seconded by Councillor Timmy Collins

RESOLVED:

“That the minutes of the meeting of the Council held on 14th January, 2019, be confirmed and signed by the Mayor.”

VOTES OF SYMPATHY

2/2-1

- TO: Marguerite Allison on the death of her mother, Madge
- TO: Mrs Bernie Quirke on the death of her husband, Tom
- TO: Billy and Joe Desmond on the death of their mother, Christina
- TO: Superintendent Michael McGuire on the death of his brother, Terry McGuire

Suspension of Standing Orders

Councillor Frank O'Flynn requested a Suspension of Standing Orders to discuss the Fermoy Weir

Seconded by Councillor Noel McCarthy

Councillor Diarmaid O'Cadhla also requested a Suspension of Standing Orders to discuss the closure of Drinan Street homeless unit last week.

Seconded by Councillor Melissa Mullane

The Mayor confirmed these matters would be discussed at 1pm.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposals.

DISPOSAL OF FREEHOLD AT NO.7 AHERN TERRACE, TOWN WALLS, YOUGHAL

3(a)/2-1

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 6th December, 2018.

Situation: Disposal of Serviced Site at No.7 Ahern Terrace, Town Walls, Youghal

Area: 0.0173 hectares / 0.0427 acres as outlined on map.

Consideration: €350.00 including administration fees.

DISPOSAL OF LAND AT 10 RINGMEEN ESTATE, COBH, CO.CORK

3(b)/2-1

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 6th December, 2018.

Situation: Disposal of land 10 Ringmeen Estate, Cobh, Co. Cork

Area: 0.0327 / 0.0808 acres as outlined on map.

Consideration: €350.00 inclusive of administration fees.

DISPOSAL OF LAND AT NO.13 Ringmeen Estate, Cobh, Co. Cork

3(c)/2-1

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 19th December, 2018.

Situation: Disposal of land at No.13 Ringmeen Estate, Cobh, Co. Cork

Area: 0.0260 hectares / 0.0644 acres

From Whom Acquired: Property registered to Cork County Council since 1911

Consideration: €350.00 inclusive of administration fees.

SECTION 19 OF THE LOCAL GOVERNMENT ACT, 2001

Filling of Casual Vacancy in the Membership of Council

4/2-1

On the proposal of Councillor Melissa Mullane, seconded by Councillor Eoghan Jeffers, Ronnie Morley was nominated to fill the vacancy of Councillor Des O'Grady.

The Mayor spoke and commended Councillor Des O'Grady describing him as a strong advocate for the last 4 and half years and did his Municipal District and the Sinn Fein party proud and wished him well for the future. The Mayor then invited Councillor Ronnie Morley to take his seat.

Members spoke and congratulated Councillor Ronnie Morley on taking his seat and wished him every success for the future. Members also made particular mention to Councillor Des O'Grady on his retirement and described him as a gentleman, passionate and his dedication to the people of Blarney/Macroom Municipal District and the Sinn Fein Party.

Councillor Ronnie Morley said he was proud and privileged to be part of the Sinn Fein party and thanked Councillor Melissa Mullane and Councillor Eoghan Jeffers for the nomination.

Filling of Vacancies on Committees and External Bodies

5/2-1

Filling of Vacancies for Planning Strategic Policy Committee and Joint Policing Committee

Proposed by Councillor Melissa Mullane
Seconded by Councillor Eoghan Jeffers

Councillor Melissa Mullane to move to Housing Strategic Policy Committee
Seconded by Councillor Eoghan Jeffers

Councillor Ronnie Morley assigned to Environment Strategic Policy Committee

Proposed by Councillor Melissa Mullane
Seconded by Councillor Eoghan Jeffers

6/2-1

Financial Reports to 30th November, 2018

Members noted the Financial Report for the period up to 30th November, 2018.

CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS

DEPARTMENT OF HEALTH

Fluoridation of Drinking Water

7/2-1

Correspondence dated 4th January 2019 in response to Council's letter dated in response to Council's letter dated 28th November, 2018 in relation to the Fluoridation of Drinking Water.

During a discussion on the matter, member's commented as follows:

- Cork County Council should ask Minister to review particular studies
- Number of respected scientific reports published since 2015 didn't look for adverse health effects so didn't find them
- Ask the question to Minister why are we different to other countries

Members requested we write to Minister again to review these particular studies and for further clarification.

DEPARTMENT OF HOUSING, PLANNING AND LOCAL GOVERNMENT

8(a)/2-1

- (a) "Correspondence dated 9th January 2019 in response to Council's letter dated 30th May 2018 regarding the provision of housing units at prices below market value associated with developments funded through LIHAF stating that they were dissatisfied with the response and seeking further clarification regarding the provision of affordable units."

During a discussion on the matter, member's commented as follows:

- Members welcomed the response

- Had previously some concerns regarding funding but were happy with the detailed report
- Not an affordable housing scheme and Cork County Council had submitted 5 potential sites for consideration

Members agreed to respond asking that the approval of the 5 sites submitted to the Department for affordable housing be expedited.

8(b)/2-1

- (b) “Correspondence dated 9th January 2019 in response to Council’s letter dated 9th October 2018 regarding a reduction in the Local Property Tax charge on residences in private estates or estates not taken in charge by a local authority.”

Members were happy with response from Minister.

DEPARTMENT OF FINANCE

9/2-1

Correspondence dated 9th January 2019 in response to Council’s letter dated 28th October 2018 regarding Capital Acquisition Tax

Members agreed to write back and ask that this issue be included in budget considerations for budget 2020.

NOTICES OF MOTION

WHEELCHAIR ACCESSIBLE BUS STOPS

10/2-1

Councillor Danny Collins proposed, seconded by Councillor Joe Carroll, the following notice of motion:

“I am calling on Cork County Council and Bus Eireann to work close together to provide proper wheelchair accessible bus stops throughout the County Of Cork.”

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

Response:

We are aware of the lack of wheelchair accessible bus stops on most routes across the county and will be in contact with Bus Eireann again regarding same. However, it will require substantial investment in both buses and in bus stops and a commitment to funding from the National Transport Authority (NTA).

For a bus stop to be suitable for use with the bus accessibility apparatus, the stop must be level and have at least 4.0m clearance from the kerb in the vicinity of the entrance to the bus. Most bus stops in town centres do not have this clearance and it will require alternative locations to be identified in many towns.

During the discussion members made the following points:

- Services need to be fully accessible for all citizens
- Need the support of the National Transport Authority for any approval
- Requires budget to solve infrastructure issues
- All Bus Eireann staff need to be trained to operate accessible features on buses
- The requirement for 24 hours notice to be given by wheelchair users before travel needs to be abolished.

Members agreed to amend the motion as follows:

“I am calling on Cork County Council, Bus Eireann and the NTA to work close together to provide proper wheelchair accessible bus stops throughout the County Of Cork.”

They also agreed to raise the issue with the NTA when they attend Development Committee.

Landfill Sites

11/2-1

Councillor Mary Linehan Foley proposed, seconded by Councillor Danielle Twomey, the following notice of motion:

“Calling on the Cork County Council Environment Dept, to make landfill sites available Free of Charge for any Groups who remove Litter / plastics etc from our rivers, seas and beaches.”

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

Cork County Council does not have landfills available for the acceptance of this material. Cork County Council does support local communities and groups in the prevention and clean up of their areas; this support is provided through the local area office/MDC as well as through the environment litter wardens. Groups involved in the cleanup of rivers, seas and beaches should contact their local office as they are best placed to assess and assist the groups.

It should also be noted that BIM has commenced a scheme, “Fishing for litter”, encouraging fishermen to collect litter at sea and bring it on to land where they will dispose of it.

During the discussion members made the following points:

- Members agreed that this motion should be encouraged and supported
- A system should be put in place to accommodate Voluntary Groups when disposing of waste
- Voluntary Groups in East Cork were dropping waste to Town Hall for disposal
- West Cork area fortunate to have collections provided by An Taisce and BIM
- Some Municipal Districts have in the past provided a facility whereby trucks have gone out to collect waste collected by Volunteers.

The Mayor mentioned that alot has been done to promote the “Reuse Recycle” and “Clean Coast initiative. “

Members agreed to refer this matter to Director of Service, Environment for discussion in the Environment Strategic Policy Committee.

National Taking In Charge

12/2-1

Councillor Kevin Murphy proposed, seconded by Councillor Seamus McGrath, the following notice of motion:

“That Cork County Council requests the Department of Environment & Local Government to extend the ‘National Taking in Charge Initiative’ as a matter of urgency.”

Response:

Cork County Council would welcome further roll out of the NTICI as indicated in the 2018 National Budget as soon as practicable. It is considered appropriate that additional funding and Specific Policy Guidance on the taking-in-charge of Developer Provided Infrastructure be included as this is a matter of serious concern to affected home owners and a strategic issue for Council.

During the discussion that followed members made the following points:-

- 354 estates identified by Cork County Council in 2015
- 2016 NTICI had 5,500 estates, 1550 applications for taking in charge (28%) and has now reduced to 14%
- Previous motion was submitted by Councillor Seamus McGrath April, 2018
- Members asked that the process be streamlined and a policy for time limit
- Members agreed that this situation needs urgent legislation
- Members looking for a list of developments awaiting taking in charge and which are eligible for National funding

Members agreed:

To write to the Minister to launch the 2nd tranche of this initiative immediately and for the report on the 2016 NTICI to be published.

To ask for an update to be given to Development Committee regarding a Notice of Motion in April, 2018 from Councillor Seamus McGrath on what the taking in charge of estates.

To write to Irish Water asking for a timeframe to be set out regarding applications received from Developers, Residents or Cork County Council.

Upgrade of Social Housing

13/2-1

Councillor Diarmaid O’Cadhla proposed, the following notice of motion:

“To request a report from the Director of Services for Housing in regard to the maintenance and upgrade of social housing including:

1. What elements of property maintenance / upgrade are covered by Council, and what are not?
2. How are maintenance / upgrade requests logged and processed and whether any unprompted inspections of social housing are carried out?

3. What classifications of requests exist, e.g. urgent to prevent damage to property or person, non-urgent etc., what is the average time taken and criteria, to approve and subsequently resolve these issues – and how does budget impact on these?
4. In regards to adjustments for medical or special needs, e.g. wet rooms, stair lifts, wheelchair accessibility etc., what is the average waiting time for completion and how many are currently outstanding and for how long?
5. How many council staff are engaged in this work, directly and indirectly (admin) and what portion of direct works are completed by sub-contractors?
6. What is the overall budget on maintenance and how is it divided between direct and indirect council staff, direct materials and sub-contractor costs?
7. Are tenants in social housing advised in regard to minimum standards and what might they expect from council by way of maintenance or upgrades?"

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

Report:

1. Tenants are issued with the Cork County Council's official Tenants' Handbook. This document includes a section on Maintenance and Repairs which outlines what repairs are to be undertaken by the Tenant and what repairs are to be undertaken by the Council's Maintenance Section.
2. All calls are logged through the Council's Contact Centre or out of hours call centre and are raised on iHouse (the Housing IT system) and forwarded to the relevant area, North, South or West. However, this is due to change in March 2019 and switch over to a new online facility for logging repair requests where all requests will be tracked and visible to both tenant and council staff. In the current system once a request is logged a Purchase Order is raised for the repair and a job is allocated to a contractor from the Council Framework or allocated to direct labour staff. Tenants are notified of the expected timeframes for their repair request when they contact the Council's Contact Centre.

No unprompted inspections are carried out. However, a complete stock survey will commence in March 2019 to determine the current condition of the entire housing stock and new programmes of work will follow on from this survey. All tenants are to be contacted in advance by letter informing them of the survey.

3. In the tenants handbook the following Classifications exist:
 - Emergency: Repairs carried out where there is a possibility of danger to human life
 - Urgent: Carried out to avoid damage to the property
 - Routine: Medium priority repairs i.e. plastering, windows, doors etc.

Emergency and Urgent Repairs are prioritised once notified and all sub-contractors are signed up to a service level agreement for maintenance works with associated response requirements and target times included in this agreement, (For instance, emergency repairs are required to be attended to and made safe on the day of notification by the appointed contractor). The completion of urgent and emergency repairs is prioritised from a budgetary perspective.

4. Tenants can apply for a Disabled Persons Grant. There are two categories – major and minor. The major category includes extensions to a property. There are 6 no. extensions scheduled for South Cork in 2019, these should be completed before year end. The minor category includes items such as the installation of level access showers, stair lifts, rails, ramps etc. There are 86 no. minor DPG's at various stages of completion at present.

It takes 12 months approximately between an application being received and works completed. Occupational Therapists (OT) need to be engaged, an OT report received, adjustment to the property designed, Contractors engaged and works completed.

5. 50 Staff in total between administration, Engineering and outdoor staff are engaged in maintenance operations. A significant portion of works is carried out by contractors, in South Cork all repairs are carried out by external sub-contractors.
6. The overall budget for maintenance, including annual boiler maintenance, in Cork County for 2018 was €8.5m. Outdoor Staff costs amounted to €1m of this and non-pay items, which include contractors' costs, boiler maintenance and planned maintenance, amounted to €7.5m.
7. Properties refurbished and allocated by Cork County Council comply with, and in many cases exceed, the minimum standards required for rented accommodation. The Tenants Handbook outlines what repairs are to be undertaken by the Tenant and what repairs are to be undertaken by the Council's Maintenance Section.

During the discussion members made the following points:

- Welcomes change in March with online system
- No indication of maintenance requests outstanding on report
- Quality of Social Housing needs to be addressed
- Budget for repair of older housing stock needs to be looked at

Irish Ferries Service

14/2-1

Councillor Frank O'Flynn proposed, seconded by Councillor Seamus McGrath, the following notice of motion:

“That Cork County Council would seek a meeting with the Shane Ross TD Minister for Transport and Tourism to ensure the retention of the Irish Ferries service to and from Rosslare due to its importance in promoting tourism in County Cork.”

During the discussion members made the following points:-

- Members expressed concern that the service is being withdrawn
- Importance of connectivity is needed
- Suggestions about Cork Port which has fantastic facilities and would be beneficial to Cork Tourism

Members agreed to write to the Minister requesting a meeting.

INSURANCE COSTS

15/2-1

Councillor Noel Collins, seconded by Councillor Mary Linehan Foley, the following notice of motion:

“That this Council call on the Government to address the horrendous and unacceptable practice of car insurance costs, and give the people, no matter their age a fairer opportunity of getting their car on the road and keeping it there”

During the discussion members made the following points:

- Ireland pay more than European Counterparts
- Many immigrants not returning due to hike in car insurance
- People need a fairer opportunity to get and keep their cars on the road
- AA surveyed between 2013-2016 70% increase in prices

Members agreed to write to the Minister.

Unaccompanied Learner Driver Provisions

16/2-1

Councillor John Paul O’Shea proposed, seconded by Councillor Melissa Mullane, the following notice of motion:

“In light of the recent implementation of the unaccompanied learner driver provisions of the Road Traffic (Amendment) Act 2018 on the 21/12/18 - that Cork County Council request the Minister for Transport Shane Ross, TD to implement a maximum wait time of 8 weeks for all “L” drivers who have applied for the full driving test. The currently waiting times for driving tests range from 8-27 weeks across the country, which is unacceptable”

During the discussion members made the following points:

- The current waiting time for driving tests can range from 8 – 27 weeks
- Need for additional tests and centres
- Current learners drivers should be exempt from these new measures
- Very hard for people in rural areas to commute
- Regulations are very penal and Government should have been ready for these changes
- Should be an opening for possible competency certificates to be issued to learner drivers

Members asked that we write to Minister Ross to implement a maximum waiting time of 8 weeks for learner drivers who have applied for their test.

SPIRALLING INSURANCE COSTS

17/2-1

Councillor Paul Hayes proposed, seconded by Councillor Christopher O’Sullivan, the following notice of motion:

“That Cork County Council, in view of the damage that spiralling insurance costs are causing to community groups, voluntary organisations, charities and small business, calls on the Government to accelerate its insurance reform programme. In particular, Cork County calls on the Government to immediately establish a distinct Insurance Fraud Unit within An Garda Síochána, establish an interim Judicial Council which will address excessive awards made in our courts and insist on greater transparency in relation to claims and premiums from Irish insurers.”

During the discussion members made the following points:

- The cost of Insurance hugely affecting community festivals
- High costs is putting people out of business resulting in festivals/events being cancelled
- Costs have increased by 95% since 2013
- A huge portion of Community grants have to be used to cover insurance costs
- Spiralling insurance costs is crippling Voluntary Rural Ireland
- An individual’s history of claims should be available to courts

Members agreed to write to Minister for Justice

CORRESPONDENCE FROM OTHER BODIES

COMMISSION FOR REGULATION OF UTILITIES

Correspondence dated 8th January 2019 in response to Council’s letter dated 28th November 2018 regarding an instalment system to be put in place for the Infrastructure fee (Development levy) for one off houses.

Councillor Seamus McGrath noted that this was the second response from Irish Water with no progress which was disappointing and had hoped Irish Water would have been more flexible but will accept defeat.

VOTES OF CONGRATULATIONS

TO: Ballincollig Basket Ball Club on winning presidents club for the second time in a row

SUSPENSION OF STANDING ORDERS

Suspension of standing orders to was requested by Councillor Frank O’Flynn to discuss the collapse of the weir on the River Blackwater in Fermoy.

During the discussion members made the following points:

- Members expressed their frustration at the delay in getting the €300,000 funding from Central Government to repair the weir
- Members discussed the serious concern about the migration of fish
- Concerns were expressed on how the flow of the river has changed due to the collapse and people who use the river for recreational activities are in danger
- The 22 month timeline before a contractor is available is too long

- Cork County Council wrote to Minister on the 31st October, 2018 submitting costing

Members asked that we write to Minister to seek an urgent meeting to discuss this issue

Suspension of standing orders was also requested by Councillor Diarmaid O’Cadhla to discuss the closure of Drinan Street as the service which had been operated by the Department of Social Protection was taken over by Cork City Council last week.

During the discussion members made the following points:

- Members expressed concern with the change in services
- People are suffering further as a result of the changes
- Issues that had arisen regarding a change in payment policies, the rule change is that City Hall only pays for emergency accommodation that it sources
- Families presented receipts, only to be denied payment and sent to B&B accommodation

The Chief executive asked that any specific cases relating to residents of Cork County be brought to the attention of the Director of Services, Housing.

It was agreed that the Director of Housing would be asked to contact his counterpart in City Hall in relation to this issue.

ANY OTHER BUSINESS

Opening of Tenders

The following tenders were opened at the meeting:-

- Three tenders for contract RFT 143451 Killeagh & Castlemartyr Footbridges

This concluded the business of the Meeting