



COMHAIRLE CONTAE CHORCAÍ

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 12th September, 2016.

I LATHAIR

Comhairleoir S. MacCraith, Méara Chontae

Comhairleoiri Mac Seafraida, Daltúin, Ní Fhúarthain, Ni Dheasmhumhnaigh, Ó Cainte, S. Ó Coileán, Ó hEarchaí, R. Mhic Cárthaigh, Ó Colmáin, Lombard, C. Ó Murchú, Ní Cochláin, S. Ó Donnabháin, G. Ní Mhuimhneacháin, Críod, Ó Gráda, Ó Luasaigh, Ó Riain Ó Conbhuí, P. Ó Suilleabháin, C. MacCárthaigh, Sheppard, De Barra, Uí Chuileannáin, Rasmussen, N. Ó Coileán, A. Ó Suilleabháin, Uí Thuama, Ó hEigeartaigh, S. NicCárthaigh, Léanacháin-Foghlú, N. MacCárthaigh, Ní Bhrian, Ó Floinn, Ó Dúghaill, Mhic Dháibhí, J. Uí Mhurchú, Ó Sé, G. Ó Murchú, B. Ó Muimhneacháin, Uí Mhaoláin, T. Ó Coileán, D. Ó Coileán, Ó Cearúill, N. Ó Donnabháin, Ó hAodha, Ó hUrthuile.

PRESENT

Councillor S. McGrath, County Mayor presided.

Councillors Jeffers, D'Alton, Forde, Desmond, Canty, J. Collins, Harris, R. McCarthy, Coleman, Lombard, K. Murphy, Coughlan, J. O'Donovan, G. Moynihan, Creed, O'Grady, Lucey, Ryan, Conway, P. O'Sullivan, K. McCarthy, Sheppard, Barry, Cullinane, Rasmussen, N. Collins, A. O'Sullivan, Twomey, Ml. Hegarty, S. McCarthy, Linehan-Foley, N. McCarthy, O'Brien, O'Flynn, Doyle, Dawson, J. Murphy, O'Shea, G. Murphy, B. Moynihan, Mullane, T. Collins, D. Collins, Carroll, N. O'Donovan, Hayes, Hurley.

Chief Executive, Senior Executive Officer.

Apologies: Cllr. Michael Murphy

CONFIRMATION OF MINUTES

1/2-1

Cllr. Marcia D'Alton referred to page 13 of the minutes of 25th July, 2016: "The Deputy CE agreed with Cllr Marcia D'Alton that this is one of the most pleasing aspects of our work and delivery. He reminded members that the organisational restructuring that will commence in September will have a specific Director with the area of recreation and amenity as part of the brief".

She proposed that the wording be amended as follows: "The Deputy CE said that in the new arrangements from September, we should consider this. He said he would raise it with the new

Director of Services of the Municipal Districts, Mary Ryan and that he was confident that she would revert back with her considerations.” This was agreed.

Proposed by Councillor M. D’Alton

Seconded by Councillor D. Canty

RESOLVED:

“That the minutes of meeting of the Council held on 25th July, 2016, be confirmed and signed by the Mayor.”

Suspension of Standing Orders – Rostellan and Whitegate Sea Wall

Councillor S. McCarthy proposed, seconded by Councillor M. Hegarty the suspension of Standing Orders to discuss the damage to the sea wall which is a huge amenity to the area.

It was agreed that this matter would be taken at 1pm.

VOTES OF SYMPATHY

2/9-1

TO: The wife and family of the late Charlie Barry, former Member of Council.

TO: Mr. Michael Noonan, Minister for Finance, on the death of his brother-in-law.

TO: Ms. Edel Bodie, Corporate Services, on the death of her relative, Jim Culloty.

TO: The family of the late Jimmy Mee, former Member of Passage West Town Council.

TO: The family of the late Peter Barry, former TD and Minister.

STATUTORY BUSINESS

Section 183 of the Local Government Act, 2001:

Members noted the following disposal notices:-

DISPOSAL OF UNITS 1, 2 & 4 CORONEA, SKIBBEREEN, CO. CORK.

3(a)/9-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 20th July, 2016.

Situation: Units 1, 2 & 4 Coronea, Skibbereen, Co. Cork.

Area: 3,000 sq. Ft.

From Whom Acquired: Built by Cork County Council

To Whom it is Proposed

To Dispose: Paul Philips, Anam Cara, Cooradarrigan, Schull, Co. Cork.

Consideration: €4.00 per sq. ft per annum

DISPOSAL OF LAND AT CAHERDRINNY, KILPHELAN, CO. CORK.

3(b)/9-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 20th July, 2016.

Situation: Caherdrinny, Kilphelan

Area: 0.568 Hectares

From Whom Acquired: Thomas Moher, John, Mary & William White,
Jerry & Margaret Cahill, William O'Donovan

To Whom It Is Proposed

To Dispose: John O'Donovan, Gortnahown, Mitchelstown,
Co. Cork

Consideration: €3,500.00

DISPOSAL OF 7 RINGMEEN ESTATE, COBH, CO. CORK.

3(c)/9-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 20th July, 2016.

LAND HELD UNDER

LEASEHOLD INTEREST: No. 7 Ringmeen Estate, Cobh, Co.Cork

Folio No. 7737L

FREEHOLD INTEREST: Folio No. 112325F

FROM WHOM ACQUIRED: Unknown

PERSON TO WHOM FREEHOLD

INTEREST IN LAND IS TO BE

DISPOSED OF: John & Margaret Walsh

CONSIDERATION:

€ 350.00 inclusive of administration charges

**COVENANTS, CONDITIONS
AND AGREEMENTS:**

Conditions pursuant to Housing Act, 1966 and
Landlord & Tenant Acts, 1947 – 1984.

DISPOSAL OF REAR OF 43 ELM PARK, SALLYBROOK, GLANMIRE, CO. CORK.

3(d)/9-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 20th July, 2016.

Situation: Rear of 43 Elm Park, Sallybrook, Glanmire
Area: 0.016 hectares
From Whom Acquired: Forestbrook Developments Ltd.
To Whom it is Proposed To Dispose: David Nodwell Ltd., Glencree, Glanmire, Co. Cork.
Consideration: €5,000

DISPOSAL OF LAND AT ARDCAHAN, DUNMANWAY, CO. CORK.

3(e)/9-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 20th July, 2016.

Situation: Ardcahan, Dunmanway
Area: 0.0787 hectares
From Whom Acquired: Jeremiah O'Donovan
To Whom It Is Proposed To Dispose: Therese Donegan and Stephen Keohane
Consideration: €2,000 plus legal costs of €750

DISPOSAL OF LAND AT THE MARSH, SKIBBEREEN, CO. CORK.

3(e)/9-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 20th July, 2016.

Situation: The Marsh, Skibbereen
From Whom Acquired: Unknown. Acquisition predates Property Section's records.

To Whom It Is Proposed

To Dispose: Jons Civil Engineering Company Ltd.by way of 3-year licence.

Consideration: €1 per annum

DISPOSAL OF LAND AT REENMEEN EAST, GLENGARRIFF, CO. CORK.

3(e)/9-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 20th July, 2016.

Situation: Reenmeen East, Glengarriff

Area: 0.07 hectares (0.18 acres)

From Whom Acquired: Unknown. Acquisition predates Property Section's records.
Housing land.

To Whom It Is Proposed

To Dispose: Peadar Healy, Donal Shea and Michael Barry as trustees of
Glengarriff Sportsfield Association.

Consideration: €100

DISPOSAL OF LAND AT 75 CASTLEVIEW ESTATE, CARRIGTWOHILL, CO. CORK.

3(e)/9-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 20th July, 2016.

SITUATION: 75 Castleview Estate,
Carrigtwohill,
Co. Cork.

AREA: Dwellinghouse

TO WHOM IT IS

PROPOSED TO DISPOSE: Brendan & Esther Barry

CONSIDERATION: €69,395.39 (subject to change depending on
month and year of redemption)

PURPOSE:

Acquire the Council's interest under the Shared Ownership Scheme.

AMENDMENT TO DISPOSAL OF LAND AT CARRIGANE, MITCHELSTOWN, CO. CORK.

3(h)/9-1

Members noted the amendment to Disposal of land at Carrigane, Mitchelstown, Co. Cork, which was originally approved at Council Meeting on 11th July, 2016, by the substitution of “€10,000” in lieu of “€9,000” being the consideration for the said property.

AMENDMENT TO DISPOSAL OF LAND AT 21 THE BEECHES, UPPER BALLYDAHEEN, MALLOW, CO. CORK.

3(i)/9-1

Members noted the amendment to Disposal of land at 21 The Beeches, Upper Ballydaheen, Mallow, Co. Cork, which was originally approved at Council Meeting on 11th July, 2016, by the substitution of “Caroline Bourke” in lieu of “Mr. Michael & Caroline Bourke”, being the person to whom the property is to be disposed.

AMENDMENT TO DISPOSAL OF 1 DISTILLERY ROAD, BANDON, CO. CORK

3(j)/9-1

Members noted amendment to Disposal of 1 Distillery Road, Bandon, Co. Cork, which was originally approved at Council Meeting on 27th June, 2016, by the removal of “Outlined in red on Folio number CK162963F” being the area of said land.

NOMINATION TO THE BOARD OF CORK ETB

4/9-1

On the proposal of Cllr. K. Murphy, seconded by Cllr. M. Hegarty, Councillor Kay Dawson was nominated to the Board of Cork ETB.

Section 221 of the Local Government Act, 2001:

ADOPTION OF ANNUAL REPORT 2015

5/9-1

Proposed by Councillor G. Murphy

Seconded by Councillor F. O’Flynn

RESOLVED:

“That the Annual Report for 2015 be hereby approved.”

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

FILLING OF CASUAL VACANCY ON THE WEST CORK LOCAL COMMUNITY DEVELOPMENT COMMITTEE

6/9-1

Proposed by Councillor D. Hurley

Seconded by Councillor G. Murphy

RESOLVED:

“A casual vacancy has arisen on the West Cork LCDC. In accordance with the provisions of Section 4(2) and Sections 32-35 of the Local Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014), the approval of the members is sought to the appointment of Mr. Cornelius Buckley as a replacement representative for the IFA on the West Cork LCDC. The previous nominee (Mr. Richard Connell) is hereby de-selected.”

REPORTS & RECOMMENDATIONS OF COMMITTEES

Corporate Policy Group:

CONFERENCE LIST SEPTEMBER, 2016

7/9-1

Proposed by Councillor D. Hurley

Seconded by Councillor G. Murphy

RESOLVED:

“That the Conference List for September, 2016, be hereby approved.”

Housing SPC:

CHANGE OF LENGTH OF TIME AFFORDED TO A HOUSING APPLICANT FOR OFFERS OF TENANCY

8(a)/9-1

On the proposal of Councillor D. Canty, seconded by Councillor S. McCarthy, that the recommendation from the Housing SPC be hereby approved.

PROPOSED CHANGE TO THE ALLOCATION SCHEME FOR TRANSFER APPLICANTS

8(b)/9-1

On the proposal of Councillor D. Canty, seconded by Councillor S. McCarthy, that the recommendation from the Housing SPC be hereby approved.

Kanturk/Mallow Municipal District:

MANAGER'S REPORT UNDER SECTION 179, PLANNING AND DEVELOPMENT ACT, 2000:

8(a)/9-1

Proposed by Councillor T. Collins

Seconded by Councillor G. Murphy

RESOLVED:

“Noting that in accordance with Article 179 of the Local Government (Planning and Development) Act, 2000, notice of the proposed development was published, that no submissions were received in respect of the proposal, approval pursuant to Article 179 of the said Act is given for the following:-

R582 Coomlogane Street Pedestrian Crossing, Millstreet.”

TOWN AND VILLAGE RENEWAL SCHEME 2016

9(b)/9-1

Members noted report from the Chief Executive, which outlined as follows:-

The recently announced Town & Village Renewal Scheme allocates €380,000 to each County Council in the country.

The following is a comparison of 5 counties primarily using Census 2011 data and includes information in relation to population. The counties include Cork, Kerry, Limerick, Carlow and Leitrim and show the relative number of towns within each that would be eligible under the Scheme. The information includes data on the total number of Census Towns¹, including a count of those under 5,000 population and those in the 5000-10,000 category. Villages and towns with a population up to 10,000 are eligible for funding under the Town and Village Renewal Scheme. It should be noted that the Census does not record village populations as such but provides information of a more general nature on rural DEDs (district electoral divisions) and SAPS (small area population statistics).

County	Population (Census 2016)	County Area (km²)	Census Towns total² (Census 2011)	Census Towns where population under 5,000 (Census 2011)	Census Towns where population in excess of 5,000 and under 10,000 (Census 2011)	Number of Municipal Districts
Cork	416,574	7,500	123	114	6	8
Kerry	147,554	4,807	42	40	0	4
Limerick	195,175	2,756	53	50	1	4

1 See note on following page re. Census Towns

2 Census 2011 – Population Classified by Area – Table 5 Population of towns

k						
Leitrim	31,972	1,590	14	14	0	3
Carlow	56,875	897	21	19	1	2

Members commented as follows:-

- It is frustrating that the allocation is the same for each local authority, considering the size and population of Cork County;
- This is not a fair and equitable allocation;
- The allocation should be divided up like the LCDCs;
- Unachievable to have information submitted by 30th September;
- How many towns/villages fall into the different population bands in South and West;
- €380,000 is far too small for the whole County;
- It needs to be done in proportion and include an extension of time;
- There was also a 71% cut in Leader funding;
- There is a maximum number of towns allowed;
- The method of distribution is illogical.

The Chief Executive said that the timeline is very tight and it is hoped that the Scheme would be administered through the Municipal Districts. The intention is to focus on Projects which can be delivered by the end of the year. He said there is a maximum of 8 for the County and 2 for Towns with an excess of 5000 population and the SEOs in the Municipal Districts will be working on these.

It was agreed to refer the matter to Minister Heather Humphries, requesting that an equal distribution according to size of County would be allocated to Cork.

Bandon/Kinsale Municipal District

LOCAL INFRASTRUCTURE FUND – WESTERN RELIEF ROAD, CARRIGALINE

10/9-1

Councillor M. R. Desmond proposed, seconded by Councillor D. Forde, the following notice of motion:-

“That this district calls on Cork County Council to apply for the local infrastructural fund from the Department of Public Expenditure and Reform for funding to build the Western Relief Road in Carrigaline. This essential piece of infrastructure meets all the criteria of the fund and need to be progressed without delay.”

During a discussion, Members made the following points:-

- Carrigaline is completely gridlocked, the Relief Road needs to be fasttracked;
- The representation in 2 electoral areas in Carrigaline is unfortunate;
- Traffic is detracting from the quality of life, infrastructure is critical to the area;
- Carrigaline Relief Road is ready to go to design, seek funding from this fund.

The Chief Executive said that there has been progress with this over the last 15-18 months and the Council has secured lands at its own cost. It is currently out to tender for design and the Council will look at every avenue available to progress this.

The Chief Executive said it is questionable whether the funding is structured in a cast iron manner, focusing on sites for housing of 200+ and be capable of delivering by 2017.

The Chief Executive said more detailed discussion could take place at the next Development Committee meeting. He said that the Council has sought interest through the press from developers interested in the Scheme. This was noted by Members.

CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS

SPECIAL EDUCATION CLASSES AT SECONDARY LEVEL

11/9-1

Members noted letter dated 25th July, 2016, from the Department of Education & Skills, in response to Council's motion of 27th June, 2016, regarding special education classes at secondary level. Members expressed disappointment with the response, saying it had not addressed the issue of choice by secondary schools to have ASD classes.

It was agreed that the matter would be referred back, asking the Minister, (a) to acknowledge that there is shortage of spaces at secondary level and (b) to give consideration to the removal of the option to pick and choose whether or not schools want to have ASD classes.

DETENTION CENTRE FOR YOUNG OFFENDERS

12/9-1

Members noted letter dated 5th August, 2016, from the Department of Children and Youth Affairs, in response to Council's original motion of 14th March, 2016, regarding a detention centre for young offenders in the Cork Area.

Members expressed dissatisfaction with the response, saying that staff and residents should not have to tolerate the behaviour and conditions at Oberstown.

It was agreed that the matter would be referred back, asking that the Minister would not make further referrals to the Detention Centre in Oberstown, Lusk, until the issues there have been resolved.

COMMERCIAL RATES

13/9-1

Members noted letter dated 12th August, 2016, from the Department of Housing, Planning, Community & Local Government, in response to Council's motion of 25th July, 2016, regarding commercial rates.

Members expressed dissatisfaction with the response, saying that this is a serious hit to the Council when drafting the Budget for 2017, and the decision should be challenged.

The Chief Executive said that this is an issue which will have to be addressed at Budget time and the cut is equivalent to 5% cut in Local Property Tax.

It was agreed that the matter would be referred back to the Minister, stating that these are very profitable companies and the decision should be reviewed as it would result in a serious cut to the Council's budget.

CLEAN UP OF IRISH ISPAT

14/9-1

Members noted letter dated 24th August, 2016, from the Department of Agriculture, Food and the Marine, in response to Council's motion of 27th June, 2016, regarding the clean up of the old Irish Ispat site.

Cllr. C. Rasmussen queried if there is any start date proposed for the clean up of the site.

The Chief Executive stated that there is no indication that the funding situation has changed and the timeframe set out for tenders is reasonable. We continue to be in ongoing discussion with the Department and our indications are that Department funding will be available. He said the Council is prepared to fund any new contracts it enters into.

AN GARDA SIOCHANA RIGHT TO STRIKE

15/9-1

Members noted letter dated 25th August, 2016, from the Department of Justice & Equality, in response to Council's motion of 25th July, 2016, regarding An Garda Siochána having the right to strike.

Members expressed dissatisfaction with the response and agreed to refer the matter to the Secretary of the European Courts of Justice, stating that the Irish Government is ignoring the findings by the European Committee of Social rights and queried what options An Garda Siochána would have if the Government continue to ignore this ruling. Members also requested a copy of the European Court ruling.

It was agreed to take Item 25 at this point.

FERMOY COMMUNITY HOSPITAL

25/9-1

Members noted letter dated 5th August, 2016, from the HSE, in response to Council's letter of 13th July, 2016, regarding the closure of a ward at Fermoy Community Hospital. Members voiced their concern that the ward remains closed and agreed to refer the matter back to the HSE seeking an update on when the ward would re-open.

NOTICES OF MOTION

VERNON MOUNT

16/9-1

Councillor M. D'Alton proposed, seconded by Councillor M. R. Desmond, the following notice of motion:-

“That Cork County Council would identify

- the details of notices served under Section 59 of the Planning & Development Act 2000 on the owners of Vernon Mount since 1997,

- the dates on which such notices were served,
- any works undertaken by the owners in response to those notices

and that Cork County Council would pursue the owners of Vernon Mount (No. 00480 in the Record of Protected Structures) for prosecution under Section 58 of the Local Government (Planning & Development) Act 2000.”

Members noted report from the Director of Planning, which outlined as follows:-

A total of two notices were served under Section 59 of the Planning and Development Act 2000-2010, with regard to Vernon Mount House, Curraghconway, Frankfield, Co. Cork. RPS ID: 00480. The details of the same are outlined below:

Notice Number 1:

On the 8th of June 2012 notice under Section 59 of the Planning & Development Act 2000-2010; Notice requiring works to be carried out in relation to the endangerment of a Protected Structure or Proposed Protected Structure was served on the owners and occupier(s) of Vernon Mount House, Curraghconway, Frankfield, Co. Cork. RPS ID: 00480.

The notice specified the following works;

1. Re-slatting of roof above north elevation of the house. Re-slatting or repair of roof above western elevation, including any necessary structural repairs to roof of projecting bow. Repairs of all slipped and /or damaged slates and ridge tiles to roof above the south and east elevations. Repairs shall be made on a like for like basis and all materials shall match the original in terms of quality and size.
2. Repair of all rainwater goods and bring into working order. Where rainwater goods need to be replaced and/or reinstated, these shall match the original in terms of design and materials.
3. Clearing of vegetation and debris from overhangs, has fallen on, is growing up or out of the curved flanking wall on the southwest of the house.
5. Removal of vegetation from all chimney stacks.

Together with all other repairs necessary for or consequential to the completion of the above works (as per point 1-5).

Works were subsequently carried out and completed by Cork County Council with financial assistance from the Department of Arts, Heritage and the Gaeltacht.

Notice Number 2:

On the 4th of April 2014, Notice under Section 59 of the Planning & Development Act 2000-2010; Notice requiring works to be carried out in relation to the endangerment of a Protected Structure or Proposed Protected Structure, was served on the owners and occupier(s) of Vernon Mount House, Curraghconway, Frankfield, Co. Cork. RPS ID: 00480.

The notice specified the following works;

Repair of storm damage to the roof of the house, including repair of the holes in the roof

- 1 at the apex of the roof of the projecting bay on the western elevation
- 2 immediately north east of the eastern chimney stack, above the eastern elevation of the house, and replacement of missing slates and securing of slipped slates on other parts of the roof.

The works were subsequently carried out by Cork County Council with financial assistance from the Department of Arts, Heritage and the Gaeltacht.

During a discussion, Members made the following points:-

- Section 59 of the Planning Act is there for the Council to serve a notice on a landowner to carry out works on a property;
- If ignored, the Planning Authority can take enforcement action after 8 weeks;
- The condition of Vernon Mount had been deteriorating for years and the Council did not enforce the legislation;
- The Council must demonstrate its commitment to protected structures;
- People are high in their praise for the support from the Council;
- Private owners are neglecting the property;
- People want to see action taken;
- The owners of the property are liable;
- The Council needs to open up discussion, it does not have a strong record of going to Court.

The Chief Executive said that the condition of Vernon Mount had not been raised with him prior to the fire and therefore, it must have been recognised that we were doing everything we could do. The Council always tries to work with the owners and it is not always effective to serve a notice. He said the Council has a good Heritage Unit and a strong record of working with protected structures.

Members commented further as follows:-

- Highly commendable of work the Council has done to date;
- Sought clarification on dates which the Council served notices;
- Owners have a legal duty to respond;
- The owners neglected their responsibilities and they are now liable;
- Is there any way of getting money back from the owners.

The Chief Executive said that advancement of legal proceedings is based on facts and legal advice. The serving of notices is a decision of the Executive.

DISABLED PERSON GRANT APPLICATIONS

17/9-1

Proposed by Councillor F. O'Flynn

Seconded by Councillor I. Doyle

RESOLVED:

“That Cork County Council provide Occupational Therapists as a matter of urgency to address the long waiting list for assessment for Disabled Person Grant applications.”

Members made the following points:-

- Many people awaiting assessment and the process needs to be speeded up;
- There needs to be a planned programme in place to have Occupational Therapists available;

- The whole process would be simplified if Occupational Therapists were in County Hall, it would fastrack applications;
- There is money available but waiting lists for Therapists can take over a year;
- The Chief Executive should review the process to see if there is a way of speeding it up;
- Unfair that people with disabilities are left for months;
- The matter has already been discussed at CPG, must remove bottlenecks from the system.

The Chief Executive advised that there is an arrangement in place with the HSE and they are currently recruiting for Occupational Therapists. He said the Council could consider seeking experience from private Occupational Therapists to see if they can be of assistance. He said that the Council is consistently examining processes and restructuring services to ensure a quality service.

ORGANISATIONS AFFECTED BY BREXIT

18/9-1

Councillor D. Forde proposed, seconded by Councillor K. Murphy, the following notice of motion:-

“That the CE outline any strategies or plans on behalf of this council, to encourage corporate organisations who will be affected by Brexit to come to Cork.”

Members noted report from the Senior Executive Engineer, which outlined as follows:-

The UK has yet to confirm when it will invoke the mechanism under Article 50 of the Treaty on European Union to terminate the UK’s membership and begin negotiations on the institutional and financial provisions of their withdrawal. Article 50 envisages that the withdrawal process will take up to two years, but this can be further extended by agreement between the UK and a qualified majority of the remaining Member States. When agreement is finally reached, it must be passed in the EU Council of Ministers by a qualified majority vote as well as in the European Parliament and in the UK Parliament.

Expert opinion suggests it is likely that the withdrawal negotiations will take longer than two years bearing in mind;

- A. this will be the first time a Member State has exited the EU and
- B. the mechanics of the withdrawal process itself. The UK Parliament must also decide which EU laws (that currently form part of UK law) it intends to preserve, what should be modified, and what should be repealed. Given the vast body of EU law (it is estimated that over 100,000 legislative measures have been adopted by the EU), it is believed that the process of replacing EU legislation with UK statutes will be a gradual one in many areas (especially those of a technical nature) and one which will continue for many years beyond the initial two year period.

There is much opinion on what may happen when the UK invokes the mechanism under Article 50. However until their objectives in negotiating their withdrawal from the EU and the kind of a relationship they want with the EU in relation to the movement of people, goods and services have been articulated, it is difficult to decide on a set of measures to mitigate any negative impacts or capitalise on any opportunities that their withdrawal may have on the Irish economy.

The Government has yet to take a view on the impacts of BREXIT, so it is important to maintain a perspective and not decide on any suite of responses at this time. However Cork County Council does anticipate that, locally, there may be certain challenges to protecting the value of our exports of food, goods and services to the UK and in ensuring that Cork remains a popular destination for British tourists.

The known risks are centred around the uncertainty of what will happen and when it will happen. Current problems arising from the UK decision include the weakening of Sterling against the Euro, the impact that is having on exporters and the possible damping effect on investment and expansion decisions by Cork / Irish companies choosing to postpone decisions until the consequences of BREXIT are better understood. These could cause a negative impact on local economic development and job growth in the short to medium term. Post BREXIT, any decision by the UK to modify its corporation tax could also impact on FDI.

A recent Cork Chamber meeting to discuss the impacts of Brexit; the IDA and EI concluded that while Ireland will certainly face challenges, the UK are a long way yet from invoking Article 50 and that in the short term, no particular actions are required other than monitor the situation and continue to assess options to mitigate risks to indigenous and FDI companies based here and to identify opportunities for growth in the long term.

Conclusion

Despite all of the analysis about the impact of BREXIT; the situation remains that nothing can be determined with any degree of certainty until such time as we have clarity on the structure of Britain's exit, the timing of their departure and the nature of the UK / EU relationship after they leave. It is expected that many investors will probably adopt 'wait and see' approach in the interim.

In the interim Cork County Council will work closely with the relevant state agencies to educate investors who may be affected by BREXIT on the advantages of Cork as a destination in which to work, live and visit. Through our new tourism strategy a particular focus will also be placed on raising awareness for Cork as a unique destination for UK visitors.

In the case of SME's supported through our LEO's, a specific trade visit to Northern Ireland will take place in early October and will be used to develop a deeper understanding of the issues for SME's through discussions with Inter Trade Ireland and counterparts in Local Government in Northern Ireland.

It would also be appropriate for the Economic Development SPC to discuss the matter from a policy perspective at a future meeting.

During a discussion, Members made the following points:-

- Seeking an overview of what is going on at present this is appropriate and the Council needs to be ambitious;
- Should be discussed at the Economic Development SPC;

- Compliment the Council for developments to date;
- This presents opportunities and challenges for Cork, Brexit has been mentioned at many delegations the Mayor has attended;

The Chief Executive said that this is a national issue and the IDA is undertaking a communication study around the world and the Council can work with them to see what can be added. He said they can understand the nature of companies that are out there.

The Chief Executive said that the Mayor is going to London to discuss the idea of “Think of Cork” and the Council would be very supportive of this. He said that there is merit in the Economic Development SPC discussing it further, but the IDA and Enterprise Ireland are the key players in this and the Council’s approach needs to be done in conjunction with them.

It was also agreed to write to the Minister for Enterprise and Jobs.

LICENCING FOR TABLES OUTSIDE PREMISES

19/9-1

Councillor C. Rasmussen proposed, seconded by Councillor C. Cullinane, the following notice of motion:-

“That this Council review the licencing fee for tables, chairs and street advertising structures outside business owners premises and that a proper and fair system be implemented in the County.”

Members made the following points:-

- The increase in the rate for outdoor tables has gone up to €125 which is not economically viable for most businesses;
- The Council must support businesses and give powers to Municipal Districts to set their own rate;
- Members of Council were not notified of this increase;
- Cobh is totally reliant on tourism and this increase will not put people out of business;
- We should be encouraging businesses to having tables outside, it is very inviting;
- This goes in hand with promoting Cork as a food County;
- Look at the County Development Plan with regarding to boards along narrow streetscapes;

The Chief Executive advised that the fees are set nationally through legislation, therefore Municipal Districts do not have the authority to set a fee. He said the Council could look at adopting a Scheme which supports business. He said it is not a simple matter and there are issues around public liability.

Members noted the Chief Executive’s comments and it was agreed to refer the matter to the Tourism SPC.

Suspension of Standing Orders – Rostellan and Whitegate Sea Wall

Councillor S. McCarthy proposed, seconded by Councillor M. Hegarty the suspension of Standing Orders to discuss the damage done to Rostellan and Whitegate Sea Wall.

Members made the following points:-

- The “peoples pathway” at Rostellan is a widely used public amenity;
- It suffered further deterioration lately;
- Temporary barriers have now been erected;
- It was originally referred to the Coastal Management Committee who do not have access to appropriate funding;
- Need a quick resolution to this;
- A figure of over €2m has been approved by the Department for this but only €1.5m was received;
- If there is another storm, it could lead to the road being closed.
- Time is of the essence to resolve this;
- The matter was highlighted recently at a Coastal Management meeting;
- The wall is deteriorating day by day and is a very important amenity to the community;
- Call on the Minister to intervene for the safety of all concerned, warrants a Ministerial Order;

The Chief Executive said that it was his understanding that protection barriers were placed at the location but public access was not impacted. He said the matter should be considered by the Municipal District and Coastal Management Committee, to ascertain the priority status of this area and to determine how to progress.

This was noted by Members.

WEST CORK DEVELOPMENT PARTNERSHIP

20/9-1

Councillor D. Collins proposed, seconded by Councillor J. Carroll, the following notice of motion:-

“I am calling on the Government not to dismiss West Cork Development Partnership and it’s 25 year record of effective successful local development from rolling out the leader programme in the Bandon Kinsale and West Cork Municipal Districts.”

Members made the following points:-

- People are frustrated that this is happening;
- West Cork Development Partnership was held as a template;
- They have done trojan work and this must be appealed;
- Their expertise and knowledge should not be overlooked, could it be incorporated with the LCDCs;

The Chief Executive advised that this is going through a process and that the 3 LCDC committees of the Council develop the Leader Programme. He said Cork County Council supports our 3 Committees

in their work. No further comment can be made on this as a deliberation process is underway and not yet concluded, we await the report.

ACUPUNCTURE FOR ALCOHOLISM

21/9-1

Proposed by Councillor N. Collins

Seconded by Councillor C. Cullinane

RESOLVED:

“That this Council seek a report from the Department of Health on the effectiveness of acupuncture as a treatment for alcoholism and details of any plans which may exist for its introduction into the Health Services.”

WIND FARMS GUIDELINES

22/9-1

Proposed by Councillor D. O’Grady

Seconded by Councillor M. Mullane

RESOLVED:

“That this Council calls on Minister Coveney to: (a) issue fresh draft guidelines on wind farms that reflect recent international best practice as enforced in Germany and Poland, (b) hold a public consultation on these guidelines and (c) enact enabling legislation that includes set back distance of ten times the tip height for wind turbines.”

Members made the following points:-

- The height of wind turbines is increasing;
- There needs to be a revision of the guidelines taking into account best international practice;
- There should be a set back distance of ten times the tip height of wind turbines;
- This should be discussed by the Planning SPC;
- Set back distance is determined by height of pylon;
- County Development Plan is only giving us areas where turbines are allowed;
- 40% renewable energy needs to be produced by 2020;
- Communities need to be included;

The Chief Executive said that the Council’s Development Plan recognises national Guidelines, therefore this is a national issue. It was agreed to write to the Minister.

As the time was now 1.15 pm an extension of time was agreed on the proposal of Councillor D. Hurley, seconded by Councillor F. O’Flynn

CORRESPONDENCE FROM OTHER BODIES

EFLOW TAGS FERMOY TOLL

23/9-1

Members noted letter dated 28th July, 2016, from the TII, in response to Council's correspondence of 13th July, 2016, regarding the acceptance of eFlow tags at Fermoy toll plaza.

INCREASE IN INSURANCE PREMIUMS

24/9-1

Members noted letter dated 29th July, 2016, from the Central Bank, in response to Council's motion of 27th June, 2016, regarding increases in insurance premiums.

VOTES OF CONGRATULATIONS

26/9-1

- TO: Ciara Judge, on being awarded Outstanding Young Person of the World.
- TO: Grainne Begley & Sean Brady on winning gold at the Junior World Kickboxing Championships.
- TO: Cork Surf Lifesaving Team on their recent achievements.
- TO: Sharon Russell, at her success in the National Lifesaving Championships.
- TO: Passage West Ladies GAA on organising the recent GAA Football Blitz.
- TO: Nicola Radley, on her appointment as Senior Executive Officer, Corporate Services.
- TO: Ballyhooley GAA on winning the Cork County Junior B Football.
- TO: Gary and Paul O'Donovan on winning silver medal in Rowing at the Olympic Games.
- TO: David and Conor Harte, on their participation at the Olympic Games.
- TO: Rob Heffernan, on his participation at the Olympic Games.
- TO: Cork Camogie Team on their performance at the All Ireland.
- TO: Organisers of the Cobh People Regatta.
- TO: Douglas Camogie on their success in the U-16 match.
- TO: East Cork Karate Team on their performance at the World Karate Championships.
- TO: Douglas Ladies on their success against Riverstown.

Opening of Tenders

The following tenders were opened at the Meeting:-

- Office Fitout - Mallow Library – 2 no.
- New Sauna & Steam Rooms for Fermoy Leisure Centre – 1 no.
- Fire Department Office, Refurbishment of Former Teagasc Building – 4 no.

River Cleaning in Bandon

Cllr. R. McCarthy queried if the cleaning of the River Bandon was going ahead this month. The residents in the area are very concerned about the gravel.

The Chief Executive re-iterated the OPW's views, that there may be no benefit in doing these works. He said that the Council would like to be in a position that any action would not result in a cost or litigation to the Council. He said there is a contract in place and the Council should not be going in there.

Helping Hands

Cllr. M. Mullane asked if she could use an office in County Hall as a collection point for items for the homeless charity Helping Hands. The Chief Executive said he would ask the Facilities Manager to revert to Members regarding same.

Contact person in the Housing Department

Cllr. D. Forde asked who Members' representations should now be addressed to, following the transfer of Nicola Radley.

The Senior Executive Officer advised members to address their correspondence to reps@corkcoco.ie and it will be picked up by staff in the Housing Section.

Follow up from meeting with TII

Cllr. D. Hurley queried the follow up from the Meeting with the TII and requested that the Minister be written to seeking a delegation. This was agreed.

Naval service work in the Meditteranean

Cllr. I. Doyle referred to the Civic Reception afforded to the Naval Service and that they are due to be awarded medals shortly in Rosslare. He said it would be more appropriate to have the medals presented at the Naval Base in Haulbowline.

This concluded the business of the Meeting