



# Comhairle Contae Chorcaí

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## 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 Monday 12<sup>th</sup> February 2024.

### I LATHAIR

#### Comhairleoir Sean Ó hÉalaithe, Leas Mhéara

**Comhairleoiri:** Uí Chochláin G, Ó Colmáin, Ó Murchú C, Ó Suilleabháin Sean, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin D, Ó Murchú PG, Ní Chróinín, Heinhold, Mac Craith, Uí Daltún, Uí Ní Charthaigh U, Bhuachalla, De Faoite, Daltún-Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conbhubhair Sean, Ó Conchubair Alan, MacCarthaigh N, Dawson, Ó Laoghaire, De Róiste, Ó Muineacháin B, Ó Dubhghaill, Ó Sé Sean Pól, Ó Murchú Gearóid, Críod, Uí Muineacháin G, Ó Luanaigh, Ó Cochláin M, Uí Loinsigh, Ó Luasa, Ó Haodha Padriagh, Ó Murchú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé Tony, Léineacháin Uí Foghlú, Ó Héigheartaigh, Ní Heachthigheirn, Uí Thuama, MacCarthaigh Susan, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaoidh, Ó Haodha Pól.

### PRESENT

#### Councillor John Healy, Deputy Mayor, presided.

**Councillor:** Coughlan G, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O'Donovan, Collins D, Murphy PG, Cronin, Heinhold, McGrath, D'Alton, McCarthy U, Buckley A, White, Dalton O'Sullivan, O'Callaghan, Barry, Sheppard, Rasmussen, O'Connor S, O'Connor A, McCarthy N, O'Leary, Dawson, Roche, Moynihan B, Doyle, O'Shea JP, Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea Tony, Linehan-Foley, Hegarty M, Ahern, Twomey, McCarthy S, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul

Michael Lynch A/Divisional Manager South Cork, Senior Executive Officer Corporate Services.

### [a] CONFIRMATION OF MINUTES

1/2-1

Cllr. Marcia D'Alton addressed the Chamber and clarified her comments regarding the passing of Ian Bailey.

*Proposed by Cllr. Michael Hegarty*

*Seconded by Cllr. James Kennedy*

### RESOLVED:

That the minutes of the Meeting held on 22<sup>nd</sup> January be confirmed and signed by the Mayor.

**[b] VOTES OF SYMPATHY**

2/2-1

**TO:** Finola Bruton on the passing of her husband John Bruton.

**TO:** Roy Cunningham on the passing of his mother in law Joan O'Connor.

**TO:** Ellen Walsh on the passing of her brother Michael Roche.

**TO:** Maura Burton on the passing of her mother Ann Burton.

**[c] STATUTORY BUSINESS**

**DISPOSAL OF PROPERTY**

**SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001:**

3/2-1

**MUNICIPAL DISTRICT OF BANDON/KINSALE:**

*Disposal of Unsold Affordable Property 14 Ard na Chuillinn, Bandon, Co. Cork*

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 2<sup>nd</sup> February 2024.

**Situation:** Unsold Affordable Property at 14 Ard na Chuillinn, Bandon, Co. Cork.

**Area:** 0.024 hectares (0.060 acres)

**Consideration:** €205,000

**MUNICIPAL DISTRICT OF EAST CORK:**

*Grant of Wayleave to EirGrid, Claycastle, 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 2<sup>nd</sup> February 2024.

**Situation:** Grant of wayleave at Claycastle, Youghal, Co. Cork

**Area:** Wayleave coloured green measuring 2018.53m2 (14-20 metres)

**Consideration:** €1.00

**MUNICIPAL DISTRICT OF CARRIGALINE:**

*Exchange of lands at Church Bay Road, Crosshaven, 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 2<sup>nd</sup> February 2024.

**Situation:** Exchange of lands at Church Bay Road, Crosshaven, Co. Cork.

**Area:** Area A in lieu of Area B and wayleave to O Flynn group to be retained

**Consideration:** €1

**CHIEF EXECUTIVE REPORT IN ACCORDANCE WITH SECTION 179A OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED.**

**4/2-1**

**MUNICIPAL DISTRICT OF KANTURK/MALLOW:**

**4(a)/2-1**

Members resolved to approve Part 8 Chief Executive's report in respect of a Social Housing scheme at Dr. Croke Place, Garranmacgarrett, Kilbrin, Co. Cork. The construction of a new housing development consisting of:

- 2 No. two storey two bed Residential Units including:
- New parking area
- Hard landscaping, including footpaths
- Soft landscaping including green areas and planting
- Connection to public utilities.
- All associated site works

Members resolved to approve Part 8 Chief Executive's report in respect of a Social Housing scheme at Dean McNamara Place, Newtownshandrum, Co Cork. The construction of a new housing development consisting of:

- 2 No. two storey two bed Residential Units including:
- New parking area
- Hard landscaping, including footpaths
- Soft landscaping including green areas and planting
- Connection to public utilities.
- All associated site works.

Members resolved to approve Part 8 Chief Executive's report in respect of a Social Housing scheme at Market Place, Kanturk, Co.Cork. The construction of a new housing development consisting of:

- The construction of 1 no. one-bed bungalow including:
- New parking area
- Hard landscaping, including footpaths
- Soft landscaping including green areas and planting
- Connection to public utilities.
- All associated site works.

**During this discussion, the Members made the following points:**

- Said these are very positive housing developments for the area

**PART 8 MANAGER'S REPORT SECTIONS 179(3) OF THE PLANNING & DEVELOPMENT ACT 2000  
(AS AMENDED)**

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

**MUNICIPAL DISTRICT OF CARRIGALINE:**

Members resolved to approve Part 8 Chief Executive's report for the installation of a new roundabout to replace the existing Ballinrea Cross Junction, Carrigaline, Co. Cork.

**MUNICIPAL DISTRICT OF COBH:**

Members resolved to approve Part 8 Chief Executive's report in respect of the development of Community & Enterprise Hub, (E-Centre), Library Building, Casement Square, Cobh, Co. Cork.

Recommendations for 2024 Arts Grant Scheme.

6/2-1

*Proposed by Councillor Michael Hegarty*

*Seconded by Councillor Gobnait Moynihan*

**During this discussion, the Members made the following points:**

- Members welcomed the 2024 Arts Grant Scheme and commended the Council Arts Department on their work
- Said the €200,000 grants have a €5.6 million spend in the community
- Said the Arts cannot be forgotten in next year's budget
- Said the volume of applications has gone up but the budget has not gone up during a time of inflation
- Said the Arts are very important from an employment and tourism perspective
- Members said a dedicated film officer would be beneficial for Cork County Council

7/2-1

#### **NORTHERN DIVISIONAL COMMITTEE**

“Proposed to write to the Minister for Rural and Community Development to prioritise the announcement of funding for the next Leader Programme.”

*Councillor John Paul O'Shea proposed, seconded by Councillor Bernard Moynihan*

**During this discussion, the Members made the following points:**

- Said a motion on this matter was brought to Full Council previously
- A response was received from Minister Humphreys but the timeframes set out in that response have not materialised
- Said this funding is vital for connectivity and safety
- Members said this funding was cleared in Europe last summer and it is inexcusable that it is taking so long to make a decision on the funding
- Said the funding needs to be allocated out for communities to spend
- Said community work is hindered due to the delay in allocating the funding

*Members agreed to write to the Minister for Rural and Community Development to seek a delegation with the Minister in relation to prioritising the announcement of funding for the next Leader Programme.*

*Members also agreed to write to An Taoiseach, An Tánaiste and Minister Eamon Ryan to request that the announcement of funding for the next Leader Programme would be prioritised.*

**CORK COUNTY COUNCIL CLIMATE ACTION PLAN – CHIEF EXECUTIVE’S REPORT:**

In accordance with Section 16 of the Climate Action and Low Carbon Development (Amendment) Act 2021, Members resolved to approve Cork County Council’s Climate Action Plan 2024 – 2029.

Michael Lynch, A/Divisional Manager South Cork said Cork County Council’s first Climate Action Plan from 2024 – 2029 is being presented to Elected Members. Mr. Lynch said a copy of the final report has been circulated to Members. He said the Minister notified all Local Authorities on 24<sup>th</sup> February 2023 to prepare a climate action plan. He said Members are being asked at today’s meeting to adopt the final plan.

**During this discussion, the Members made the following points:**

- Members said the Climate Action Plan will be for the betterment of communities
- Said that tough decisions lie ahead
- Said the plan can be backed now but it needs to be backed in action in Council and in our communities
- Members said the plan is ambitious and very welcome
- Said they welcome the proposal for a 51% reduction in greenhouse emissions over the next 5 years
- Members said they support this document and the work that has gone into it
- Said this is the biggest challenge that is facing us as a generation
- Said it is undeniable that climate change is happening before our eyes
- Said there is evidence of climate change globally with various fires, storms and floods
- Said it is important that Cork County Council plays its part in reducing our carbon footprint

Karina Cremin, Senior Executive Officer Corporate Services read the following resolution for Members to adopt:

*“That in accordance with Section 16 of the Climate Action and Low Carbon (Amendment) Act 2021, as it amends the Principal Act of 2015, having considered the Draft Climate Action Plan, the contents of the Chief Executives report on submissions received during the period of consultation and the SEA and AA Reports and determinations, carried out in accordance with the requirements and regulatory provisions of the SEA Directive (DIR 2001/42/EC) and Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC), Cork County Council hereby resolves to Approve the Cork County Council Climate Action Plan 2024 – 2029.”*

***Proposed by Councillor Gearóid Murphy***

***Seconded by Councillor Anthony Barry***

## 96FM

9/2-1

Correspondence received 29/01/24 from 96fm in response to the Council's letter dated 11/01/24 in relation to making changes to incorporating Ryan Tubridy into the Sunday morning schedule.

*Members noted the correspondence from 96fm.*

**During this discussion, the Members made the following points:**

- Said they thank 96fm for the response but are disappointed with it
- Said Derry O'Callaghan is a very popular broadcaster and Ryan Tubridy is no longer based in Ireland
- Said the decision by 96fm to reduce the 'Oldies and Irish' programme was ill judged
- Members said our heritage and identity is very important and this move is a step in the wrong direction

## **[h] NOTICES OF MOTION**

### **FLUORIDATION OF DRINKING WATER**

10/2-1

*Cllr. Marcia D'Alton proposed, seconded by Cllr. Karen Coakley*

“Restating Council's call in 2014 and again in 2018 for an end to the fluoridation of drinking water and emphasising Council's particular concerns with regard to:

- the neurotoxicity of fluoride and in particular recent international studies linking an IQ loss in children from prenatal exposure to fluoride from water fluoridation
- increasing awareness of the synergistic effect of toxins on the human body and the environment
- increasing focus on the ethics of protecting susceptible sub-populations.

In responding to the above, this Council requests that the Department of Health (who is responsible for implementing the policy of fluoridation established under Statute) would outline:

- any investigative studies or reviews carried out on the interaction between fluoride (as added to public drinking water supplies) and other common toxins
- any ethical evaluation of the impact of mass medication on sub-populations especially negatively affected by fluoride (as added to public drinking water supplies)
- its new model for fluoridation monitoring following the disbanding of the Irish Expert Body on Fluorides and Health in 2022.”

Members noted the response from John Slattery, A/County Engineer, as follows:

### **RESPONSE:**

In accordance with the Framework for the Future Delivery of Water Services, which was published in June 2022, Cork County Council signed a Master Co-Operation Agreement (MCA) with Uisce Éireann in May 2023. The MCA replaced the Service Level Agreement which has been in place since January

2014 to facilitate the provision of water services by Cork County Council to Uisce Éireann. The MCA provides for the transition of services, responsibility, and accountability for water services functions to Uisce Éireann in 2023. This transition is happening in stages across all local authorities and marks a key change in the role of local authorities in the provision of water services on behalf of Uisce Éireann.

In accordance with the MCA, Uisce Éireann confirmed the Effective Date of 6th September 2023 with Cork County Council. This means that that Uisce Éireann became solely responsible for the delivery of networked water services in Cork County, including the fluoridation of public drinking water supplies, as well as the management and direction of all eligible water services staff in Cork County Council, from 6<sup>th</sup> September 2023.

Councillors should direct water services related queries to Uisce Éireann at [localrepsupport@water.ie](mailto:localrepsupport@water.ie).

**During this discussion, the Members made the following points:**

- Said fluoridation to help tooth decay has been practiced in Ireland since 1964
- Said research has found that too much fluoridation can have ill effects on the body, e.g. reproductive issues
- Said it is fair to say that a lot of research has been inconclusive
- Members said the neurotoxicity of fluoride has been linked to IQ loss in children
- Said we are exposed to fluoride in many areas with the potential for hormone and neurotransmitter levels to be affected
- Said some people are especially vulnerable to fluoride
- Said it is bio individual, what might be ok for one person is not ok for another
- Members said fluoride is the only chemical added to water for the purpose of medication
- Asked why does Ireland continue to stick to a 60 year old policy to medicate its population
- Said Irish people have the right to clean and safe drinking water
- Said it is time to change the fluoride mandate
- Some Members said it is important to acknowledge that the position statement from the expert body is that fluoridation at optimal levels benefits dental health
- Said the practical side of this is that water needs to be safe for consumption
- Said fluoridation of water increases safety
- Members said there is no other option up and running at this stage for fluoridation

*Members agreed to write to the Department of Health to ask that they would outline any investigative studies or reviews carried out on the interaction between fluoride (as added to public drinking water supplies) and other common toxins, any ethical evaluation of the impact of mass medication on sub-populations especially negatively affected by fluoride (as added to public drinking water supplies), its new model for fluoridation monitoring following the disbanding of the Irish Expert Body on Fluorides and Health in 2022.*

**MIDLETON FLOODING**

**11/2-1**

***Cllr. Ann Marie Ahern proposed, seconded by Cllr. Michael Hegarty***

“That this council write to Minister Eamon Ryan of the Department of the Environment, Climate and Communications to seek to add flood relief gates to a grant application process/scheme similar to SEAI grants that are currently available for housing. This is to allow those in flood prone areas to be granted assistance to protect homes, businesses, and communities”.



“Can the Chief Executive give an update on the current situation regarding Storm Babet and an update for the people whose lives were devastated by same, and the various commitments given by our senior politicians across the political divide, (that money would not be an issue) to repair and rebuild roads bridges walls and other infrastructure.”

**During this discussion, the Members made the following points:**

- Said Storm Babet showed the vulnerability of homes and businesses
- Said there are over 300 homes and 250 businesses in East Cork that have been affected by Storm Babet
- Said quotes for flood gates are unaffordable for homes and businesses
- Said homes and businesses have lost home insurance going forward
- Members said individual property protection needs to be pursued as a matter of urgency
- Said a one stop shop that deals with the various issues and agencies is required
- Said the recovery works from Storm Babet are estimated to cost between €50 and €55 million
- Said there is an amount of €6 million that Cork County Council will have to put up the money for and draw down later
- Members said they can see how far short we are as a Council based on these figures
- Said some of the works that have been completed are just temporary and it is not good enough
- Said the government need to provide the funding now and not drip feed the funding
- Said there are plans to build 5,000 homes where flooding took place and works need to be done with immediate effect
- Members said people in Youghal always have their flood gates ready and it alleviates worry and pressure when there is a high tide
- Said it would alleviate a lot of worry and stress for those impacted by Storm Babet if they could access flood gates
- Said the Government must be brought back and made accountable for the statements they made in the aftermath of Storm Babet

Michael Lynch said Cork County Council as a Local Authority are concerned with community responses. He said there is concern that those who can go ahead and get the barriers will not cause issues for those who cannot get individual barriers. Mr. Lynch said Cork County Council will not be found wanting once the resources are made available. He said 50% of the damage was in East Cork, resulting in another years work on top of what Cork County Council would usually expect to get. He said the longer it takes to address the issue, the more that will need to be done. Mr. Lynch said the Roads Directorate have projects outlined and a programme of works in place.

*Members agreed to write to Minister Eamon Ryan of the Department of the Environment, Climate and Communications and to the OPW to seek to add flood relief gates to a grant application process/scheme similar to SEAI grants that are currently available for housing. This is to allow those in flood prone areas to be granted assistance to protect homes, businesses, and communities.*

*Members also agreed to circulate this letter to the TD's of the local area. Members agreed to write to An Taoiseach, An Tánaiste and Senior Minister to request a delegation with them on this matter.*

**INSURANCE COST FOR HERITAGE BUILDINGS**

**12/2-1**

***Cllr. Tony O'Shea proposed, seconded by Cllr. Marcia D'Alton***

“That Cork Co Council would write to the relevant government departments seeking an update from the Tatch property insurance group on the works done to reduce the cost of insurance for these heritage buildings”.

**During this discussion, the Members made the following points:**

- Said there are many thatched houses across the County and owners have issues acquiring home insurance for these properties
- Said there is a significant insurance cost for the owners of these properties
- Said a working group was set up to examine these issues

*Members agreed to write to Minister Jennifer Carroll MacNeill to seek an update and findings from this working group.*

### **TEMPORARY DEVELOPMENT CONTRIBUTION WAIVER SCHEME**

13/2-1

***Cllr. Joe Carroll proposed, seconded by Cllr. Gobnait Moynihan***

“That this council would write to the Minister for Housing, Local Government & Heritage, Darragh O'Brien T.D., and ask him to consider the following: The Temporary Development Contribution Waiver Scheme, which he introduced in 2023, has been very successful and a considerable help to those who have been able to avail of it. This scheme will lapse this April, so I would ask the Minister to extend it for a further 2 years.”

**During this discussion, the Members made the following points:**

- Said the scheme was very welcome but the timeframe is too short
- Said the planning system can be cumbersome and applicants might not be able to meet their deadline of April 1<sup>st</sup>
- Said 12 months is a very short period and very few houses are built within 12 months
- Members said there are difficulties in trying to secure tradespeople so some houses could not be built within this timeframe
- Said the scheme is not covering residential extensions or the refurbishment of derelict properties and these need to be included
- Members said the scheme is working as it is reducing the cost of housing for people
- Said the scheme has saved applicants up to €12,000
- Said the scheme has allowed people to start their houses a lot sooner than what they would have

Michael Lynch said an important feature of the scheme is that the Department pays the monies to the Local Authority.

*Members agreed to write to the Minister for Housing, Local Government & Heritage to ask that the Temporary Development Contribution Waiver Scheme be extended for a further two years.*

### **PART V PROPERTIES – TENANT PURCHASE SCHEME**

14/2-1

***Cllr. John Paul O'Shea proposed, seconded by Cllr. Michael Hegarty***

“That this council write to the relevant Minister to have Part V properties included under the Tenant Purchase Scheme”.

Members noted the response from Maurice Manning, Director of Services Housing, as follows:

**RESPONSE:**

The sale of houses acquired under Part V of the Planning & Development Act 2000 is prohibited under the Housing (Sale of Local Authority Houses) Regulations 2015 which lists the classes of houses excluded from sale as follows:

4. A housing authority shall not sell under Part 3 a house that—

(a) has been specifically designed for occupation by one or more than one elderly person,

(b) has been provided to facilitate the transition from institutional care to community-based living of persons with an enduring physical, sensory, mental health or intellectual impairment,

(c) has been specifically designed for occupation by travellers, where more than one such house or dwelling is provided on the land concerned,

(d) is a caravan, mobile home or a structure or a thing (whether on wheels or not) that is capable of being moved from one place to another (whether by towing, transport on a vehicle or trailer, or otherwise),

(e) has been transferred to a planning authority in accordance with an agreement under [section 96](#) of the [Planning and Development Act 2000](#) (No. 30 of 2000), including a house provided on land or on a site so transferred, where the transfer is made for the purpose of providing housing referred to in section 94(4)(a)(i) of the said Act and the house is on the land the subject of the planning application to which the agreement relates,

(f) in the opinion of the authority, should not be sold for reasons of proper management of the authority’s stock of housing accommodation or on account of the house’s structural condition, or

(g) should not be sold for the time being on account of proposals the authority has to carry out reconstruction or improvement works under [section 12](#) of the [Housing Act 1988](#) or for the regeneration of the area in which the house is located.

Section 4(e) deals with the exclusion of Part V properties. Their inclusion would require the amendment of these Regulations.

**During this discussion, the Members made the following points:**

- Said Part V properties should be included under Tenant Purchase Scheme
- Said very happy to keep A, B, C, D, F & G of the regulations included
- Members said there are a lot of people housed in Part V properties who need to be made aware that their property is in a part V and they cannot purchase the property
- Said house ownership needs to be promoted and needs to be looked at on a case by case basis
- Said the Local Authority should have the discretion to dispose of a house if an enquiry comes in

*Members agreed to write to the Minister for Housing to have Part V properties included under the Tenant Purchase Scheme.*

*Cllr. Jack White proposed, seconded by Cllr. Anthony Barry*

“Can this council please request:

1. Information on how many Croí Conaithe applications have been approved by the Council since the scheme began?
2. How many of the approved applications have been paid out, and the average timeline of each (from application to payout).
3. How many payouts does the Council expect to complete in the next six months?

Members noted the response from Noelle Desmond, Town Regeneration Officer, as follows:

**RESPONSE:**

1. 573
2. 1 grant was paid in 2023 – delays in payment of grants in 2023 arose due to necessary amendments to the charge documents provided to local authorities. The charge documents provide for claw-back of the grant in the event of a grant-aided property being sold.
3. 60 would be a reasonable estimate of expected payments over the next six months.

**Context**

Since the launch of the Vacant Property Refurbishment Grant in 2022 Cork County Council has processed **573** applications. Of those applications, **37** have been deemed ineligible as they do not meet with the basic eligibility criteria of the scheme as set out in the scheme guidelines.

**357** have been approved and approximately **64** applications are at inspection stage being assessed for approval. In addition to this, approximately **110** applications are pending inspection awaiting the submission of required documentation/information from applicants.

**34** requests for drawdown have been received to date –these are currently being processed for final inspection and payment approval. **6** grant payments are expected to be released in the coming weeks. Drawdown requests cannot be made until all approved works are complete and inspected by the local authority and the applicant has signed the Charge Document that provides for claw-back of the grant in the event that the property is sold.

To date, **1** payment has been made. From approval to drawdown; applicants have 13 months to complete the works. This means there will generally be a significant gap between the number of approvals and the number of drawdowns / payments to allow the grant applicants time to complete the works.

**During this discussion, the Members made the following points:**

- Said the numbers are very low
- Said there are serious blockages around the country between application and payout
- Said only one grant has been paid out by Cork County Council since 2022
- Said the 34 requests for draw down that are currently in must be paid urgently
- Members said all resources must be allocated to this scheme
- Said inspections need to happen quickly on completed homes to allow payouts
- Said applicants have 13 months to complete the work from approval to drawdown
- Said people can be left in significant debt awaiting payments causing huge stress
- Members said the scheme is bringing a large number of vacant and derelict properties back into use again and that is welcome
- Said this grant is a great initiative for rural Ireland
- Said it is enabling a lot of people to get their own houses and regenerate property
- Said the charge documents need to be sent out as quickly as possible to applicants

Michael Lynch noted that the Members welcomed the scheme. He said it is a new scheme and will be reviewed. He said the processes and workforce plan will be reviewed. He said the process involves a lot of steps and a significant amount of money is involved. Mr. Lynch said the timelines are not straightforward and there are a lot of variables.

### **Extension of Time**

As the time was now 1.15pm, an extension of time was requested.

*Proposed: Councillor Seamus McGrath*

*Seconded: Councillor John Paul O'Shea*

### **RELIABILITY OF LOCAL BUS SERVICE**

16/2-1

***Cllr. Seamus McGrath proposed, seconded by Cllr. Audrey Buckley***

“This Council calls on the Minister for Transport and the Chief Executive of the National Transport Authority to urgently intervene to improve the quality and reliability of the existing local bus service. Complaints about buses regularly not adhering to timetables, buses being cancelled, totally inaccurate information on the TFI App and so on have reached an unprecedented level and urgent action is needed to restore and sustain confidence in the service.”

### **During this discussion, the Members made the following points:**

- Said the current system is broken and an intervention is needed at the highest level
- Said there are ongoing operational issues and difficulties that arise with the local bus service
- Said as public representatives they are inundated with complaints from the public who are trying to use the service
- Said the public find themselves let down by a service that can be wholly unreliable
- Members said the cancelled services, late services and information app do not adhere to the actual service on the ground
- Said bus drivers are doing their level best
- Said as public representatives they should not have to be dealing with such a volume of complaints with regards to the bus service
- Members said Bus Éireann run hundreds of bus journeys every day and issues will arise
- Said the frequency of them that is currently taking place cannot be tolerated

- Said an intervention needs to happen from a national level
- Said people’s confidence in the bus service is undermined

*Members agreed to write to the Minister for Transport and the Chief Executive of the National Transport Authority to urgently intervene to improve the quality and reliability of the existing local bus service.*

**CASUAL TRADING BYE-LAWS**

17/2-1

***Cllr. Audrey Buckley proposed, seconded by Cllr. Kevin Murphy***

“That Cork County Council issues an update on the status of the Casual Trading By-Laws in County Cork. This update is sought in light of a perceived recent increase in casual trading across the Carrigaline Municipal District. We are coming into another summer, and already complaints on noise and traffic issues.”

Members noted the response from Patricia Liddy, Municipal District Operations & Rural Development, as follows:

**RESPONSE:**

The introduction of casual trading byelaws is challenging and has seen attempts by other L.A.’s challenged in the High Court.

In Cork County Council the introduction of two sets of county wide casual trading byelaws was examined. The first set to cover areas that are subject to market rights and the second set for those not subject to market rights. A county wide exercise was undertaken to identify towns subject to market rights and detailing what these rights are so that any byelaws would not infringe or restrict these market rights in any way. This analysis determined that introduction of county wide byelaws would be extremely complex and possibly increase the risk of legal challenge as seen in other L.A.’s. As this is a reserved function it was determined that bye-laws would need to be drafted for each municipal district. A mapping exercise for each MD to capture information to inform/support the drafting of these bye-laws is ongoing. Bandon/Kinsale/Carrigaline/Macroom/West Cork are ready for review and sign off. Once mapping has been agreed and signed off each MD will seek to progress the drafting of appropriate byelaws.

**During this discussion, the Members made the following points:**

- Said it is unfair that residents have to deal with loud generators and chipper vans pulling up in their area
- Members said they have already received calls this year from residents complaining about noise pollution, litter and waste management
- Said residents have complained about their driveways being blocked by casual traders
- Said these issues are long standing
- Queried if casual trading bye-laws will come into effect in time for the summer season
- Said this issue has been dragging on for too long and must be an urgent priority for the council
- Said some of the trading around the county is borderline reckless with no regulations
- Said each Municipal District should be allowed do what they want as each area is different
- Members said casual trading bays that are safe need to be identified

Michael Lynch said that mapping has started. He said this is recognised as being a complex issue and will be advanced and a report brought before Development Committee in due course.

## **RIGHTSIZING SCHEME**

17/2-1

*Cllr. Deirdre O'Brien proposed, seconded by Cllr. Seamus McGrath*

“That this Council would support the development of a ‘Rightsizing Scheme’ generally meaning moving home later in life into housing that is more suitable.”

Members noted the response from Maurice Manning, Director of Services Housing, as follows:

### **RESPONSE:**

The Housing Directorate is supportive of this proposal for existing tenants. A commitment to increase housing options to enable people to live independently in their communities for longer through rightsizing or ‘downsizing’ has the added benefits of keeping established communities together and freeing up larger homes that can be energy retrofitted and allocated to young families. This would ensure a mix of tenancies which is integral to achieving a healthy sustainable community.

The primary obstacle to the introduction of a scheme at present is the limited availability of suitable smaller dwellings.

A substantial number of Council dwellings are underoccupied, the current estimate is approximately 20%. While tenants cannot be forced to move, smaller units do reduce costs and can be constructed with inbuilt infrastructure for people with limited mobility. The preferred solution would be to construct units within the same area as existing houses allowing people to remain in the area in which they have existing connections and supports.

The Housing Directorate has a number of pilot schemes at design stage that will be discussed at MD level in the immediate future. The input of Councillors will be welcomed so that a successful outcome can be achieved through discussion, participation and innovative design solutions.

Consideration will need to be given to the selection of applicants. Where schemes has been introduced in other Local Authority areas, applicants in the vicinity were prioritised. How tenants are chosen may require some deviation from current allocations policy to ensure the objectives of rightsizing are met.

### **During this discussion, the Members made the following points:**

- Said it is important to look to the future of these types of development
- Said Cork County Council needs to be at the forefront of delivery of rightsizing options for older people
- Said there needs to be more development of age friendly housing schemes
- Members said many people living in private dwellings find themselves unable to pay their bills and carry out renovations
- Said they struggle to sell their property and buy a smaller property that would be more suited to their needs
- Said Rightsizing Schemes should be made available to both council tenants and private householders

- Said Cork City Council run a successful Rightsizing Scheme and should also be looked at by Cork County Council
- Said there needs to be an alternative to free up houses
- Said there is a huge demand for three and four bedroom houses on the council list
- Members said these facilities need to be provided for the elderly and those with disabilities
- Said there needs to be specially adapted units that people can downsize to

*Members agreed to refer this matter to the Housing SPC for further discussion.*

### **EXTRACTION VOLUMES FROM GLENBEG LAKE**

17/2-1

***Cllr. Patrick Gerard Murphy proposed, seconded by Cllr. Joe Carroll***

“Can I ask Cork County Council to clarify the capacity of the extraction volumes from Glenbeg Lake supplying Castletownbere, Eyeries and Ardgroom following the adoption of the last County Development Plan. If there are capacity issues to urgently engage with the relevant stakeholders to address these issues. This is the main source of water for the above settlements and a lack of capacity would seriously undermine the ability of them to develop and grow both housing and economic activity.”

Members noted the response from Pdraig Barrett, Director of Services Planning Department, as follows:

#### **RESPONSE:**

The drinking water supply source for Castletownbere and other settlements in the Beara peninsula, is Glenbeg Lough which lies within the Glanmore Bog Special Area of Conservation designated under the EU Habitats Directive. The site is designated for the protection of a number of habitats and species which are listed on Annexes I and II of the Directive. These are known as the qualifying interests of the SAC.

Ireland is legally obliged to protect this site and maintain the *favourable conservation condition* of its qualifying interests. This is achieved through establishing *Conservation Objectives* for the qualifying interests, which are linked to sets of targets which are required to be met for each of the listed QI’s.

Three of the qualifying interests of this SAC include targets requiring the maintenance/restoration of a stable hydrological regime to meet their Conservation Objectives. These are Freshwater Pearl Mussel and habitats associated with Glenbeg Lough and the Owenagappul River, which is fed from the Lough. The population of Freshwater Pearl Mussel in the Owenagappul River is one of five nationally which has been prioritized for conservation action.

Since as far back as 2010, the drinking water supply has been identified as a threat to the achievement of this legal obligation, as the abstraction of water may be altering the hydrological conditions in both the lough and the river to an extent where it is negatively impacting on freshwater habitats and on the Freshwater Pearl Mussel.

Over the past 14 years, this issue was raised as a concern by the National Parks and Wildlife Service (NPWS) in the course of consultations for land use plans, and in the context of a proposed increase in abstraction from the lake in or around 2010. In their submission to the most recent County Development Plan, the NPWS referred to negative effects on the Freshwater Pearl Mussel in the Owenagappul which were recorded following drought conditions in 2018, and the need to provide a mechanism to ensure



sufficient compensatory flow during such periods. The plans to increase the rate of abstraction from the lake in 2010 did not progress, and it is understood that an agreement was reached between NPWS and Irish Water at that time to cap the rate of abstraction from the lake at 3,000m<sup>3</sup> per day.

In order to ensure compliance with Appropriate Assessment requirements for Land Use Plans, the County Development Plan policy for Castletownbere is as follows:

### **General Objective for Castletownbere**

CR-GO-02 In order to secure the sustainable population growth and supporting development proposed in CR-GO-01, appropriate drinking water and waste-water infrastructure is required. A new drinking water source is required to be developed for Castletownbere. In the absence of same, new development will not be permitted where it requires a connection to the public water supply and would result in an increase in the volume of water required to be abstracted from Glenbeg Lough. An upgrade to the public waste-water treatment plant is also required. Waste-water infrastructure must be capable of treating discharges to ensure that water quality in the receiving coastal zone does not fall below legally required levels.

Similar objectives apply for Eyeries and Ardroom, both of which settlements rely on the Glenbeg Lough Water Supply. To comply with this policy and the AA requirements in the Planning and Development Act, development proposals requiring a connection to the drinking water supply are not being consented.

Úisce Eireann have also identified that the Beara drinking water supply is not sustainable and needs to be replaced (IW Regional Water Resources Plan South-West Spring 2023). The plan suggests a long-term solution involving the amalgamation of a number of water supplies in the area with provision of drinking water for Beara being provided from Barley Lake. A short-term solution involving the tankering of water to Castletownbere is also included in the plan.

The resolution of this issue is a matter for Úisce Eireann in the first instance. Cork County Council is willing to work with ÚE to resolve this issue. A letter is currently being prepared and will issue to Uisce Eireann on this matter.

### **During this discussion, the Members made the following points:**

- Said the full extent of a County Development Plan is never known until it is applied on the ground
- Said planning applications are now being asked to do an environmental assessment
- Said the extraction licence has been granted to Uisce Éireann
- Said projects have been parked due to this issue
- Members said businesses want to expand but are now stuck
- Said this issue is detrimental to the Beara peninsula
- Said all stakeholders need to sit at the one table & all agencies need to agree
- Said people need homes and joint up thinking is needed
- Members said people have not been properly consulted about SAC
- Said people should have priority over wildlife
- Said sterilization will occur across whole areas

Michael Lynch said the ultimate solution lies outside the Local Authority. He said the delivery of infrastructure is under the remit of Uisce Éireann. He said there is a legal obligation with SAC. He said a lot of investment will be required and there is no quick solution.

**[k] VOTES OF CONGRATULATIONS**

18/2-1

**TO:** CB Secondary School on winning the Munster Senior Football Final.

**TO:** Margaret Buckley on winning the Overall Volunteer of the Year Award at the LGFA National Volunteer of the year awards.

**TO:** Linda Desmond on winning the Echo Sportswomen of the Year 2023.

**[i] ANY OTHER BUSINESS**

**RESIGNATION OF CLLR JAMES KENNEDY**

19/2-1

Deputy Mayor, Councillor John Healy paid tribute to Councillor James Kennedy on his resignation from Cork County Council. The Deputy Mayor congratulated Councillor Kennedy on his life of public service and wished him well on his retirement. Michael Lynch, on behalf of the staff of Cork County Council wished Cllr. Kennedy the very best in his retirement. Councillor Kennedy wished Members best of luck in the local elections and said the level of debate in the Chamber is outstanding.

**~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~**