 **COMHAIRLE CONTAE CHORCAÍ**

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**Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 29th October 2019**

I LATHAIR

Comhairleoir Cristóir Ó Suilleabháin, Méara Chontae

Ó Dubhghaill, Ó Sé J.P, Ó Murchú Gerard, Críod, Ní Mhuineacháin G, Ó Luanaigh, Ó Cochláin M, Ó Luasa, Ó hAodha Pat, Ó Murchú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léineacháin Ui Foghlú, O Coileáin N, Ó Héigeartaigh, Ó Conchubair Séamus, Uí Thuama, MacCarthaigh S, Mac Uaid, Ó Suilleabháin C, Ó Muirthile, Ó hAodha Pól, Ó Murchú Caoimhín, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin D, Uí Mhurchú Cáit, Uí Chearnaigh, Mac Craith, Ui Daltún, Uí Bhuachalla, Daltún Ó Suilleabháin, Ó Suilleabháin P, Barra, Sheppard, Rasmussen, Ó Conchubair S, Ó Conhubair A, Ó Floinn, Ui Bhriain, Ó Laoghaire, Dawson, De Róiste.

Príomhoifigeach Feidhmiúcháin, Oifigeach Feidhmiúcháin Sinsearach.

PRESENT

 Cllr. Christopher O’Sullivan, County Mayor presided.

Doyle, O’Shea J.P, Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Collins N, Hegarty, O’Connor J, Twomey, McCarthy S, Quaide, O’Sullivan C, Hurley, Hayes Paul, Murphy Kevin, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy Katie, Cairns, McGrath, D’Alton, Buckley A, D’Alton-O’Sullivan, O’Sullivan P, Barry, Sheppard, Rasmussen, O’Connor S, O’Connor A, O’Flynn, O’Brien, O’Leary, Dawson, Roche.

Chief Executive, Senior Executive Officer.

**[a] CONFIRMATION OF MINUTES**

 ***Proposed by Cllr. Declan Hurley* 1/10-2**

***Seconded by Cllr. Michael Hegarty***

**RESOLVED:**

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

**[b] VOTES OF SYMPATHY**

TO: Pauline Flahive on the death of her husband, Ben. **2/10-2**

TO: Beryl Goode on the death of her husband, Gordon.

TO: Adrian Healy on the death of his mother, Sheila.

TO: Marie Bourke on the death of her father, John Hogan.

TO: Bob O’Shea on the death of his mother, Catherine.

**[c] STATUTORY BUSINESS**

**Section 183 of the Local Government Act 2001:**

**Municipal District of Fermoy 3(a)/10-2**

***Grant of Right of Way at James Street, Mitchelstown, Co. Cork***

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 17th October 2019:

**Situation:** Grant of Right-of-Way at James Street, Mitchelstown, Co. Cork.

**Consideration:** €1 plus discharge of Council’s costs.

***Proposed by Cllr. Deirdre O’Brien***

***Seconded by Cllr. Frank O’Flynn***

**Municipal District of West Cork 3(b)/10-2**

***Disposal of property at Kilsarlaght, Church Cross, Skibbereen, Co. Cork***

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 17th October 2019:

**Situation:** Disposal of Property at Kilsarlaght, Church Cross, Skibbereen, Co Cork.

**AREA:** 0.11 hectares / 0.271 acres

**Consideration:** €52,000

***Proposed by Cllr. Holly Cairns***

***Seconded by Cllr. Danny Collins***

**Municipal District of West Cork 3(c)/10-2**

***Disposal of site at School Road, Durrus, Co. Cork***

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 17th October 2019:

**Situation:** Site at School Road, Durrus.

**Consideration:** €30,000.00.

***Proposed by Cllr. Danny Collins***

***Seconded by Cllr. Paul Hayes***

**Section 179(3) Planning and Development Act 2000:**

**Municipal District of Kanturk / Mallow 3(d)/10-2**

Part 8 – Chief Executive’s Report in connection with Cork County Council’s proposed works at Daniel O’Brien Terrace, Buttevant.

***Proposed by Cllr. Pat Hayes***

***Seconded by Cllr. Gearóid Murphy***

**Local Government (Planning & Development) Act 2000, as amended 4/10-2**

Proposed Material Contravention of the Macroom Town Development Plan 2009 - Planning Ref. No. 19/4856 – Milaqua Limited:  ‘*Demolition of existing commercial unit and construction of new 16 unit housing development at premises formerly known as Aquatico Limited, Millstreet Road, Gurteenroe, Macroom, Co. Cork.’*

***Proposed by Cllr. Gobnait Moynihan***

***Seconded by Cllr. Michael Creed***

Members noted Chief Executive’s Report dated 23rd October, 2019 recommending Material Contravention of the Macroom Town Development Plan for 14 units. The Mayor called for a vote to be taken on the proposed Material Contravention of the Macroom Town Development Plan 2009 as proposed by the Chief Executive which resulted as follows:

**FOR:** Councillors Murphy Kevin, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy Katie, Cairns, McGrath, D’Alton, Buckley, Dalton O’Sullivan, O’Sullivan P, Barry, Rasmussen, O’Connor S, O’Connor A, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Doyle, O’Shea J.P, Creed, Moynihan G, Looney, Coughlan M, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Collins N, Hegarty, O’Connor J, Twomey, McCarthy S, Quaide, O’Sullivan C, Hurley, Hayes Paul **[43]**

**AGAINST:** **[0]**

The Mayor declared the vote 43 to 0 in favour of the Material Contravention of the Macroom Town Development Plan 2009. As the resolution was passed by not less than ¾ of the total membership of Council, the Planning Permission was granted.

**Appointment of Members to the Following Committee(s):**

**Local Traveller Accommodation Consultative Committee 5/10-2**

Members agreed the following membership of the Local Traveller Accommodation Consultative Committee:

|  |  |
| --- | --- |
| **Municipal District** | **Nomination** |
| Bandon/Kinsale | Cllr. Gillian Coughlan |
| Carrigaline | Cllr. Seamus McGrath |
| Cobh | Cllr. Cathal Rasmussen |
| East Cork | Cllr. Michael Hegarty |
| Fermoy | Cllr. Frank O’Flynn   |
| Kanturk/Mallow | Cllr. Ian Doyle |
| Macroom | Cllr. Ted Lucey |
| West Cork | Cllr. Paul Hayes |

***Proposed by Cllr. Seamus McGrath***

***Seconded by Cllr. James Kennedy***

**[e] REPORTS & RECOMMENDATIONS OF COMMITTEES**

**Recommendation of Committee:**

**Municipal District of Fermoy 6/10-2**

“That this Municipal District calls on Cork County Council to develop a Civic Amenity Site within the Fermoy Municipal District.  Currently there are eleven such sites across Cork County however the Fermoy Municipal District and its citizens remain without this invaluable facility.”

***Cllr. Frank O’Flynn proposed, seconded by Cllr. William O’Leary***

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

* Civic Amenity Sites (CAS) were to be developed at Fermoy and Mitchelstown following the introduction of Pay-by-Weight in 2001.
* No CAS sites have been developed in the Fermoy MD to date meaning people living in the Fermoy & Mitchelstown areas must travel to Kilmallock, Cashel or Mallow.
* There is a huge demand for this service.
* Pop-up recycling centres are very welcome however queuing can take a substantial amount of time.
* Bin collections do not facilitate larger items.
* A CAS would reduce the level of fly-tipping.

***Members agreed to discuss further at the next Environment, Climate Action & Biodiversity SPC.***

**[f] REPORTS & RECOMMENDATIONS OF OFFICERS**

**Chief Executive’s Management Reports to Council:**

**Corporate Services Directorate 7/10-2**

*for the period ending 30th June 2019*

Members noted the Corporate Services quarterly report.

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

* Members requested that more meetings be posted on the Decision Time platform.

**Economic Development, Enterprise & Tourism Directorate 8/10-2**

 *for the period ending 30th June 2019*

Members noted the Economic Development, Enterprise & Tourism quarterly report.

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

* Have the tenders started for Cork Harbour?
* Has the masterplan for Camden Fort been presented yet?
* Is there an update on the Greenway funding?
* When will Cork County Council receive word on the Crosshaven Boardwalk or the Renewal & Village Scheme?
* Meeting with Management of Cork Airport should be arranged.

***John Forde, Economic Development, attended and addressed Members’ queries and will revert to Members directly with relevant infomation.***

**[g] CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS**

**Department of Public Expenditure & Reform 9/10-2**

Members noted correspondence dated 9th October 2019 in response to Council’s letter dated 25th September 2019 in relation to a resolution adopted by Cork County Council calling for an increase in the age of retirement in the private sector to 70 years old, similar to the recent Public Service Superannuation (Age of Retirement) Act 2018.

**[h] NOTICES OF MOTION**

**Reverse Vending Machines 10/10-2**

**Cllr. Audrey Buckley proposed, seconded by Cllr. Danny Collins**

*“With the awareness now more than ever around the issue of plastic waste in our society I am asking that Cork County Council set up a fund that will help fund ‘Reverse Vending Machines’.*

*These machines have proven their capability to help with our mounting plastic waste problems. Recycle and Reward initiatives for helping communities in our war against plastic.”*

**Members noted the response from Louis Duffy, Director of Environment & Emergency Services, which outlined the following:**

Reverse vending machines have been proposed for deployment in order to allow end users of suitable recyclable packaging to separate them from their other waste streams and have them recycled. In the main they provide for equipment that can identify the packaging properties by scanning the product code and looking up a database that contains the required information.

In some countries such initiatives are supported by Deposit Refund Schemes. Under such circumstances the consumer realises in the first instance when purchasing a product that there is a cost for the packaging. That charge on purchase encourages the consumer to look for an alternative at that point to reduce initial cost and reduce the packaging element of that cost. The deposit on any packaging material can be set to reflect the likelihood and ease of recycling the it. In Norway it has been shown that a Deposit Refund Scheme has led to a 97% recycling rate in certain plastic packaging and indeed Authorities there are even putting dedicated receptacles on litter bins so that others can collect and claim the deposit where a consumer does not want to.

Reverse Vending Machines are being piloted in some other jurisdictions without full deposit schemes and in these cases are supported by commercial sponsorship. There is no doubt that there is benefit in their operation as it will increase the quality and volume of material to be recycled and reduces the likelihood of such wastes ending up as litter and then collected by community groups or local authority staff for disposal or energy recovery at best. Nonetheless it is in fact asking third parties to fund the recycling of consumer waste and does little to incentivise waste reduction.

The executive of Cork County Council has been in a discussion with waste policy officers in the Department of Communications, Climate Action and Environment for some time about Producer Responsibility Initiatives. They have been brought in for end of life vehicles, tyres and electronic waste and have been very successful, bringing Ireland up in the EU league for achievement of waste management targets.

The Council would welcome any fully funded commercial or community initiative to install a reverse vending machine and would support it through our Environmental Awareness programmes, but could not commit any funding to such initiatives.

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

* Reverse vending machines are working well in Europe with countries such as Norway having a 97% recycle rate. Germany also has a widespread national programme which incentivises people financially.
* A national programme funded by central government and the commercial sector who profit from producing goods using plastic materials might be more suitable.
* Cork County Council should continue to direct funding towards waste reduction and reuse more than recycling.
* Cork County Council should take the lead in this area.
* Plastic Pollution is a blight on environment and coastal areas.

***Members agreed to discuss further at the next Environment, Climate Action & Biodiversity SPC with the intention of writing to the European Commission to fund a trial run of a reverse vending machine programme.***

**False Fire Alarms 11/10-2**

**Cllr. John O’Sullivan proposed, seconded by Cllr. John Paul O’Shea**

*“That a report is provided outlining:*

1. *The number of hoax or malicious calls to the Cork County Fire service in the years 2017, 2018 and 2019 to date.*
2. *How many of these hoax or malicious calls were referred to the Gardai.*
3. *And how many resulted in prosecution.”*

**Members noted the response from Louis Duffy, Director of Environment & Emergency Services, which outlined the following:**

Most false alarm calls received by Cork County Fire Service are made with good intent. There are, however, a small number of malicious false alarms (MFAs) received each year. The number of malicious false alarms received by Cork County Fire Service for the years 2017, 2018 and 2019 is less than 1% per annum.

The breakdown is as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Year** | **Total Callouts** | **MFAs** | **%** |
| 2017 | 1,935 | 19 | 0.9% |
| 2018 | 2,150 | 18 | 0.8% |
| 2019*(to 22/10/2019)* | 1,445 | 6 | 0.4% |

All emergency callouts to Cork County Fire Service are handled by the Munster Regional Communications Centre. Operators in the Munster Regional Communications Centre refer all MFAs to An Garda Síochána. The Council has no data in relation to how many of these referrals resulted in prosecution.

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

* Members welcomed the response from the Director of Environment.

**Parking Fines for Illegal Parking in Disabled Bays 12/10-2**

***Members agreed that Item 12 on the agenda would be deferred to the Full Council Meeting on 25th November 2019.***

**Sustainable Modes of Transport 13/10-2**

**Cllr. Marcia D’Alton proposed, seconded by Cllr. Alan O’Connor**

*“That in recognition of the current pressing need to minimise our carbon footprint, to relieve congestion on our roads and to optimise opportunities for healthy travel, Cork County Council will:*

1. *Rename Division B in the annual budget from “Road Transport & Safety” to “Transport & Safety” and include thereunder details of planned expenditure on maintenance and improvement of cycle paths, greenways, footpaths and any other forms of sustainable transport as appropriate.*
2. *Consider all planned capital expenditure on provision and improvement of cycle paths, greenways, footpaths and other forms of sustainable transport as appropriate in the Capital Budget under a “Transport Programme” rather than a “Roads Programme” as is done at present.*

*This simple nomenclature change indicates that Cork County Council embraces sustainable modes of travel as being a genuine alternative to the private car rather than being solely an amenity or tourism provision.”*

**Members noted the response from Loraine Lynch, Head of Finance, which outlined the following:**

“Cork County Council is committed to embracing mitigation and adaptation in responding to climate change. This will include the need to reduce our carbon footprint and optimise opportunities for sustainable travel alternatives.

The structure of the Annual Budget tables, including the description of the Divisions, are set nationally and governed by legislation. Therefore it cannot be amended by individual local authorities but a request for change can be submitted nationally. These descriptions apply to both Revenue and Capital programmes. In preparing both the annual budget and capital programme, the Council will ensure our commitment to measures to tackle Climate Change are outlined and highlighted.”

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

* Members welcomed the response from the Head of Finance.
* The terminology must be kept open to avoid pigeon-holing all areas and excluding people, particularly in rural areas.
* Cork County Council is restrained by the table heading in the Budget Book.
* It can be difficult to find specific information because of the broad headings in the Budget Book.
* Sustainable “transport” should be the focus rather than “roads”.
* Rural/peripheral areas should be considered**.**

***Members agreed to write to the Minister for Housing, Planning & Local Government to request a national change to the structure of the Annual Budget tables, including the description of the Divisions.***

**Financial Institutions Evictions 14/10-2**

**Cllr. Noel Collins proposed, seconded by Cllr. Frank Roche**

*“That this Council request the Minister for Justice to have legislation implemented immediately to ease the human suffering inflicted on families evicted from their homes by banks and other financial institutions.”*

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

* There is a demand for urgent action particularly when properties are in negative equity.
* Banks are showing an uncaring and uncompromising attitude during difficult circumstances.
* People are becoming homeless for a range of reasons.
* It is very distressing for families when properties which are voluntarily surrendered are left idle and not sold by the repossessing institution after a substantial number of years.

***Members agreed to write to the Minister for Justice to request legislation be implemented immediately to ease the human suffering inflicted on families evicted from their homes by banks and other financial institutions.***

**Mental Health Services 15/10-2**

**Cllr. Liam Quaide proposed, seconded by Cllr. Noel Collins**

*“That Cork Co. Council would call on the Dept. of Health to provide a clear commitment to staffing increases in our public mental health services commensurate with population increases and increased demand on services since its framework document A Vision for Change was published in 2006. Concrete figures for planned recruitment within each mental health profession across the various care groups - Child & Adolescent Mental Health, Adult Mental Health, Older Adult Mental Health, Primary Care, Forensic Mental Health, Mental Health & Intellectual Disability, Long Stay Inpatient and Community Rehabilitation Mental Health services - should be part of the Dept's response to Cork Co. Council.”*

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

* The Vision for Change document is not perfect but is a solid framework.
* Staffing targets are not being met which leaves the Mental Health Services grossly under-resourced.
* The HSE is primarily aimed at physical health. Mental health and waiting lists are increasing.
* CAMHS is not sufficient and a 24 hour community-based service is needed.
* Cork County Council previously had a GP and two social workers in employment which assisted the Housing Department in relation to medical queries, the reinstatement of which should be reviewed.
* Elected Members are all aware of very difficult situations.
* The vision for change is now 13 years old and is expected to be updated in 2020.

***Members agreed to write to the Minister for Health to request a clear commitment to staffing increases in the public mental health services commensurate with population increases and increased demand on services.***

 **[h] VOTES OF CONGRATULATIONS**

**Votes of Congratulations 16/10-2**

TO: Aoife Cooke

*on winning the Women’s National Marathon Championship title 2019 in Dublin*

TO: Burnfort National School

*on winning the Sciath Na Scoil 2019*

TO: Dominic Daly

*on his knighthood in Belgium for his years of service as the Belgium Consulate to Cork*

TO: Dunderrow National School

*on contesting in two finals of Sciath Na Scoil 2019 (Girls & Boys) & on the girls team winning the final*

TO: Eimear Minihane

*on winning West Cork Sports Star Monthly Award for September 2019*

TO: Imokilly Senior Hurling Team

*on winning Senior Hurling Championship 2019*

TO: Inch Rovers Ladies Football

*on winning the Munster Ladies Intermediate Club Championship*

TO: Jenny Doyle

*on winning the U-16 All-Ireland Camogie Final 2019*

TO: Kate McCarthy

*on winning the U-16 All-Ireland Camogie Final 2019*

TO: Killavullen G.A.A. Club

*on winning the Cork County Minor B Hurling Championship 2019*

TO: Lily De La Cour

*on winning silver medal in the 2019 WAKO Kickboxing World Championships*

TO: Marguerite McQuaide

*on breaking world record for ‘Most Harry Potters’ in the world & on the success of the Banshee Food & Family Festival*

TO: Mourneabbey Ladies Football

*on winning 6 Munster Titles in a row*

TO: Tony Stephenson

*on winning the gold medal at the 2019 WAKO Kickboxing World Championships*

**[l] ANY OTHER BUSINESS**

**Halloween Safety Message 17(a)/10-2**

Cllr. Ian Doyle requested that Cork County Council issue a safety message to urge caution during Halloween in respect of trick-or-treating and firework safety.

**Bus Lane Usage of Electric Cars 17(b)/10-2**

***Proposed by Cllr. Marcia D’Alton***

***Seconded by Cllr. John Paul O’Shea***

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

* There is a proposal to issue green registration plates to electric vehicles and allow them to use bus lanes.
* Allowing electric vehicles to use bus lanes will slow down the lane.
* This practice was abandoned in Norway after three years.

***Members asked Cork County Council to write to the Minister for Transport to seek a deferral of the proposal to introduce green registration plates and allow electric and hybrid vehicles to use bus lanes.***

**Introduction of Charges for Electric Vehicle Charging Network 17(c)/10-2**

***Proposed by Cllr. Kevin Murphy***

***Seconded by Cllr. Marcia D’Alton***

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

* The number of electric cars on the roads is growing slightly.
* Charging points are being overstayed by cars parked up all day.
* Charging points should be time-limited for fairness to other users.
* The ESB are now introducing charges however car users should be incentivised to use electric vehicles.

***Members asked Cork County Council to write to the ESB to seek a deferral of the introduction of pricing for its public electric vehicle charging network.***

**~ This concluded the business of the Meeting ~**