**COMHAIRLE CONTAE CHORCAÍ**

**Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 24th February 2020.**

**I LATHAIR**

**Comhairleoir Mairtín Ó’Cochláin, Méara Chontae**

Comhairleoiri Ó Muineacháin B, Ó Dubhghaill, Ó Sé J.P., Ó Murchú Gearóid, Críod, Ní Mhuineacháin G, Ó Luanaigh, Ó Cochláin M, Uí Loinsigh, Ó Luasa, Ó hAodha Padraig, Ó Múrchú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léineacháin – Ui Foghlú, Ó Coileáin N, Ó Héigheartaigh, Ní hEachthigheirn, Uí Thuama, MacCarthaigh S, MacUaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaoich, Ó hAodha Pól, Uí Chochláin G, Ó Colmáin, Ó Murchú Caoimhín, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin D, Ó Murchú P.G., Uí Mhurchú Cáit, Ó Conaill, MacCraith, Uí Daltún, Uí Bhuachalla, Ó Conchubair L, Daltún – Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conchubair S, Ó Conchubair A, MacCarthaigh N, Ó Flionn, Uí Bhriain, Ó Laoghaire, Dawson, DeRóiste.

**PRESENT**

**Councillor Martin Coughlan, Deputy County Mayor, presided.**

Councillor Moynihan B, Doyle, O’Shea J.P., Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Collins N, Hegarty, Ahern, Twomey, McCarthy S, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul, Coughlan G, Coleman, Murphy Kevin, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy P.G., Murphy Katie, O’Connell, McGrath, D’Alton, Buckley, O’Connor L, Dalton-O’Sullivan, O’Callaghan, Barry, Sheppard, Rasmussen, O’Connor S, O’Connor A, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche.

Chief Executive, Senior Executive Officer.

**[a] CONFIRMATION OF MINUTES**

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

***Seconded by Cllr. Seamus McGrath***

**RESOLVED:**

“That the minutes of the Meeting held on 10th February 2020 be confirmed and signed by the Mayor.”

**[b] VOTES OF SYMPATHY**

**TO:** Kathleen Fahy on the death of her husband, Paddy (Patrick). **2/2-2**

Tony O’Brien on the death of his mother, Eileen.

William Blake on the death of his father, Charlie.

**[c] STATUTORY BUSINESS**

**Section 19 of the Local Government Act 2001: 3/2-2**

***To fill any Casual Vacancies arising from the Dáil Elections on the 8th February 2020.***

**3(a) i /2-2**

“That Ms. Deirdre Kelly be co-opted as a Member of the Cork County Council to fill the vacancy created by the resignation of Councillor Christopher O’Sullivan.”

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

***Seconded by Cllr. Joe Carroll***

At this juncture Councillor Deirdre Kelly joined the meeting.

**3(a) ii /2-2**

“That Ms. Sheila O’Callaghan be co-opted as a Member of the Cork County Council to fill the vacancy created by the resignation of Councillor Padraig O’Sullivan.”

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

***Seconded by Cllr. Frank O’Flynn***

At this juncture Councillor Sheila O’Callaghan joined the meeting.

**3(a) iii /2-2**

“That Ms. Ann Marie Ahern be co-opted as a Member of the Cork County Council to fill the vacancy created by the resignation of Councillor James O’Connor.”

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

***Seconded by Cllr. Frank O’Flynn***

At this juncture Councillor Ann Marie Ahern joined the meeting.

“That Mr. Ross O’Connell be co-opted as a Member of the Cork County Council to fill the vacancy created by the resignation of Councillor Holly Cairns.”

**3(a) iv /2-2**

***Proposed by Cllr. Liam Quaide***

***Seconded by Cllr. Alan O’Connor***

At this juncture Councillor Ross O’Connell joined the meeting.

The Senior Executive Officer stated that all nominees had confirmed in writing, in accordance with Section 19 of the Local Government Act, 2001, that they consented to their names being proposed at the meeting to fill the vacancies.

**Section 38 of the Local Government Act 2001: 3(b)/2-2**

***Filling of Casual Vacancy in the Office of Mayor.***

The Deputy Mayor called for nominations for the position of Mayor.

Councillor Ian Doylewas proposed by Councillor Seamus McGrath, seconded by Councillor Bernard Moynihan.

Councillor McGrath said that Councillor Doyle would serve as an excellent Mayor and will fulfil the role with distinction and commitment. He paid tribute to the outgoing Mayor, Christopher O’Sullivan and congratulated him on being successful in the General Election.

Councillor Bernard Moynihan said that Councillor Doyle works tirelessly for his community and is passionate about building strong communities. Cllr Moynihan also said that Councillor Doyle has a complete understanding of the challenges facing towns and villages in the county and the people of County Cork are lucky that he is taking on this role.

The Deputy Mayor declared Councillor Ian Doyleelected as Mayor of the County of Cork.

Councillor Ian Doyle took the chair and said it was a privilege to take on the role and represent the people of County Cork as the Mayor of the County of Cork. He thanked his party for nominating him and the other Members for their support.

Councillor Doyle said that he is proud to be part of Cork County Council and expressed his gratitude to the Executive and staff of Cork County Council for their assistance since becoming a Councillor six years ago. He acknowledged the presence of newly elected members of Dáil Éireann, Pádraig O’Sullivan TD, Christopher O’Sullivan TD and Holly Cairns TD as well as Senator Denis O’Donovan.

He also welcomed the new Members Cllr. Deirdre Kelly, Cllr. Sheila O’Callaghan, Cllr. Anne Marie Ahern and Cllr. Ross O’Connell to the Council.

The Chief Executive congratulated Councillor Doyle on his election as Mayor.

**CHAIR: *Mayor Ian Doyle took the chair for the remainder of the meeting.***

**Disposal of Property 4/2-2**

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

**Municipal Districts of Kanturk / Mallow, Fermoy & Cobh 4(a)/2-2**

***Grant of Lease, Right-of-Way and Wayleave at Bottlehill, Co. Cork and Grant of Option to avail of same.***

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 14th February 2020:

**Situation:** Grant of Lease, Right-of-Way and Wayleave at Bottlehill, Co. Cork and Grant of Option to avail of same, subject to boundary rectification and registration.

**Consideration: Option Agreement:** €10,000 upon signing of agreement and €10,000 payable on each anniversary of commencement date thereafter.

**Lease Agreement:** From signing of lease to rent commencement date, construction rent is payable being €200,000 per annum pro rata. From rent commencement date, rent payable is 9% of the gross annual income (Ex. VAT) from the sale of electricity generated by the turbines on the demised property, subject to minimum rent of €20,000 per annum per turbine. The minimum rent per turbine will be payable regardless of whether the turbine is fully or partially operational. It will also be payable if the turbine is not capable of functioning for part or all of any year.

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

* There are concerns about proposed development when the current guidelines are 14 years old and are outdated.
* New Wind Energy Guidelines are close to being published.
* Local community groups and residents are unhappy with the level of consultation. Proposed workshops didn’t happen and, going forward, more engagement is needed between the proposed developer and residents.
* The NTBA and residents have concerns regarding health implications, low noise emissions and the detrimental effect on land value.
* The proximity to residential properties is concerning.
* The height of the proposed windmills is also of concern to the local residents.
* The development would be another attack on rural Ireland.
* Bottlehill is a significant asset for Cork County Council.
* Although wind turbines are a contentious issue, wind energy is cleaner and better for the environment than fossil fuels.
* A deferral would give the proposed developer time to engage with the residents.

The Chief Executive advised that there is no provision in the Section 183 process to defer the matter. Members must either resolve that the Council not carry out the disposal or it can be carried out on different terms. The Chief Executive clarified for those present that the Members’ concerns about lack of communication are directed to the proposed developer and not Cork County Council.

The resolution not to carry out the proposed disposal should be voted on in accordance with Section 183. There is an opportunity to generate significant income following the installation of four turbines and the possible wider development of a wind farm. The offer from the developer of 9% of gross annual income far exceeded the market rate of 2.5% to 3%. The development does not compromise future use of the land as a landfill.

The Chief Executive recommended that the disposal should proceed.

***Councillor William O’Leary proposed to reject the disposal, seconded by Councillor Frank O’Flynn.***

The Mayor called for a vote to be taken on the following proposal:

*‘That this Council resolve that the proposed disposal of property as set out in the Notice given under the provisions of Section 183 of the Local Government Act 2001, dated 14th February 2020 in respect of Bottlehill, Co. Cork, shall not be carried out.’*

The vote resulted as follows:

**FOR:** Councillors Coughlan G, Coleman, Murphy Kevin, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy P.G., Murphy Katie, McGrath, D’Alton, Buckley, O’Connor L, Dalton-O’Sullivan, O’Callaghan, Barry, Sheppard, O’Connor S, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Moynihan, Doyle, O’Shea J.P., Creed, Moynihan G, Looney, Lynch, Lucey, Hayes Pat, Kennedy, Madden, O’Shea Tony, Linehan-Foley, Ahern, Twomey, Kelly, Carroll, Hurley, Coakley, Hayes Paul **[44]**

**AGAINST:** O’Connor A, Murphy Gerard, Collins N **[3]**

**ABSTAIN:** O’Connell, Coughlan M, Murphy Gearóid, Hegarty, McCarthy S, Quaide **[6]**

The Mayor declared the vote 44 to 3 in favour of not carrying out the proposed disposal.

**Municipal District of West Cork**

**Members noted the following disposals:**

***Disposal of land at Underhill, Dunmanway, Co. Cork.***   **4(b)/2-2**

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 14th February 2020:

**Situation:** Disposal of land at Underhill, Dunmanway, Co. Cork.

**AREA:** 0.050 hectares (0.123 acres)

**Consideration:** €100.00 per annum

***Grant of Right-of-Way at Burgatia, Rosscarbery, Co. Cork.*** **4(c)/2-2**

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 16th January 2020:

**Situation:** Grant of Right-of-Way at Burgatia, Rosscarbery, Co. Cork

**Consideration:** €10.00

**Section 134 of the Local Government Act 2001, 5/2-2**

**as amended by the Local Government Reform Act 2014:**

Cork County Council’s Corporate Plan 2019–2024 was adopted by the Members.

***Proposed by Cllr. Frank O’Flynn***

***Seconded by Cllr. Kevin Murphy***

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

**Corporate Policy Group:**

Attendance by Council Members at Conferences on the Conference List for February 2020 **6(a)/2-2**

was approved by the Members.

***Proposed by Cllr. Frank O’Flynn***

***Seconded by Cllr. Pat Hayes***

Arts Grant Scheme 2020 was approved by the Members. **6(b)/2-2**

***Proposed by Cllr. Frank O’Flynn***

***Seconded by Cllr. Pat Hayes***

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

* Members congratulated the Arts Officer for the manner in which funds were distributed throughout the county.
* They also expressed their gratitude regarding guidance available to Members and understanding shown to artists’ needs.
* It was noted that there has been an increase in funding from last year which is very welcome.
* This funding is crucial for bringing the arts into the community and the scheme has resulted in the production of award-winning initiatives.
* There is a huge demand on this scheme which has immense benefits to communities
* Minimal funding is a catalyst in keeping rural areas alive.
* People of all ages (4 to 80) benefit from this funding and support for disabled members of the community through the scheme was also recognised.
* The scheme has a positive effect on tourism, arts and culture in the county.
* Festivals bring €1.4m into the Cork economy each year and funding supported by this scheme helps make those festivals happen.
* The Fit-Up Theatre Festival has been an outstanding success following support by this scheme.
* Going forward, additional funding would be welcome in all areas of the county.

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

**Roads & Transportation: 7/2-2**

Members noted the report of the Director of Service for Roads & Transportation on road grants from Transport Infrastructure Ireland for National Roads in Cork County, and from the Department of Transport, Tourism and Sport for local and regional roads for Cork County for 2020.

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

* Members welcomed the increase in funding of 14% which is seen as a major step forward.
* TII is not allocating adequate funding to Cork County Council for sufficient maintenance of roads and it is recognised that the Roads Department is working under tight constraints.
* Revenue collected through Motor Tax is not coming back to Cork County Council.
* Funding has been previously committed to routes and later retracted. Some projects in the county have been “shovel-ready” for 30 years and there is still no progress on them.
* €147k has been allocated for the N22 and N40 combined however little maintenance is being carried out on the existing N22, particularly around Coolcower.
* Funding of €430k for the Mallow Relief Road is welcomed.
* The progression of the Bandon By-Pass is also welcomed.
* It was queried if cold-tar-patching was the best use of funding due to questionable durability. More hot-patching is needed.
* Small scale works at the Lakeview Roundabout are reaping great rewards however there is a build-up at Carrigshane on the N25 approach which needs to be resolved.
* The relief road for Castlemartyr should be prioritised.

The Mayor advised that the Director of Service for Roads & Transport will address detailed queries on Roads at the Divisional Meetings.

Members agreed that the Mayor and a delegation should meet with the Minister for Transport, Tourism & Sport to request additional roads funding for County Cork once the new Government is in place.

**Planning & Development: 8/2-2**

Members noted the report of the Director of Service for Planning & Development on the Sustainable Transport Measures Grants Programme 2020.

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

* Members welcomed the €4m increase in funding support for sustainable transport.
* It is noted that most allocations are in the Southern Division however it is accepted that this is due to the concentration of population in this Division.
* It should be compulsory to have shelters at all bus-stops in future developments to attract use.
* Improvements to bus corridors should also be looked at.
* The traffic management Plans for Bandon-Kinsale Municipal District should be reviewed.
* Members requested that details of unsuccessful applications be provided.

The Chief Executive advised that additional information regarding sustainable transport can be included in the Roads Report at Divisional Meetings. A briefing on unsuccessful applications can also be provided.

**Chief Executive’s Management Reports to Council: 9/2-2**

Report of the Finance Directorate for the period up to 30th November 2019.

***Members noted the Finance quarterly report***.

**[g] CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS**

**Department of Employment Affairs & Social Protection: 10/2-2**

Members noted correspondence dated 20th January 2020 in response to the Council’s letter of 16th December 2019 with regards the State pension provision.

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

* The increase in pension age to 68 is based on life expectancy and this is seen as an insult to pensioners.
* Pension age should remain at 65.

**Office of the Minister for Agriculture, Food & the Marine: 11/2-2**

Members noted correspondence dated 31st January 2020 in response to Council’s letter of 16th December 2019 in relation to Youghal Greyhound Track.

**Greta Thunberg: 12/2-2**

Members noted correspondence dated 28th January 2020 in response to Council’s letter of 27th January 2020 in relation to Greta Thunberg briefing the Members on Climate Change.

***Members agreed to write to Comhairle na nÓg inviting a nominee to address Development Committee on Climate Change.***

**Office of the minister for Communications, Climate Action & Environment: 13/2-2**

Members noted correspondence dated 11th February 2020 in response to Council’s letter of 29th October 2019 in relation to the proposal for a national roll-out of reverse vending machines to help communities reduce plastic use.

**Transport Infrastructure Ireland: 14/2-2**

Members noted correspondence dated 12th February 2020 in response to Council’s letter of 5th February 2020 in relation to the M20 Cork – Limerick Motorway Scheme.

**[h] NOTICES OF MOTION**

**All Ireland Pollinator Plan: 15/2-2**

*“Can this Council report on progress of plans to date, on signing up to the All-Ireland Pollinator Plan.”*

**[Notice of Motion deferred to 9th March 2020]**

**Rates Rebate Scheme: 16/2-2**

***Cllr. Marcia D’Alton proposed, seconded by Cllr. Gearóid Murphy***

*“That Cork County Council would ringfence an agreed percentage of rates from a Retail Outlet Centre in Metropolitan Cork to be invested directly into supports for businesses in towns and village centres in Metropolitan Cork.  Such a scheme would work along the lines of the Economic Development Fund, would be additional to the Town Development Fund and would consider financing innovative initiatives such as rates rebate schemes, incentives for new business like the Fitout Incentive Scheme offered by Limerick City & County Council, the purchase of derelict opportunity sites and more.  This policy would be adopted as Variation No. 3 to the Cork County Development Plan 2014.”*

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

* Roscommon, Waterford and Fingal County Councils have different schemes in place for rates relief on vacant properties.
* The County Development Plan sets out specific objectives regarding regeneration of town centres and reduction of vacancies, namely TCR9-1 and TCR5-1.
* Were achievements reached after 6 years?
* A principal of ring-fencing Rates funding to improve village and town centres is proposed.
* We need to promote town centres through retail plans.
* There is a high vacancy rate throughout the county so there should be an incentive scheme for start-ups and other businesses to generate income and reduce vacancy rates.
* An incentive to start with a low rate and increase over a number of years would create employment.
* We need to support businesses which are suffering significantly.
* Types of initiatives which can be put in place without delay need to be looked at.
* We need to offer financial help possibly through interest-free zones.
* Youghal has been hit badly by high vacancies.
* People are unaware of a great scheme run by Cork County Council which offers grants of €40,000 for accommodation over retail properties in towns.
* Incentive should be part of a suite of measures.
* Online shopping is replacing shops and boutiques.
* There is a population increase and also an increase in retirees of 36% - we need place-making in our towns to cater for people.
* We need to work with the National Rates Valuation Office.
* Free parking is welcome which encourages people into our towns.
* Significant correlation recognised recently in comparison between small indigenous industries to large retail outlets.

The Chief Executive said that Cork County Council is working to support towns and is developing an action plan for towns and villages that will be brought to Development Committee and Corporate Policy Group. This is not the process to vary commercial Rates and it is not appropriate to include this Motion. It is not possible to reduce Rates from a development that may not happen. He outlined that the supports were broader that Rates issues. He said that the Notice of Motion did not give legal effect to budgetary changes relating to Rates and did not have the effect of varying the County Development Plan.

**EXTENSION OF TIME: *An extension of time to 1:45pm was agreed.***

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

***Seconded by Cllr. Seamus McGrath***

**Parental Alienation: 17/2-2**

***Cllr. Gillian Coughlan proposed, seconded by Cllr. Liam Quaide***

*“Cork County Council calls on the Department of Health, the Department of Justice and Equality and the Department of Children and Youth Affairs to recognise Parental Alienation as a child-welfare issue.*

*Further to this, Cork County Council calls on the Government to implement the recommendations of The Report on Reform of the Family Law System, October 2019.”*

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

* 49,000 applications have been submitted.
* Parental Alienation should be recognised by Tusla as it is a child-abuse issue.
* There is currently no integrated service. Ancillary services should be under one roof.
* There is an extremely slow process in dealing with the Family Courts Service.
* There is lasting emotional fallout and the impact on children is a social justice issue.
* Support for parents’ emotional needs to be looked at.
* The Department needs to fund this support.

***Members agreed to write to Department of Health, the Department of Justice and Equality and the Department of Children and Youth Affairs and request recognition be given to Parental Alienation as a child-welfare issue and to call on the Government to implement the recommendations of The Report on Reform of the Family Law System, October 2019.***

***Members agreed that the notice of motion will be circulated to other Local Authorities.***

**Bed-Sit Regulations: 18/2-2**

***Cllr. Noel Collins proposed, seconded by Cllr. Declan Hurley***

*“That this Council request the Minister for Housing & Local Government to consider review of the current rent regulations governing “Bed Sit” accommodation, without individual bathrooms – thus giving tenants a choice between paying a modest rent and sharing facilities or paying more for their own facilities.”*

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

* When the regulations were introduced, many people lost housing.
* Rent reductions for sub-standard accommodation would have been better.
* Rescinding the regulations would not solve the housing crisis but it would help.

***Members agreed to write to the Minister for Housing & Local Government to consider a review of the current rent regulations governing “Bed Sit” accommodation.***

**Disability Services Staffing: 19/2-2**

***Cllr. Liam Quaide proposed, seconded by Cllr. Gillian Coughlan***

*“That Cork Co. Council would call on the new Junior Minister for Disability Issues to urgently review the impact of temporary staff contracts and vacated posts that are not back-filled on the continuity of care for children and adults attending disability services in Cork Co. Such a review should be conducted by an external agency and incorporate contributions from the families of service-users.”*

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

* Some posts have been vacant for a long period of time.
* Vacant posts result in long delays which cause additional pain and strain for parents and children.
* Resources are being pared back which has led to fragmentation in care.
* Continuity of care is essential for clients.

***Members agreed to write to the new Junior Minister for Disability Issues to urgently review the disability services staffing in Cork after the formation of the new Government.***

**[k] VOTES OF CONGRATULATIONS**

**TO:** Dylan Cairns **20/2-2**

*on winning the silver individual medal and gold team medal at the All Ireland   
Athletic Championships 2020.*

**[l] ANY OTHER BUSINESS**

**Garda Numbers in County Cork: 21/2-2**

***Proposed by Cllr. Ben Dalton O’Sullivan, seconded by Mary Linehan Foley***

***Members agreed that a letter should issue to the Garda Commissioner requesting a meeting with a delegation from Cork County Council regarding the number of Gardaí being allocated to Cork County.***

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