****

**Minutes of Proceedings at Meeting of Cork County Council held in the Foyer, Floor 1, County Hall, Cork on 27th July 2020.**

**I LATHAIR**

**Comhairleoir Máire Léineacháin-Uí Foghlú, Méara Chontae**

**Comhairleoiri:** Ó Dubhghaill, Ó Sé Sean Pól, Ó Múchú 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 hEachgthigeirn, Uí Thuama, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Ó Haodha Pól, Uí Chochláin G, Ó Murchú Caoimhín, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin D, Ó Murchú P.G, Uí Mhurchú Cáit, MacCraith, Uí Daltún, Lombard, Uí Bhuachalla, Daltún Ó Suilleabháin, Ní Cheallacháin, Barra, Ó Conchubair S, Ó Conchubair A, Ó Flionn, Uí Bhriain, Ó Laoghaire, Dawson, De Róiste.

**PRESENT**

**Councillor Mary Linehan-Foley, County Mayor, presided.**

**Councillor:** 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, Quaide, Kelly, Carroll, Hurley, Hayes Paul, Coughlan G, Murphy Kevin, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy P.G, Murphy Katie, McGrath, D’Alton, Lombard, Buckley, Dalton-O’Sullivan, O’Callaghan, Barry, O’Connor S, O’Connor A, O’Flynn, O’Brien, O’Leary, Dawson, Roche.

Chief Executive, S/Senior Executive Officer.

**[a] CONFIRMATION OF MINUTES**

***Proposed by Cllr. Declan Hurley* 1/7-2**

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

**RESOLVED:**

“That the minutes of the Meeting held on 13th July 2020 be confirmed and signed by the Mayor.”

**[b] VOTES OF SYMPATHY**

**TO:** Councillor Gobnait Moynihan on the death of her aunt, Eibhlín. **2/7-2**

Ted Crowley on the death of his mother, Patricia.

Anthony Hayes on the death of his sister, Patricia Truscott.

**SUSPENSION OF STANDING ORDERS**

Councillor Aidan Lombard requested a Suspension of Standing Orders to discuss a Part 8 application for the provision of improved pedestrian and cycle facilities in Carrigaline. Seconded by Councillor Seamus McGrath. **(16/7-2)**

Councillor Kevin Murphy requested a Suspension of Standing Orders to discuss the wastewater treatment plant in Belgooly. Seconded by Councillor John Paul O’Shea. **(17/7-2)**

The Mayor confirmed these matters would be discussed after Any Other Business.

**[c] STATUTORY BUSINESS**

**Disposal of Property**

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

***Members noted the following disposals:***

**Municipal District of West Cork**

***Grant of Right-of-Way at Shrone, Glengarriff, Co. Cork* 3(a)/7-2**

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 17th July 2020:

**Situation:** Grant of Right-of-Way at Shrone, Glengarriff, Co. Cork.

**Consideration:** €1.

***Lease of building at Deasy’s Car Park, Clonakilty, Co. Cork* 3(b)/7-2**

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 17th July 2020:

**Situation:** Council Property, Deasy’s Car Park, Clonakilty, Co. Cork.

**Area:** Existing Building 44.60msq

Land to rear 39.71msq

**Term:** 7 years (by way of lease).

**Consideration:** €100 per annum.

**Part 8 Manager’s Reports: 4/7-2**

**Section 179(3) of the Planning & Development Act 2000 (as amended):**

**Municipal District of Fermoy**

Members noted the report on the Part 8 Development at lands at Convent Road, Doneraile, Co. Cork.

***Proposed by Councillor Frank O’Flynn***

***Seconded by Councillor Deirdre O’Brien***

**RESOLVED:**

The construction of 17 no. residential housing units, comprising of 4 no. 1 bed single storey houses, 4 no. 2 bed two storey dormer houses and 9 no. 3 bed two storey houses was approved.

**Roads (Management and Development): 5/7-2**

Cork County Council, County of Cork Road Traffic 30km/h Special Speed Limit Bye-Laws for Housing Estates.

***Proposed by Councillor Declan Hurley***

***Seconded by Councillor John Paul O’Shea***

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

* Speeding is a major issue in housing estates and rural roads.
* The bye laws are welcome however implementation is an issue.
* Enforcement is needed to make them effective.
* There is a demand for additional measures such as speed ramps and signage.
* The bye laws only specify housing estates however there are speeding issues in other places frequented by children such as outside schools.
* There also needs to be reduced speed limits in other built up areas and rural areas where there are no footpaths.
* Speed limits should be included when planning for future estates – it is important to include it at design stage rather than retrofit.
* There is a requirement for speed limits to be in place in all estates, towns and villages.
* Noise from cars passing over speed ramps has been reported as an issue.
* Road safety education in schools is critical.
* Cork County Council, An Garda Síochána and Aviva administer a virtual reality training programme for schools which should be rolled out more widely.

**Section 38 Final Report 6/7-2**

**pursuant to the provisions of the road traffic act, 1994**

Rockmills R512 Safety Improvement Scheme.

***Proposed by Councillor Frank O’Flynn***

***Seconded by Councillor Deirdre O’Brien***

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

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

**Economic Development 7/7-2**

Quarterly report of the Economic Development Directorate for the 3-month period up to 30th June 2020.

***Members noted the Economic Development quarterly report.***

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

**Northern Committee: 8/7-2**

*“That Cork County Council would write to An Taoiseach, the Minister for Housing and the Minister for Public Expenditure & Reform re. funding model for Irish Water going forward given the huge demand on their services in housing needs now and into the future.”*

***Proposed by Councillor Ian Doyle***

***Seconded by Councillor Joe Carroll***

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

* Irish Water was set up with the expectation that domestic water charges would be available to fund works however this has not happened.
* Huge investment is needed and the existing funding model needs to be reviewed.
* Repeat and daily breakages are causing major difficulties for domestic and commercial users.
* Housing developments and road works are being delayed by lack of water services and delays to Irish Water capital projects.
* Millions of euro is being put into running Irish Water however this funding should be used for capital projects.
* Key projects on the capital programme are not progressing as the existing funding model is not functioning.
* The County Development Plan is futile if the proposed developments cannot be carried out.
* The planned investment programme must advance.
* Also include in the letter to the Taoiseach and Ministers for consideration that responsibility for Water Services be returned to Local Authorities.

***Members asked Cork County Council to write to An Taoiseach, the Minister for Housing and the Minister for Public Expenditure & Reform re. funding model for Irish Water going forward given the huge demand on their services in housing needs now and into the future.” Members also requested that the Government consider that responsibility for Water Services be returned to Local Authorities.***

**[g] CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS**

**Department of Housing, Planning and Local Government: 9/7-2**

Members noted email dated 21st July 2020 in response to Council’s letter dated 14th July 2020 with regards to Developer-Provided Water Services Infrastructure Resolutions Programme 2019-2021.

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

* The response is welcome and it is positive that there is some movement.
* Further correspondence and funding should be received by September.
* Cork County has the largest number of schemes in the country.
* Some schemes should be completed soon.
* There could be serious health problems for residents of some housing developments if this matter is not resolved quickly.
* The County Development Plan cannot progress until this matter is settled.
* Clarification on the future of wastewater treatment plants is needed.

***Members asked Cork County Council to write to the Minister for Housing to reiterate the number of applications in Cork County in comparison to the rest of the country.***

**[h] NOTICES OF MOTION**

**Online Viewing & Submissions re Part 8 and Section 38 Applications: 10/7-2**

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

*“That online means (i.e. the council's website and/or email) be made available to both view, and make submissions in relation to, all proposals for works to be undertaken by the council under Section 38 of the Road Traffic Act 1994, and under Part 8 of the Planning and Development Regulations 2001 (as amended).”*

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

* Response from the Directors of Planning and Roads is welcome.
* Could an email address be provided for written submissions?
* IT Section recognised for improving online services in recent years.
* Additional online services re Part 8s and Section 38s is more needed now during Covid-19 as people’s movements are restricted.

**Irish Water & Planning Contributions:** **11/7-2**

***Cllr. Joe Carroll proposed, seconded by Cllr. Kevin Murphy***

*“That this Council would write to Irish Water, demanding that they respect people who have received planning permission pre 2014 and paid contributions that included water services. The connection charge is €2,272 and people should not have to pay that on top of contributions.”*

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

* Planning contributions prior to 2014 included water fees.
* Planning applicants who were granted permission prior to 2014 but are not building until now are having to pay water fees twice.
* Irish Water have waived the connection fee for some people in this position but not others resulting in a lack of consistency.
* People are being double-charged and there is a lack of clarity surrounding this matter.

***Members asked Cork County Council to write to Irish Water asking that water connection fees are waived for planning applicants who have already paid water fees in the planning contribution charge.***

**County Water Boundaries:** **12/7-2**

***Cllr. Noel Collins proposed, seconded by Cllr. Joe Carroll***

*“That this Council consider requesting the appropriate Government Minister to make an order redrawing the county boundaries to include the waters of the harbours in which development of either commercial or high-profile nature has taken place, in order to give the Council authority to develop and control such developments.”*

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

* Ownership should lie with Local Authorities.
* Local Authorities should have the power to zone / rezone waters and not be reliant on national or European zoning decisions.
* Working harbours should not be classified as conservation areas.

***Members asked Cork County Council to write to the Minister for the Marine requesting an order redrawing the county boundaries to include the waters of the harbours in which development of either commercial or high-profile nature has taken place, in order to give the Council authority to develop and control such developments.***

**Planning Requirements for Awnings / Canopies:** **13/7-2**

***Cllr. Gobnait Moynihan proposed, seconded by Cllr. Deirdre Kelly***

*“Go gríosaíonn an Comhairle an Roinn Tithíochta, Pleanála agus Rialtas Áitiúil chun athrú práinneach a dhéanamh ar na riachtannais pleanála maidir le téastair/scáthbhrait lasmuigh do comhlachtaí tráchtála, cosúil le bialainní, siopaí agus tithe tabhairne.”*

*“That this Council would urge the Dept of Housing, Planning and Local Government to urgently change planning requirements regarding awning/canopies outside commercial buildings such as restaurants/shops and pubs.”*

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

* Queuing outside premises is now required due to Covid-19 restrictions and with the summer ending shortly, businesses and customers will benefit from canopies / awnings during the winter months.
* Businesses have lost space inside and need to utilise outside space.
* Parasols and umbrellas can move in windy weather and canopies / awnings are more secure and safer.
* Streetscapes need to be reimagined in a joint effort with Cork County Council and businesses.
* Canopies / awnings will not just benefit bars / restaurants but will also be valuable to shops and other businesses.

***Members asked Cork County Council to write to the Minister for Housing, Planning and Local Government to urgently change planning requirements regarding awning/canopies outside commercial buildings such as restaurants/shops and pubs.***

**[k] VOTES OF CONGRATULATIONS**

**TO:** Councillor Deirdre O’Brien **14/7-2**

o*n recent appointed as Vice-Chairperson of the Southern Regional Assembly*

Councillor Joe Carroll

*on serving as Chairperson of the Southern Regional Assembly for the last year*

Councillor Cathal Rasmussen & Mary Guilfoyle

*on their recent engagement*

**[l] ANY OTHER BUSINESS**

**Mobility Access to Beaches: 15(a)/7-2**

***Proposed by Cllr. Ben Dalton-O’Sullivan, seconded by Cllr. Seamus McGrath***

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

* Access to beaches is very difficult for wheelchair users.
* The existing availability of beach wheelchairs is working well.
* The scheme is limited at present and a roll-out to additional beaches in the county would be welcomed.
* A report is requested regarding the cost of implementation to additional locations.
* Stones / debris on some beaches are a safety concern for rolling out the scheme.
* Parking at beach areas is congested during good weather resulting in blocked roads and lack of access for emergency vehicles if needed.

***Members asked for this matter to be forwarded to the Social Inclusion Strategic Policy Committee for discussion and for a report to be prepared.***

**Restrictions at Sporting Events: 15(b)/7-2**

***Proposed by Cllr. William O’Leary, seconded by Cllr. Anthony Barry***

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

* There is currently a limit of 200 spectators at GAA, soccer and rugby club matches.
* These grounds can hold well in excess of these numbers while maintaining social distancing.
* Northern Ireland has increased their restrictions on spectators from 200 to 400.
* It is easy to manage spectators in sporting grounds as there is plenty space and are in open air.
* Supporters need an outlet following a particularly tough period during Covid-19.

***Members asked Cork County Council to write to the Taoiseach requesting that the limit of spectators at outdoor sporting events be increased from 200 to 400 where social distancing allows.***

**Tús Scheme Eligibility: 15(c)/7-2**

***Proposed by Cllr. Ian Doyle, seconded by Cllr. Deirdre O’Brien***

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

* TÚS applicants must be on the live register for at least 12 months to be eligible.
* Due to the increase in unemployment due to Covid-19, it would be beneficial to applicants and voluntary / community businesses to ease restrictions on the timeline criteria.

***Members asked Cork County Council to write to the Minister for Employment Affairs and Social Protection requesting that the TÚS eligibility criteria of being on the live register for 12 months be reduced due to the increase in employment due to Covid-19.***

**Part 8 Manager’s Reports: 16/7-2**

**Section 179 of the Planning & Development Act 2000 (as amended):**

**Municipal District of Carrigaline**

Members noted the report on the Part 8 Development regarding the provision of improvised pedestrian and cycle facilities in Carrigaline on the; L2464 Ballinrea Road, R611 Ashgrove Roundabout, and the R611 Cork Road at Herons Wood.

***Proposed by Councillor Aidan Lombard***

***Seconded by Councillor Seamus McGrath***

**RESOLVED:**

The provision of improvised pedestrian and cycle facilities in Carrigaline on the; L2464 Ballinrea Road, R611 Ashgrove Roundabout, and the R611 Cork Road at Herons Wood was approved.

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

* This is a very important scheme which will link three school campuses.
* Ballinrea Cross is a critical junction and works must be complete before schools reopen.
* Works are long overdue as this is an essential part of the infrastructure in Carrigaline.
* This is good value for money and is much more accommodating for pedestrian and bicycle users.

**Belgooly Wastewater Treatment Plant: 17/7-2**

***Proposed by Cllr. Kevin Murphy, seconded by Cllr. Ben Dalton-O’Sullivan***

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

* The Belgooly WWTP is in situ for a long time and is suspected to be now malfunctioning / overflowing.
* There are strong odours coming from the unit which worsens during warmer weather.
* Local residents in Riverbank have health concerns about the overpowering smells.
* Irish Water was contacted about the matter previously but no response was received.
* Irish Water has de-sludged the unit but this did not resolve the issue.
* The EPA has previously advised that the WWTP is not up to standard.

***Members asked that the matter be referred to the Director of Water Services for further investigation into the matter.***

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