



Comhairle Contae Chorcaí

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 11th July 2022 at 11am.

I LATHAIR

Comhairleoir Dónal Ó Coileáin, Méara Chontae

Comhairleoiri: Uí Chochláin G, Ó Murchú C, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin, Ó Murchú PG, Ní Chroinín, Mac Craith, Ó Muirheartaigh, Uí Bhuachalla, De Faoite S, Daltún Ó Suilleabháin, Ní Cheallacháin, Barra, Rasmussen, Ó Conchubair S, Ó Conchubair A, MacCarthaigh N, Ó Flionn, Uí Bhriain, Ó Laoghaire, Dawson, De Róiste, Ó Muineacháin, Ó Dubhghaill, Ó Sé SP, Ó Murchú G, Críod, Ó Muineacháin G, Ó Luanaigh,, Ó Cochláin, Uí Loinsigh, Ó Luasa, Ó Haodha Padraig, Ó Murchú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léineacháin Uí Foghlú, Ó hÉalaithe, Ó Héigheartaigh, Ní Heachthigheirn, Uí Thuama, MacCarthaigh S, Mac Uaid, Ní Cheallaigh, Ó Muirthile, Uí Chaochlaioich, Ó Haodha Pól

PRESENT

Councillor Danny Collins, County Mayor, presided.

Councillor: Coughlan, Murphy K, O'Sullivan J, O'Sullivan M, O' Donovan, Collins, Murphy PG, Cronin, McGrath, Murtagh, Buckley A, White J, Dalton – O' Sullivan, O' Callaghan, Barry, Rasmussen, O' Connor S, O'Connor A, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Moynihan B, Doyle, O'Shea JP, Murphy G, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan – Foley, Healy, Hegarty M, Ahern, Twomey, McCarthy S, Quaide, Kelly, Hurley, Coakley, Hayes Paul

Chief Executive, Senior Executive Officer.

[a] CONFIRMATION OF MINUTES

1/7-1

Proposed by Cllr. Seamus McGrath

Seconded by Cllr. Michael Hegarty

RESOLVED:

That the minutes of the Annual Meeting held on 24th June, 2022 be confirmed and signed by the Mayor.

2/7-1

Proposed by Cllr. Declan Hurley

Seconded by Cllr. Karen Coakley

RESOLVED:

That the minutes of the Meeting held on 27th June, 2022 be confirmed and signed by the Mayor.

[b] VOTES OF SYMPATHY

3/7-1

TO: Councillor Tom Farrell on the death of his son Eoin Farrell

TO: Breda McCarthy on the death of her husband Diarmuid McCarthy

TO: Chrissie O' Rourke on the death of her husband Andrew (Junior) O'Rourke

TO: The Tobin Family on the death of their father James Tobin

TO: Senator Timmy Dooley on the death of his father Joe Dooley

[c] STATUTORY BUSINESS

4/7-1

DISPOSAL OF PROPERTY:

SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001:

Members noted the following disposals:

MUNICIPAL DISTRICT OF WEST CORK

Disposal of land at Cappaboy Beg, Kealkill, Co. Cork

4(a)/7-1

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 1st July, 2022.

Situation: Disposal of land at Cappaboy Beg, Kealkil.

Area: c.0.15 acres.

Consideration: €1.00.

Disposal of land at High Street, Schull, Co. Cork

4(b)/7-1

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 1st July, 2022.

Situation: Disposal of land comprising residential garden at High Street, Schull, Co Cork.

Area: 0.0107 hectares/0.0265 acres

Consideration: €1,500 including costs.

Disposal of land at rear of No 8, St Fachtna's Terrace, Skibbereen, Co. Cork

4(c)/7-1

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 1st July, 2022.

Situation: Rear of No 8,
Saint Fachtna's Terrace,

Skibbereen,
Co Cork

Area: Measuring 55 square metres (0.00558 hectares or 0.0138 acres) as outlined on Map (part of Folio CK19732)

Consideration: €500 plus discharge of the Councils Reasonable Legal Costs

Grant of wayleave at Toughbawn, Drinagh, Co Cork

4(d)/7-1

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 1st July, 2022.

Situation: Grant of Wayleave at Toughbawn, Drinagh, Co Cork for septic tank.

Consideration: €1

MUNICIPAL DISTRICT OF CARRIGALINE:

Disposal of land at Old Waterpark Court, Carrigaline, Co. Cork

4(e)/7-1

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 1st July, 2022.

Situation: Old Waterpark Court,

Carrigaline,
Co Cork

Area: Land measuring 0.0044 hectares (0.0108 acres) as outlined on Map (part of Folio CK67851F)

Consideration: €1 (nominal fee) plus €500 towards the Councils Legal/Admin Costs

MUNICIPAL DISTRICT OF KANTURK/MALLOW:

Disposal of site at Ballysallagh Industrial Estate, Charleville, Co. Cork

[4\(f\)/7-1](#)

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 1st July, 2022.

Situation: Disposal of land at Ballysallagh Industrial Estate, Charleville.

Area: c.0.4096 Hectares.

Consideration: €70,000.00.

COUNTY HALL CAMPUS:

Grant of Wayleave & Right of Way at County Hall Campus, Cork

4(g)/7-1

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 1st July, 2022.

Situation: Grant of Wayleave and Right of Way at County Hall Campus, Cork, to facilitate construction project on adjoining lands.

Area: C. 1,454 sq. metres.

Consideration: €10,000

5/7-1

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 KANTURK/MALLOW:

Proposed by Councillor Gerard Murphy

Seconded by Councillor John Paul O'Shea

RESOLVED:

Approval of Part 8 Chief Executive's Report for 22 Aisling Gheal, Coolacoosane, Kanturk, Co. Cork. Construction of one residential housing unit, being a two-storey three bedroom house. New access and parking to connect to existing road. Hard landscaping, including new boundary walls, footpaths

and street lighting. Soft landscaping including green areas, planting, and trees. Connection to public and private existing utilities. All associated site works.

The Members thanked the Executive for their work on this Part 8.

5/7-1

SECTION 19 OF THE LOCAL GOVERNMENT ACT 2001:

Filling of the Casual Vacancy arising from the resignation of Cllr Noel Collins.

“That Mr. John Healy be co-opted as a Member of Cork County Council to fill the vacancy created by the resignation of Councillor Noel Collins”.

Proposed by Mayor Danny Collins

Seconded by Deputy Mayor Deirdre O’Brien

At this juncture Councillor John Healy joined the meeting.

Members extended a welcome to Councillor Healy and congratulated him on his co-option. The Members of the East Cork Municipal District said they looked forward to working with him. Members said Councillor Healy will continue on with the legacy left by Councillor Noel Collins. The Mayor welcomed Councillor Healy and wished him success in his new role. The Chief Executive congratulated Councillor Healy on behalf of management and staff and welcomed him to the Chamber. Councillor Healy thanked the Mayor and Deputy Mayor for proposing and seconding him for co-option. He thanked his family and his friends for all their support. He thanked all who attended Councillor Noel Collins funeral. He paid tribute to Noel Collins and said he cannot be replaced but he will work hard for his community and the County.

6/7-1

FILLING OF VACANCIES ON THE WEST CORK LOCAL COMMUNITY DEVELOPMENT COMMITTEE.

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

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

Members resolved to approve the appointment of Ms. Margaret Kelly as a replacement representative for Cork Chamber on the South Cork LCDC. The previous nominee (Mr. Thomas McHugh) is hereby de-selected.

Proposed by Councillor Mary Linehan Foley

Seconded by Councillor Seamus McGrath

FILLING OF VACANCIES ON COMMITTEES AND EXTERNAL BODIES:

8/7-1

FILLING OF VACANCY ON THE ROADS AND TRANSPORTATION STRATEGIC POLICY COMMITTEE:

Members resolved to approve the appointment of Superintendent Adrian Gamble to Roads and Transportation Strategic Policy Committee.

Proposed by Councillor Mary Linehan Foley

Seconded by Councillor Sean O' Donovan

Members acknowledged the contribution of Superintendent Brendan Fogarty. Members said he was always very helpful and was a hugely experienced member of An Garda Síochana. Members wished him the best in his retirement.

[e] REPORTS AND RECOMMENDATIONS OF COMMITTEES TÚAIRISCÍ AGUS MOLTAÍ Ó CHOISTÍ

CORPORATE POLICY GROUP

9/7-1

Approval of attendance by Members at conferences on the Conference list for July 2022

Proposed by Councillor Gearóid Murphy

Seconded by Councillor Mary Linehan Foley

[h] NOTICES OF MOTION FOGRAÍ RÚN

10/7-1

DEVELOPING A BALANCE OF BUSINESSES ON MAIN STREETS

“That Councillors and Municipal District staff have increased powers to decide on the type of businesses opening on Main Streets in their Municipal District, with a view to developing a balance of business and supporting, smaller local businesses. Main Streets are suffering from

a proliferation of bookmakers, fast-food outlets and such like, and while it is important that some of these are present to provide employment - it is also vitally important that the commercial eco-system is protected in towns, aiding smaller, local artisan producers to trade on Main Street.”

Councillor Jack White proposed, seconded by Councillor John Paul O’Shea

RESPONSE:

Members noted the response from the **S/ Director of Services, Planning**, which outlined as follows:-

Chapter 9 Town Centres and Retail of the Cork County Development Plan 2022-2028 supports retaining diversity in our town centres and recognises the important role of independent retailers.

Paragraphs 9.4.14 to 9.4.16 (Vibrancy and Diversity) highlight the importance of independent retailers and indicates that where there is a proliferation of uses which threaten the vibrancy and mixed use character of the town centre they will be discouraged.

9.4.15 Independent retailers are an important part of the retail profile and create a sense of diversity and add uniqueness to the retail environment. This diversity is something that is still to be found in many Cork towns and it is important that it is supported.

9.4.16 In order to maintain the attractive characteristics of our town centres applications for new development/changes of use within the town centre will need to ensure proposals will not detract from the amenity, vitality and character of the area.

9.4.16 In cases where there is a proliferation of uses which threaten the vibrancy and mixed use character of the town centre they will be discouraged.

The local authority through the legislative framework of the Planning and Development Act have the powers to restrict certain types of uses in town centres where it is considered a particular issue is arising. Elected members can also make submissions to individual planning applications where they arise.

It should also be noted however that depending on the type of use class certain uses may fall within exempted development categories as set out in the Planning and Development Regulations and may not require a change in use permission.

As Town Centre First Plans begin to be rolled out across the County in line with the Government’s Town Centre First Policy such plans should also be able to give more detailed consideration to specific issues such as these where they arise.

During this discussion, the Members made the following points:

- Members said we need to be proud of our town centres
- Said all forms of businesses need to be thriving on our main streets
- A lot of retail businesses are struggling
- Members said we need to look at what types of commercial units are available for businesses

- There needs to be incentives for businesses to go on main streets
- The commercial activity of town centres needs to be improved
- Members said there has been discussion on business types when preparing the County Development Plan
- Said there needs to be an initiative to encourage businesses to refurbish derelict buildings
- Small local businesses provide employment and help towns thrive

The Mayor said the Council need to be cautious of what to do here. The Chief Executive said use of operation is quite regulated. The use of a shop can be changed to other uses, but it is regulated in planning law. Specific exemptions apply and he outlined these. He said there needs to be flexibility for commercial property owners to attract different types of owners. He said the causes of vacancy of buildings is being looked at by way of a survey. He said the Town Centre First policy will be of benefit and there is increased emphasis on property activation.

11/7-1

REPORT ON SINGLE STAGE PROCESS APPLICATIONS

“Can the Director of Housing give a full report on the number of single stage process applications submitted to the Department of Housing detailing the number of units delivered under the scheme in Cork County, providing us with the amount of funding received and the number of units delivered under the single stage process, can the Director of Housing also outline what he believes are the strengths and weakness of the scheme and how we can improve uptake of the scheme in Cork County.”

Councillor William O’Leary proposed, seconded by Councillor Gearóid Murphy

RESPONSE:

Members noted the response from the **Director of Services, Housing**, which outlined as follows:-

The Single Stage approval process was introduced in 2016 for social housing projects costing up to €2m. It was revised in 2020 when the expenditure limit was increased to €6m.

To date Cork Co Council’s use of the process involves 17 Schemes providing 29 units at a cost of over €6.5m.

Use of the Single Stage process is set out on the following table;

Project Name	Total Number Units	Project Status	<u>Completion/Projected Completion Date</u>
Curraleigh, Inniscarra	1	Completed	01/10/2019
49 & 50, Castletreasure Grove, Douglas	2	Completed	30/12/2019
Model Village, Dripsey	6	Completed	30/12/2020

12 Thomas Kent Street, Cobh	1	Completed	30/12/2020
No. 2,3 & 5 Seaview Cottages, Derrymihan, Castletownbere	3	Completed	31/12/2020
Main Street, Dunmanway	1	Completed	30/12/2021
3 Knockbrogan Park, Bandon	1	Completed	30/12/2021
High St, Sleaveen Hill, Macroom	1	Completed	30/06/2022
49 Masseytown, Macroom	1	Completed	30/06/2022
81 Belmont Place, Cobh	1	On-site	30/09/2022
87 Belmont Place, Cobh	1	On-site	30/09/2022
Phase 2 Cúirt na Silíní, Cloyne, Co. Cork	2	On-site	30/09/2022
2A Glenview, Lyre, Banteer, Co. Cork.	1	On-site	30/12/2022
Kilbrin, Croke Place, Garranmacgarrett, Kilbrin	2	On-site	30/03/2023
Fana Na gCrann, Dungourney, Co. Cork	2	On-site	30/06/2023
Carrig Rossa, Rossmore	2	Funding Approved	30/08/2023
Aisling Gheal, Hospital Hill, Kanturk	1	Funding Approved	30/11/2023

To date 9 projects have been completed. They have provided 17 units at a total cost of €3.1m. 6 schemes are currently on site. Overall expenditure for these projects will be over €2.3m and they will deliver 9 units this year and next. 2 further projects, that will provide 3 units in 2023 for a total budget of over €966,000, are at Design Stage.

The Single Stage process is considered for all housing developments that are below the €6m expenditure limit. The scheme is best suited, however, to projects that are being undertaken with reasonable certainty about final costs. There is limited scope for the revision of the proposed budget once a Single Stage approval is in place. The process does provide for amendments in the case of the following permitted events, Tender inflation, Revisions as a result of Planning Requirements or Unforeseen Infrastructural needs (Irish Water, ESB, etc;) but not in the case of other unanticipated costs that may come to light after the commencement of construction.

The Council will continue to use the Single Stage process for future schemes where it is appropriate to do so.

During this discussion, the Members made the following points:

- Members said there has been a slow uptake on Single Stage Process applications
- Stated only 29 units have been delivered through this process
- Said there needs to be good levels of social housing in the county to meet the need
- Members queried the number of units delivered under the 4 stage process
- Said there are inflation issues on sites and costs are impacted
- Said very few Local Authorities are building schemes in excess of €6 million euro
- The €6 million cap should be increased
- The single stage process should be used more to deliver more units

The Chief Executive said 17 schemes is a positive number and Cork County Council have always exceeded targets. He said the council has to be financially prudent as any surplus costs accrued under the single process scheme cannot be recouped. He said increasing the cap beyond €6 million will only increase the risk. Members agreed to write to the Minister to consider changes to the processes in Single Stage Applications to reduce the financial risk to Local Authorities

12/7-1

INCREASING THE GRANT SYSTEM FOR SEPTIC TANKS

“That Cork County Council would write to Minister of Environment to look at increasing the grant system for the replacement or upgrade of all septic tanks that need attention. This is in light that 53% of tanks inspected failed.”

Councillor Ian Doyle proposed, seconded by Councillor John Paul O’Shea

During this discussion, the Members made the following points:

- Members said the green agenda is of huge importance
- Said a full replacement of a septic tank costs between €10,000 - €12,000
- There are difficulties with getting an inspection, it is an ad hoc inspection
- Members said they have had a lot of contact from people who want to upgrade their septic tanks but are not in a high priority area and therefore cannot get the necessary inspection
- Said the grant scheme available for wells should be replicated to include septic tanks
- Said applicants should be able to apply directly to the Department of the Environment
- Malfunctioning tanks provide significant pollution risk
- Members said there are significant issues with raw sewage in treatment plants that are now defunct
- Members agreed that this motion would be referred to the Environment, Climate Action & Biodiversity SPC for further discussion.

- Members agreed to write to the Minister for the Environment to increase the grant system for the replacement or upgrade of septic tanks.
- Members also agreed to write to the Minister separately to provide clarification on the supports available to residents of housing developments where there are no management companies managing wastewater.
- Members agreed to amend the motion to include a recommendation that two people should attend at inspections for health and safety purposes.

13/7-1

INCENTIVES FOR FIRST TIME BUYERS

“To write to the Department of Housing, Local Government and Heritage seeking that the Help to Buy Scheme and other government incentives aimed at first-time buyers be extended to allow for relief on renovation costs where a first-time buyer acquires an old property in need of renovation.”

Councillor Gearóid Murphy proposed, seconded by Councillor Pat Hayes

During this discussion, the Members made the following points:

- Members welcomed the scheme announced by the Government
- Said there is a huge shortage of tradespeople
- Young people need to be encouraged to take up trades
- Said there are a lot of older properties that are vacant, these need to be used and this is a sustainable approach
- Dereliction is a major issue in towns and villages
- Help needs to be made available to 1st time buyers as it is too expensive to acquire homes that need renovation work
- Members said the Help to Buy scheme has helped a lot of people to get on the property ladder but it is very restrictive
- Said there needs to be a scheme that helps with dereliction

Members agreed to amend the motion and write to the Minister to put a programme in place to provide financial assistance for first time buyers, who acquire an old property in need of renovation, including ‘over the shop’ properties.

14/7-1

CARERS ALLOWANCE

Councillor Gearóid Murphy proposed, seconded by Councillor Pat Hayes

“I am asking Cork County Council to write to the Minister for Health and the Minister for Social Protection to call on them to consider the extending of the time in which a Carer can retain the Carers allowance following the death of the person they care for. Currently this is 12 weeks, this is not practical in the majority of cases. I am calling for this to be extended to 24 weeks.”

Councillor Ben D’Alton O’Sullivan proposed, seconded by Councillor Mary Linehan Foley

During this discussion, the Members made the following points:

- Members said only 1 in 5 carers receive the carers allowance
- Some carers do not meet the means test and some don't claim the allowance out of duty
- Carers are burnt out and it is very difficult for them when someone they care for passes away
- Members said we need to ask who cares for the carer
- Said everything possible should be done to alleviate their stress and pain
- Said carers provide substantial savings to the state of approximately €20 billion
- Carers do not receive any PRSI contribution
- Stated spouses can only claim social welfare entitlements for 6 weeks

Members agreed to amend the motion to ask the Minister to extend social welfare entitlements following the death of a spouse / co habiting partner. Members agreed to write to the Minister to request for Carers allowance to be extended to 24 weeks.

[K] VOTES OF CONGRATULATIONS

15/7-1

TO: Rachel Kingston on winning an under 18 bowling competition

TO: John Creedon on winning the Junior A All Ireland Bowling Final

TO: Anais O' Donovan on achieving 8th in The World Championships in freestyle Kayaking

TO: Finbarr O' Driscoll who won Silver and Bronze in All Ireland Special Olympics Kayaking

TO: Liam Hayes who Won Gold in All Ireland Special Olympics Kayaking

TO: Paul O' Donovan who won a Gold medal in World Cup 3 in Lucerne and set a new record

TO: Pat O'Sullivan on his retirement after many years of stellar service to Cork County Council and the Carrigaline MD

TO: Shane Piper on his new appointment as Supervisor in the Carrigaline MD

TO: The Royal Cork Yacht Club on a successful opening for Volvo week

TO: Hannah O'Shea on winning the Lee Swim – the first female to win the event

[I] ANY OTHER BUSINESS

16/7-1

1. Members asked for an update on Marine Protection

The Chief Executive said there was a public consultation process in 2021. He referred to a report published earlier this year which referred to challenges for Local Authorities around the

process. He said the Department is now developing the process and will have to await the outcome on that.

2. Members said there were issues at the weekend with Motorhomes parking on Garrettstown and Garrylucas Beaches. Members said the facilities in Cobh should be replicated in other parts of the county. Members said motorhomes took up a lot of space and obstructed views on the beach. Members asked for a solution to prevent this happening again. Stated visitors provide a lot of money in local areas and motorhomes are welcome. Members asked for the matter to be referred to the Tourism SPC to review the policy on motorhomes. Members said there were safety issues and also there were motorhomes parking overnight despite signs saying this was not permitted.

The Chief Executive said land was required to provide facilities. There was no immediate solution.

3. Members said the road works on Archdeacon Duggan Bridge in Kinsale is causing disruption and obstructing traffic in several directions in the area. Members said the Council are receiving criticism for completing the works during the summer season. Members asked for the Council to make a statement explaining the need for the works.

The Chief Executive said a message will be put out on social media outlining the expected duration of the works.

4. Members asked for communication to be provided to the public on the reduction of materials currently being accepted in Civic Amenity Sites.
5. Members requested a presentation from Swim Ireland on pop up pools. Members said it would be beneficial for areas in the County where there is no swimming pool available. Members agreed that Swim Ireland would be asked to make a presentation to Development Committee.
6. Members discussed the traffic lights notice in Minane Bridge, proposal is for a one way system. Residents are pursuing a legal argument.
7. Members asked if there was any update to the previous Notice of Motion on the use of Cork Airport. Members asked for letters to be resent as per the original motion.

~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~