



# 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 27<sup>th</sup> February 2023 at 11am.

### I LATHAIR

#### Comhairleoir Dónal Ó Coileáin, Méara Chontae

Comhairleoiri: Uí Chochláin G, Ó Colmáin, Ó Murchú C, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Ó Murchú PG, Ní Chroinín, Ó Conaill, Mac Craith, Uí Daltún, Ó Muircheartaigh, Uí Bhuachalla, De Foite Sean, Daltún Ó Suillebháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conchubair Sean, Ó Conchubair Alan, Ó Flionn, Uí Bhriain, Ó Laoghair, De Róiste, Ó Muineacháin Bernard, Ó Dubhghaill, Ó Sé Sean Pól, Ó Mhurchú Gearóid, Críod, Ní Mhuineacháin Gobnait, Ó Luanaigh, Ó Cochláin Mairtín, Uí Loinsigh, Ó Luasa, Ó Haodha Pádraig, Ó Múrcú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé Tony, Léineacháin Uí Foghlú, Ó hÉalaithe, Ó Héigheartaigh, Ní Heachthigheirn, Uí Thuama, MacCarthaigh Susan, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaioich, Ó Haodha Pól.

### PRESENT

#### Councillor Danny Collins, County Mayor, presided.

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

Chief Executive, Senior Executive Officer.

### [a] CONFIRMATION OF MINUTES

1/2-2

*Proposed by Councillor Michael Hegarty*

*Seconded by Councillor Karen Coakley*

### RESOLVED:

That the minutes of the Meeting held on 13<sup>th</sup> February 2023 be confirmed and signed by the Mayor.

### [b] VOTES OF SYMPATHY

2/2-2

**TO:** Michael O'Brien on the death of his mother Teresa.

**TO:** Alan Cogan on the death of his father Michael.

**TO:** Richard Dempsey on the death of his brother Martin.

**TO:** Diane Finucane on the death of her mother Mary Finucane.

**TO:** Pat Connolly on the death of his sister Carolyn Cullen.

### [c] STATUTORY BUSINESS

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

3/2-2

**MUNICIPAL DISTRICT OF KANTURK/MALLOW:**

3/2-2 (a)

***Disposal of 2 no. sites at Buttevant Industrial Park, Creggane, Buttevant, 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 17<sup>th</sup> February 2023.

**Situation:** Disposal of 2 no. sites at Buttevant Industrial Park, Creggane, Buttevant, Co. Cork.

**Consideration:** €60,000.00.

3/2-2 (b)

***Disposal of land at Nadanuller More, Rathcoole, Mallow, 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 17<sup>th</sup> February 2023.

**Situation:** Disposal of land at Nadanuller More, Duhallow, Co Cork, on the basis of longstanding possession.

**Area:** 0.37 hectares/0.91 acres

**Consideration:** €1

3/2-2 (c)

***Disposal of laneway at Glenleigh, Rathcoole, Mallow, 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 17<sup>th</sup> February 2023.

**Situation:** Disposal of laneway at Glenleigh, Rathcoole, Mallow, Co Cork.

**Area:** 0.0178 hectares/0.044 acres.

**Consideration:** €1

**[f] REPORTS AND RECOMMENDATIONS OF OFFICERS**  
**TUAIRISCÍ AGUS MOLTAÍ Ó OIFIGH**

**ROADS GRANTS 2023**

4/2-2

Members welcomed the report from Mr Pdraig Barrett, Director of Services, Roads and Transportation on Roads Grant Allocation 2023 from Transport Infrastructure Ireland and Roads Grant Allocation 2023 from Department of Transport for Regional & Local Roads.

## **National Roads**

Mr Barrett outlined the funding received under the range of categories and said that €83,613,093 funding was allocated which was a decrease of 11.5% on the 2021 allocation. The explanation for the reduction was because the N22 project which represented almost 80% of our allocation in 2022 is nearing completion allowing for the reduction in funding for the N22. The funding has increased in many other categories such as:

- Major schemes allocated €60,400,000 which is a decrease of 21% on the 2022 allocation. There are notable allocations for the M28 Cork to Ringaskiddy, the N25 Midleton to Youghal Scheme, the Dunkettle Interchange and the Mallow Relief Road.
- Pavement and Minor Works allocated €18,073,000. This is an increase from our 2022 allocation. Notable and welcome allocations for Clogher Cross to Waterdyke on the N73, Annakisha on the N73, Ballymaquirke junction, N71 Drainage Upgrade at Skibbereen and Pavement Improvement Schemes.
- Maintenance allocations were given €1,290,093 there are other funding sources for specific defects that occur on National Road Network and these are funded through other allocations.

## **Regional and Local Roads**

- These were allocated €71,340,042. This allocation from government represents an 8.39% increase on the 2022 allocation. Council succeeded in capturing 11.4% of the national allocation fund. The principle elements of the allocations are:
  - Discretionary Maintenance Grants
  - Drainage Works Grants
  - Restoration Improvement Grants
  - Community Involvement Schemes
  - Restoration Maintenance Grants & Supplementary Restoration Maintenance Grants.
  - Specific Improvement Grants
  - Bridge Rehabilitation Grants
  - Strategic Road Allocations
  - Former National Roads
  - Safety Improvement Works
  - Speed Limit & Cycle Signage
  - Road Condition Survey
  - Climate Change Adaptation & Resilience.
- Greenways allocations were given €3,850,000 for a range of projects including Charleville to Cork; Mallow to Dungarvan Greenway; Midleton to Youghal Greenway; Muskerry Greenway; Cork to Kinsale Greenway; Cork to Schull Greenway and the NRO Regional Greenways Support.

He stated that the programme will assist in progressing the Active Travel projects.

He outlined the challenges for the 2023 roads grant allocations:

- All the 2022 allocations were spent with a €2m overspend.
- Increased prices in electricity and gas as well as the inflationary increase
- A shortage in skilled labour.
- He outlined that the Cork County Council received the third lowest allocation per kilometre of road.

The Mayor thanked the Roads Department for its work and noted the importance of seeking a meeting with the Minister for Transport due to the worrying reduction in roads funding.

The Chief Executive noted that the roads conditions are a factor in roads funding and there are a large scale of kilometres of the roads in Cork County and a per kilometre increase is required for Cork County.

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

- Members wished to thank the Roads Department for its work.
- Members expressed their disappointment that Council were given the third lowest allocation per kilometre.
- Members stated that its important to take the HGV traffic out of town centres.
- Is there a way to seek additional funding for drainage works?
- How will the allocations be divided between the MDs?
- Asked is there an application process and what was applied for?
- Expressed disappointment at the Mallow Relief Road only being allocated €100,000.
- Stated disappointment with the allocation for drainage as this is a major issue in East Cork.
- Asked for clarification on the safety works to be carried out on the Carrigtwohill to Middleton road.
- Members welcomed the overall allocations and noted the much needed the allocations to North Cork.
- Disappointed in the 18% drop for Community Involvement Scheme.
- Noted that signage needs to be improved on the N71 and this road doesn't get enough attention for works.
- The Baltimore road is not fit for traffic in its current state and is also not safe for pedestrians.
- Said that the 11.5% decrease in last year's allocation is unacceptable.
- Asked about an update on the Bandon bypass as it has not progressed since 1988.
- Kinsale town needs a relief road and should be on the agenda.
- TDs and Senators are not working on the County's behalf.
- The €800,000 allocation for Middleton to Youghal Scheme is very welcome but would like an update on the Castlemartyr/Killeagh byps.
- This is an insult to taxpayers in Cork County.
- Inflation will eat up the additional funding.
- Members noted that the funding for the Annakisha project is welcomed as well as the progress on the N73.
- Members said that the works being carried out on the Ballymaquirke junction will save lives and is a hugely important project.
- Members said that the allocation of these funds are very late and gives Council a tight timeframe in which to carry out these works.
- A northern relief road is needed for Clonakilty.
- Active travel allocation is very little for West Cork.
- Members said there is no Strategic Plan for West Cork despite its size.
- Cycleways are not appropriate on the N73 road.
- Members asked to clarify what is phase 1 of the N28 scheme?

Mr Padraig Barrett responded:

- Confirmed that there is no application process but the Council did provide the Department with a list of schemes to be carried out and grant allocation is decided nationally.
- Drainage allocation is €2.512m which is the same as 2022 and this will be split for €300,000 per MD.
- The Middleton to Youghal greenway funding is sufficient for 2023 works programme.
- Regarding the Community Involvement Scheme some local funding is needed and commitment from residents.
- A road survey is required by the RMO and DOT to ensure the Council is focusing on the worst roads.
- Baltimore to Skibbereen road was allocated €2m for 2023.
- Local Authorities are given more targeted grants for specific problem areas including climate adaption.
- Discretionary grants have reduced in recent years.
- The Bandon Bypass was allocated €150,000 which will allow Council to procure consultants.

- Council can't pre-empt the outcome of the assessment report.
- He stated that he will revert to Councillors regarding local issues.
- He noted that the allocations were very late and earlier notification would be better.
- Linking rural towns by way of greenways is being looked at.
- NTA funding is focused on metropolitan Cork and ignoring urban areas.
- There is a strategic plan for N71 overall including the Clonakilty bypass. Agrees that this is urgent and discussions are taking place with the TII.
- Drainage is looked at when looking at improvement works.

*Members agreed to write to the Minister for Transport Eamon Ryan T.D., Transport Infrastructure Ireland in respect of the grant allocations to Cork County Council and to request the following:*

- *A Meeting regarding the low level of roads funding to Cork County Council as it has received the 3<sup>rd</sup> lowest allocation per kilometre.*
- *Enquire regarding additional funding to the N72 Mallow Relief Road.*
- *Enquire regarding additional funding to the N25.*
- *Enquire on the reduction of funding to the Community Involvement Scheme.*
- *Timing of grant allocations to be brought forward to earlier in the year.*

*Members also agreed to circulate a copy of the letters to the Cork Oireachtas Members.*

## **[g] CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS COMHFHREAGRAS Ó RANNA RIALTAS**

### **MINISTER FOR SOCIAL PROTECTION**

**5/2-2**

Correspondence received 30<sup>th</sup> January from the Minister for Social Protection in response to Council's letter dated 14/11/22 in relation to providing financial security for healthcare workers with Long Covid symptoms.

**[Deferred from Meeting of 13<sup>th</sup> February 2023]**

*Members noted the correspondence from the Minister for Social Protection.*

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

- Members said the previously highlighted frontline workers with long covid symptoms have no clear medical route out of long covid illness. No capacity to return to work, sick leave has ran out and some will have to retire on medical grounds.

*Members agreed to write to the Paschal Donohoe T.D., Minister of Public Expenditure & Reform and Stephen Donnelly T.D., Department of Health regarding an occupational injury scheme for health care workers affected by long covid.*

### **HSE**

**6/2-2**

Correspondence received 7<sup>th</sup> February from the HSE in response to Council's letter dated 12/12/22 in response to asking the CEO of the HSE to meet the families of the residents of Owenacurra Centre.

**[Deferred from Meeting of 13<sup>th</sup> February 2023]**

*Members noted the correspondence from the HSE*

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

- Members said that this is a further insult to families as communication is exhausted.
- The service plan does not reflect the wishes of the residents.

*Members agreed to write to the HSE Board in respect of a Service Plan for the residents of the Owenacurra Centre as it does not reflect the wishes of the residents and previous correspondence be forwarded to the HSE.*

#### **CORK AND KERRY COMMUNITY HEALTHCARE**

7/2-2

Correspondence received 15<sup>th</sup> February from Cork and Kerry Community Healthcare in response to Council's letter dated 12/12/22 in relation to meeting the families of residents of Owenacurra.

*Members noted the correspondence from the Cork and Kerry Community Healthcare*

#### **HSE**

8/2-2

Correspondence received 9<sup>th</sup> February from the HSE in response to the Council's letter dated 09/01/23 in response to their letter dated 16<sup>th</sup> December to provide further clarification with regards to the 30 minutes or less blue light distance from maternity service rule.

*Members noted the correspondence from the HSE*

#### **MINISTER OF FINANCE**

9/2-2

Correspondence received 13<sup>th</sup> February from the Minister of Finance in response to Council's letter dated 24/10/22 in relation to the planned introduction of the concrete block levy.

*Members noted the correspondence from the Minister of Finance*

#### **IRISH INDEPENDENT**

10/2-2

Correspondence received 10<sup>th</sup> February from the Irish Independent in response to Council's letter dated 23/01/23 in relation to the moderation of their social media platforms to reduce racism, xenophobia and misinformation in their comments section.

#### **IRISH EXAMINER**

12/2-2

Correspondence received 22<sup>nd</sup> February from the Irish Examiner in response to the Council's letter dated 23/01/23 in relation to the moderation of their social medial platforms to reduce racism, xenophobia and misinformation in their comments section.

*Members noted the correspondence from the Irish Independent and the Irish Examiner*

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

- Members thanked the editors for their responses.
- Acknowledged the efforts of print media to ensure their Facebook pages are not used to promote xenophobia.
- Noted that its primarily a matter of social media companies themselves to moderate their platforms and they have not risen to the challenge.
- Said that this is not acceptable in democracy that journalists are harassed and abused.

#### **MINISTER FOR AGRICULTURE, FOOD AND THE MARINE**

11/2-2

Correspondence received 20<sup>th</sup> February from the Minister for Agriculture, Food and the Marine in response to Council's letter dated 23/01/23 in relation to the control of dogs.

*Members noted the correspondence from the Minister for Agriculture, Food and the Marine*

## Extension of Time

*Proposed by Councillor Mayor Cllr Danny Collins*

*Seconded by Councillor Cllr Seamus McGrath*

## [g] NOTICES OF MOTION FOGRAÍ RÚN

### LIMITING ELECTION POSTERS

13/2-2

“That this Council hold a discussion regarding the possibility of limiting the proliferation of election posters for the next local elections.”

*Councillor Anthony Barry proposed, seconded by Councillor Cathal Rasmussen*

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

- Members said that Tidy Towns groups have requested that election posters be limited for the next local elections as there is a proliferation of posters in approaching roads.
- Said that election information could be on social media platforms.
- Members noted that it is a sustainable issue and a health and safety issue during storms and bad weather.
- Members suggested that signs should be kept outside the 50km zone of towns and villages.
- Members said that there are too many posters and it is unsightly. Guidance would be welcome from government departments.
- It is also important to reduce canvassing cards going to households.
- Said that an all out ban would not be fair to new candidates but posters must be limited.
- Support the concept of limiting the amount of election posters being put up.
- Number of posters per candidate should be limited.
- Posters serve a function to help create awareness of the election especially of first time candidates and increase voter engagement.
- Welcome the Notice of Motion. This should be supported nationally and to be discussed at the upcoming LAMA and AILG Conferences.

*Members agreed to write to the Darragh O’Brien T.D., Minister for Housing, Local Government & Heritage regarding the possibility of limiting the proliferation of election posters for the next local elections.*

### ADULT DISABILITY DAY SERVICES

14/2-2

“That Cork County Council would write to the Minister for Transport seeking that ring-fenced funding would be allocated in Budget 2024 and going forward for those in receipt of adult disability day services as the HSE does not currently cover transport costs under the School Leaver /Rehabilitative Training Exit funding.”

*Councillor Eileen Lynch proposed, seconded by Councillor John Paul O’Shea*

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



- Members said that it is important to ring-fence funding for those who require transport for adult disability day services.
- Day services have funding of €3.6m, the HSE currently has 25 providers to provide services to 242 users in Cork.
- There is currently no funding for transport for those aged over eighteen years of age.
- Said Adult Disability Services is at a crisis point with lack of services and transport to services are important.
- Lack of transport is critical, many carers are elderly and are not able to provide transport.

*Members agreed to write to the Minister for Transport to seek funding for adult disability day services.*

### **WARMER HOMES SCHEME**

15/2-2

“Calling on the Minister to provide an update on the waiting list length for the Warmer Homes Scheme and calling on them to provide an update since the last correspondence with this council on the additional resources they provided to tackle the waiting list”.

*Councillor Ben Dalton-O’Sullivan proposed, seconded by Councillor John Paul O’Shea*

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

- Members said that this is a great scheme but its taking too long. The waiting list is taking up to 2-3 years and is not suitable for the elderly.
- People are in fuel poverty and the poor housing conditions does not help that.
- An update from the Minister is required as waiting over two years is unacceptable.
- It is important to speed up the system. Is lack of approved tradesmen an issue?

*Members agreed to write to the Minister for Housing, Local Government & Heritage to ask for an update on additional resources to tackle the waiting list for the Warmer Homes Scheme.*

### **CARD MACHINES AT GAA MATCHES**

16/2-2

“That this Council write to Croke Park and Cork County Board to put card machines and have one cash entrance in place for all GAA matches.”

*Councillor Bernard Moynihan proposed, seconded by Mayor Councillor Danny Collins*

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

- Members said that this rule has been raised by Age Action Ireland and is working against older people being a part of the GAA matches and is affecting their social lives.
- Not all elderly can access online tickets and the GAA needs to allow cash and card options.
- A huge amount of taxpayers money goes into Páirc Uí Chaoimh and people should be allowed to pay at the gate.
- Members noted that there is also an additional charge on tickets for booking online and printing of tickets is an issue for some people without online services.
- This is a move against older people and some people have stopped going to matches as they can’t access online tickets.
- It is important for both Croke Park and Páirc Uí Chaoimh to have both card and cash options.
- The present system is hugely effective for those who can use it, but older people need to be acknowledged as match supporters.



*Members agreed to write to Croke Park and the County Board to have one cash entrance in place at GAA matches.*

### **CONCERNS WITH NEW PLANNING & DEVELOPMENT BILL**

17/2-2

“That rather than its apparent aims of limiting public participation and access to justice, the new Planning & Development Bill would take the opportunity to address identified concerns with regard to Ireland’s need to meet the requirements of the Aarhus Convention, to which it is a signatory.”

*Councillor Marcia D’Alton proposed, seconded by Councillor Joe Carroll*

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

- Members said that this Bill is concerning and goes against the requirements of the Aarhus Convention which is a legally binding agreement.
- The Planning and Development Bill is intended to be reviewed.
- In this Bill, they proposal is to have a ten year County Development Plan but elections are held every five years and therefore some Councillors will not be able to participate in the Development Plan process.
- There is also new Part 8 rules that encroach on the powers of Elected Members.
- It is allowing An Bord Pleanála to bypass elected representatives and is weighted against communities and gives advantage to developers.
- Communities do not have the time or resources to prepare for oral hearings which is not funded.
- Judicial reviews are hugely costly and a huge legal challenge.
- Members said this Bill is an attack on local authorities and local democracy.
- The change in Councillors’ ability to pass a material contravention is an issue.
- Councillors are being moved away from the decision making process.
- There are concerns regarding the communities abilities to challenge decisions, they should not restrict but progress in a more timely fashion.

*Members agreed to circulate a copy of the resolution to all Local Authorities regarding the new Planning & Development Bill.*

### **[k] VOTES OF CONGRATULATIONS**

18/2-2

**TO:** Cork Harbour Cruises for winning the award for Cork’s Best New Business.

**TO:** Holly Cairns TD on her recent election as leader of the Social Democrats Party.

### **[l] ANY OTHER BUSINESS**

19/2-2

#### **LAMA CONFERENCE**

Members said that the Chief Executive and Mayor are speaking at the LAMA Conference in Bantry and asked all Elected Members to support the Conference.

#### **TRAFFIC WARDEN AT CASTLEMARTYR NATIONAL SCHOOL**

Members said that a suitable traffic warden replacement is required at Castlemartyr National School urgently. Members said that traffic safety measures should be implemented as it is a child safety issue.

The Chief Executive informed the members that recruitment is underway.

#### **REFUND FROM ESB**

Members said that the €50 refund from ESB to customers who were overcharged should be paid immediately.

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