



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 22nd May 2023.

I LATHAIR

Comhairleoir Dónal Ó Coileáin, Méara Chontae

Comhairleoiri: Uí Chochláin G, Ó Colmáin, Ó Murchú C, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Murchú PG, Ní Chroinín, Ó Conaill, Mac Craith, Uí Daltún, Ó Muircheartaigh, Uí Bhuachalla, De Foite Sean, Ní Cheallacháin, Barra, Rasmussen, Ó Conbhuhair Sean, Ó Conchubair Alan, Ó Fionn, Uí Bhriain, Dawson, De Róiste, Ó Muineacháin B, Ó Dubhghaill, Ó Sé Sean Pól, Ó Mhurchú Gearóid, Críod, Ní Mhuineacháin Gobnait, Ó Luanaigh, Ó Cochláin M, Uí Loinsigh, Ó Luasa, Ó Haodha Padriagh, Ó Murchú 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 Chaochlaoid, Ó Haodha Pól.

PRESENT

Councillor Danny Collins, County Mayor, presided.

Councillor: Coughlan G, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O'Donovan, Murphy PG, Cronin, O'Connell, McGrath, D'Alton, Murtagh, Buckley A, White J, O'Callaghan, Barry, Rasmussen, O'Connor S, O'Connor A, O'Flynn, O'Brien, Dawson, Roche, Moynihan B, Doyle, O'Shea JP, Murphy Gerard, Creed, Moynihan Gobnait, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea Tony, Linehan-Foley, Healy, Hegarty M, Ahern, Twomey, McCarthy S, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul.

Chief Executive, Director of Services Planning & Development, Senior Executive Officer Corporate Services

SUSPENSION OF STANDING ORDERS

Proposed by Cllr. Ian Doyle

Seconded by Cllr. Bernard Moynihan

To address pedestrian safety in Charleville.

Proposed by Cllr. Kevin Murphy

Seconded by Cllr. Maria O'Sullivan

To discuss the Blue Flag status of Garrettstown Beach.

Proposed by Cllr. John Paul O'Shea

Seconded by Mayor Cllr. Danny Collins

To discuss the Development Contribution Waiver Scheme.
Members agreed to discuss the matters after 1pm.

Proposed by Cllr. John Paul O'Shea

Seconded by Cllr. Karen Coakley

Members agreed to deal with Item 4, material contravention of the Development plan at 1pm

[a] CONFIRMATION OF MINUTES

Proposed by Cllr. John Paul O'Shea

1/5-2

Seconded by Cllr. Karen Coakley

RESOLVED:

“That the minutes of the Meeting held on 8th May 2023 be confirmed and signed by the Mayor.”

[b] VOTES OF SYMPATHY

2/5-1

- TO:** Cllr Noel McCarthy on the death of his father Patrick (Paddy Mac) McCarthy.
- TO:** Olivia Scully on the death of her father David (Junior) Scully
- TO:** Vaughan Family on the death of Eamonn Vaughan
- TO** Tadhg Daly on the death of his mother Margaret Daly.

[c] STATUTORY BUSINESS

SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001:

3/5-2

MUNICIPAL DISTRICT OF WEST CORK:

3/5-2 (a)

Disposal of portion of Old Bridewell Block, New Street, Bantry, Co. Cork.

In accordance with the provisions of Section 183 of the Local Government Act, 2001 the disposal of property, as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 12th May 2023.

Situation: Disposal of remaining 27 years of 199 year Lease of portion of Old Bridewell Block, New Street, Bantry, Co. Cork.

Area: Area measuring 0.013 hectares (0.032 acres) as outlined on map attached.

Consideration: €1,000.00.

3/5-2 (b)

Disposal of lands at Woodlands, Clonakilty, Co. Cork.

In accordance with the provisions of Section 183 of the Local Government Act, 2001 the disposal of property, as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 12th May 2023.

Situation: Disposal of lands at Woodlands, Clonakilty, Co. Cork.

Area: 0.013 hectares/0.032 acres

Consideration: €1

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

5/5-2

On the proposal of Councillor Michael Hegarty seconded by Councillor Sheila O’Callaghan, the Members agreed to defer consideration of the following Motion submitted by Cobh Municipal District to the next Full Council meeting held on 12th June 2023:-

COBH MUNICIPAL DISTRICT

“That Cork County Council would look to have the master plan for the 57 acres of Council land in Newtown, Cobh, expedited as a matter of urgency in order to help develop this land bank for housing and other activities.”

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

6/5-2

CHIEF EXECUTIVE’S MANAGEMENT REPORT TO COUNCIL

6/5-2(a)

Quarterly report of the Economic Development Directorate for the 3-month period 31st March 2023.

Members noted the Economic Development Directorate Quarterly Report.

6/5-2(b)

Quarterly report of the Finance Directorate for the 3-month period 31st March 2023.

Members noted the Finance Directorate Quarterly Report.

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

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & HERITAGE

7/5-2

Correspondence received 04/05/23 from Department of Housing, Local Government & Heritage in response to the Council’s letter dated 21/03/23 in relation to funding needed to deal with the housing crisis and the impact of the lifting of the eviction ban.

Members noted the correspondence from the Department of Housing, Local Government & Heritage

DEPARTMENT OF HEALTH

8/5-2

Correspondence received 05/05/23 from Department of Health in response to the Council’s letter dated 24/04/23 in relation to South Doc services in Mallow over the weekend dated 21/04/23 to 23/04/23.

Members noted the correspondence from the Department of Health

During this discussion, the Members made the following points:

- Members said that the South Doc office in Bandon is overworked and there needs to be a South Doc service provided in Kinsale.

Members agreed to write back to South Doc Management requesting that a South Doc service be provided in Kinsale.

HSE

9/5-2

Correspondence received 05/05/23 from HSE in response to the Council's letter dated 24/04/23 in relation to South Doc services in Mallow over the weekend dated 21/04/23 to 23/04/23.

Members noted the correspondence from the HSE

DEPARTMENT OF TRANSPORT

10/5-2

Correspondence received 05/05/23 from Department of Transport in response to the Council's letter dated 09/01/23 in relation to allowing Uber to operate in this country.

Members noted the correspondence from the Department of Transport

During this discussion, the Members made the following points:

- Members said that the response was disappointing and there needs to be a transport service provided for rural Ireland.
- Members said that more guidance was required as something must be done.
- Members noted that the lack of taxi services in rural Ireland is affecting tourism.
- Agreed garda vetting of drivers was necessary.

Members agreed to write to the NTA to request a review of options for licencing of taxi, hackney and similar services.

DEPARTMENT OF TRANSPORT

11/5-2

Correspondence received 05/05/23 from Department of Transport in response to the Council's letter dated 27/02/23 in relation to the ringfencing of funding for transport costs for those in receipt of adult disability day services.

Members noted the correspondence from the Department of Transport

During this discussion, the Members made the following points:

- Members said that the response was unsatisfactory as the area has been ignored for many years.
- Members said that the HSE have not made funding available.

Members agreed to write to the NTA to ask that in accordance with the various contract arrangements that are in place with PSO service providers that funding be ringfenced and allocated in Budget 2024 for those in receipt of adult disability services as the HSE does not currently cover transport costs under the School Leaver/Rehabilitation Training Exit Funding.

[h] NOTICES OF MOTION

TENANT PURCHASE SCHEME

12/5-2

Cllr. John Paul O'Shea proposed, seconded by Cllr. Seamus McGrath

“That Cork County Council outline in a report how many houses have been transferred to Cork County Council in total in accordance with the long standing agreement under section 96 of the Planning and

Development Act 2000 (No. 30 of 2000) - Part V dwellings provided in private estates. It is my strong view that these houses should be allowed to be considered to purchase by the Council's current tenants under the Tenant Purchase Scheme and if this motion is supported, this Council would write to the Minister for Housing, Local Government & Heritage asking for this to be reviewed and changed within the current Tenant Purchase Scheme".

RESPONSE:

Members noted from Mr. Maurice Manning, Director of Services, Housing as follows:

"To date, 698 dwellings have been acquired, in accordance with Part V of the Local Government Planning & Development Act 2000, for social housing purposes."

During this discussion, the Members made the following points:

- Members said that all houses from Part V are excluded from purchase which means that 698 longterm tenants cannot available of purchase.
- Members said that Part V's cannot be sold at reduced cost for various reasons.
- The Tenant Purchase Scheme excludes certain categories of properties including two and four bedroomed properties.
- Members also noted that tenants must be in situ for at least 10 years before they can be considered for tenant purchase.

Members agreed to refer this item to the Housing Strategic Policy Committee to prepare a submission for government regarding the amendment to the Tenant Purchase Scheme.

Members agreed to write to the Minister for Housing, Local Government & Heritage asking that the current Tenant Purchase Scheme be reviewed and changed.

CURRENT NITRATES DEROGATION BE MAINTAINED FOR IRISH FARMERS

13/5-2

Cllr. Eileen Lynch proposed, seconded by Cllr. John O'Sullivan

"That Cork County Council would write to the Minister for Agriculture and Housing seeking that all efforts would be made to ensure that the current nitrates derogation would be maintained for Irish farmers".

During this discussion, the Members made the following points:

- Members said that the Minister for Agriculture has announced the reduction from 250 kgs to 220 kgs per hectare of organic nitrates and this will have a detrimental effect on local farmers.
- Said that this will mean that smaller farms are not viable.
- Members said that they agree the water quality is critical and farmers are putting a lot of measures in place to protect waters and an interim review is necessary to delay this review.
- Said a delay of this measure should be put in place until the positive effects of current implemented measures are seen.
- Members said farmers are trying their best to comply and have done a huge amount of work which should be taken into account.
- Said the data is showing that water quality is improving year on year and taking data for one year is not adequate.
- Members suggested to add 'of 250kgs / hectare' to the wording of the motion.
- Said that this will impact rural economy if implemented and will also impact land leasing costs.

- Members said it is too sudden to reduce to 220kgs per hectare and milk processors will be impacted.
- Members said water quality in Ireland has declined and we must do better to meet the water framework directive.
- Said nitrogen emissions have increased since 2013 which puts farmers in a tough position with proposed change to 220 kgs per hectare.
- Members said it was unfair to farmers that have invested heavily and who were working on business plans that would now have to change.
- Members said that derogation will allow more nitrogen use than land can absorb and will impact water quality and phasing out of nitrogen is not an attack on farmers.
- Said emissions continue to rise and farmers are at the frontline of the climate and biodiversity issues.
- Members said small farmers will go out of business overnight and no farmer is overusing nitrates.
- Members stated that this issue is not about chemical nitrogen but it is about organic nitrogen and this should be taken into account in this discussion.
- Members said that the nitrogen debate has been hijacked and is not about water quality but is about 2030 emissions targets.

Members agreed to reword the motion to read as follows:

“That Cork County Council would write to the Minister for Agriculture and Housing seeking that all efforts would be made to ensure that the current nitrates derogation of 250kg/hectare would be maintained for Irish farmers and the proposed interim review would be delayed”.

Members agreed to write to the Minister for Agriculture and the Minister for Housing, Local Government & Heritage to ensure current nitrates derogation would be maintained for Irish farmers.

FACILITATE OWNERS OF ELECTRIC VEHICLES LIVING IN APARTMENTS OR HOUSES WITH A PUBLIC FOOTPATH

14/5-1

Cllr. Seamus McGrath proposed, seconded by Cllr. Gearóid Murphy

“To write to the Minister for Transport requesting an update on plans to facilitate owners of electric vehicles with charging infrastructure where it is not practically possible to have a home charging point, such as those living in apartments or in houses with a public footpath separating their home from the parking space”.

During this discussion, the Members made the following points:

- Members said that there has been an increased use of Electric and Hybrid vehicles and charging points are essential.
- Members said that charging points are not available to households without a driveway on to a public road or apartments.
- Members said that if the target for electric vehicle users is to be reached then people need to be accommodated with charging points regardless of if they have a driveway.
- Members said that retrofitting on a large scale is required.
- Said that it is essential to progress to ‘greener’ transport.
- Members said that if there was a charging point for a large apartment building then it could increase demand and could create a surge of electricity that would impact other electrical users.
- Said that more charging points are needed in towns and villages.
- Members said that they don’t agree that electric cars are the answer but electric vehicles are the future and that plans need to be made to accommodate this.
- Members said that if we want to move to a low carbon society, we must catch up with other EU countries regarding Electric Vehicle charging points.

- Members said that plans need to include electric vehicle charging points when building housing estates and apartment buildings.
- Members noted that there is an environmental burden on batteries of electric vehicles and this needs to be part of the conversation as the demand for lithium will go up.

The Chief Executive said that electric vehicle charging points are not required when building housing estates.

Members agreed to write to the Minister for Transport requesting an update on plans to facilitate owners of electric vehicles with charging infrastructure.

RENEWABLE ENERGY GENERATION

15/5-1

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

“That, in support of Renewable energy generation, this council would support a call on the government to

1/ engage with ESB Networks to reduce the charges or

2/ to consider providing grant aid to homes and small businesses to connect to Three Phase Electricity supply where they wish to generate green energy like Wind or Solar to allow the uploading of the excess electricity generated to be done efficiently. This should be considered to offset the significant charges being levied by ESB Networks for three phase connection”.

During this discussion, the Members made the following points:

- Members said where people now have excess electricity usage, they should upload to the ESB network by agreement.
- Members noted that this is not easily connected unless they have three phase electricity supply.
- Said there is a high cost to get connection to three phase lines.
- Members said there are stipulations trying to connect to three phase electricity and the cost is stifling for a lot of businesses.
- Said businesses in disadvantaged areas should be encouraged with grants and a grant should be made available to all areas of the county.

Members agreed to write to the Minister for Rural and Community Development and to the Minister for Environment, Climate and Communications to support Renewable Energy generation and to engage with ESB networks to reduce charges and consider grant aid to homes and small businesses.

SUSPENSION OF STANDING ORDERS

PEDESTRIAN SAFETY IN CHARLEVILLE

The Members made the following points:

- Members said that Charleville is a busy and successful commercial town which is on the N20 which allows very heavy traffic coming through the town, 40% of which is HGV traffic.
- Said there are five pedestrian crossings and due to the accidents in recent week members requested that Council write to the TII to ensure traffic lights be upgraded at pedestrian crossings
- Said at least three pedestrian crossings should have tabletop design and updated signage should be painted.
- Members said they are aware there are budgetary constraints but agreed to write to Minister Chambers for support in this regard.
- Members said HGV’s have a blind spot and would suggest that sensors are required for this.
- Said that there has been a proposed bypass for fifteen years in the County Development Plan.

- Said in the meantime a relief road is required to increase safety.

The Chief Executive said that the area was listed as a high collision area by the TII in 2019 and Engineers met with TII to review road safety. The Chief Executive welcomed the Commitment from TII.

The Chief Executive informed the meeting that formal confirmation had been received during this meeting that would fund the following:

- The initial design stage of a relief road for Charleville.
- Immediate upgrade to the 5 pedestrian crossings.

Members agreed to write to the Transport Infrastructure Ireland and to Minister Jack Chambers to increase pedestrian safety in Main Street, Charleville as soon as possible following two fatal incidents in the last couple of weeks.

BLUE FLAG STATUS IN GARRETTSTOWN BEACH

The Members made the following points:

- Members said that Garrettstown Beach has lost its blue flag status due to a lack of recycling bins in the area.
- Said it was unfair as recycling bins were located in Garrylucas beach which is less than a kilometre away.
- Members said it was wholly unfair as the beach has no pollution and the volunteers and Council workers have been working very hard in order to keep the beach spotless.
- Members said this will impact local economy and visitors to the beach.
- Members said that An Taisce has a 44-page criteria for blue flag beaches and to lose the status over recycling bins is outlandish.
- Said there is a high environmental standard at the beach and all other criteria was met.
- Members said should Garrylucas and Garrettstown beach be considered under the one beach next year.

The Chief Executive noted that the beach had previously received blue flag status without recycling bins. He stated that the facilities at Garrylucas beach should be accepted and said that it is a matter for the MD to agree regarding bins and blue flag status should be restored. He said that the bathing waters of Garrettstown were of a blue flag standard.

Members agreed to write to An Taisce to ask to reinstate Blue Flag status at Garrettstown Beach and to take into account that recycling bins are located at Garrylucas beach which is less than a kilometre from Garrettstown Beach.

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT 2000, AS AMENDED:

4/5-2

Mr Michael Lynch, Director of Services, Planning and Development outlined the details of the proposed Material Contravention of the Cork County Development Plan, 2022 – 2028. Planning Reference 22/5145.

On the proposal of Councillor Kevin Murphy, seconded by Councillor Alan Coleman, Members considered the following resolution:

“Having considered the report of the Chief Executive prepared in accordance with Section 34(6)(a) of the Planning & Development Act 2000 (as amended), this Council approves the recommendation of the Chief Executive that permission be granted for planning application 22/5145 which materially contravenes the Cork County Development Plan 2022.”

The Mayor called for a vote to be taken which resulted as follows:-

FOR:	Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, Buckley, O’Callaghan, Barry, Rasmussen, O’Connor A, O’Flynn, O’Brien, Dawson, Roche, Moynihan B, Doyle, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea Tony, Linehan-Foley, Healy, Hegarty, Twomey, McCarthy Susan, Ahern, Kelly, Carroll, Coakley, Hayes Paul.	[47]
AGAINST:	None	[0]
ABSTAIN:	Councillors: Quaide	[1]

The Senior Executive Officer declared the results as follows: 47 For, 0 Against and 1 Abstention. As those voting in favour for the material contravention was greater than those voting against, the Mayor declared the vote carried and the resolution passed, the Members approved the material contravention of the Cork County Development Plan 2022-2028 in respect of the construction of 86 no. dwellinghouses with one childcare facility, and all ancillary site development works at Glasheen and Park Laurance (townlands), Kinsale. Access to the proposed development will be provided via 2 no. new accesses onto the link road permitted under ref no. 20/6563.

DEVELOPMENT CONTRIBUTION WAIVER SCHEME

The Members made the following points:

- Members said that the government made the decision to scrap Development Charges for a limited time from the 25/4/23 to 24/4/24 for works to be completed by December 2025.
- Anyone who had submitted commencement notices from 25/4/23 will not have to pay the charges.
- Said that this date should be brought back to 1/1/23 and anyone who paid between 1/1/23 and 25/4/23 should be refunded.
- Members said that this announcement was a welcome scheme, to address the housing crisis but the dates should be amended.
- Members noted that the Council will be reimbursed for lost revenue.
- Members said that planning permission lasts five years and in the interest of fairness there is a need to look at the start date because some flexibility is needed.
- Members said that affordability is a crucial factor to why houses are not being built and this cost reduction measure should be passed to purchasers to improve affordability.
- Members said that Uisce Éireann connection fees will be a different process.
- Members said there should be leniency for small developers that are building in phases that have already paid the full levy at the start of the development.
- Asked is the refund process the same for both Local Authorities and Uisce Éireann.

Members agreed to write to the Minister for Housing, Local Government & Heritage to bring the date of the Development Contribution Waiver Scheme back to the 1st January 2023 in order to help with the affordability for house purchasers and anyone who paid the charges between 1st January 2023 to 25th April 2023 should be refunded.

Members also noted that the Local Authorities should be reimbursed for lost revenue.

Members agreed to write to Uisce Éireann to ask what the process is for obtaining a refund for connection fees and for clarification on the timelines for a refund.

[k] VOTES OF CONGRATULATIONS

- TO:** Dunmanway Town Soccer Club on winning the Beamish Cup on 21st May 2023.
- TO:** Dillon Corkery on winning the Rás Tailteann 2023.
- TO:** Tim and Dolores Crowley and Team at the Michael Collins Centre, Clonakilty on winning 'Ireland's Next Top Visitor Attraction' on TG4's 'Beidh Mé ar Ais' Programme.
- TO:** Maxine O'Sullivan on becoming Lady Champion Rider for the sixth time in her career in Point to Point Horse Racing.
- TO:** Chris O'Donovan on sharing first regional title in Southern Title on Point to Point Race Scene.
- TO:** Martha Drake on retiring from Cork County Council after 43 years.

[i] **ANY OTHER BUSINESS**

GAA

Members agreed to send a reminder letter to the Cork County Board and GAA Dublin regarding the use of cash at GAA matches.

SEWER FROM MIDLETON TO CARRIGTWOHILL

Members agreed to write to Uisce Éireann to ask it to expedite remediation works on the route from Middleton to Carrigtwohill as a matter of urgency.

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