



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 26th June 2023.

I LATHAIR

Comhairleoir Proinsias Ó Flíonn, Méara Chontae

Comhairleoiri: Uí Chochláin G, Ó Colmáin, Ó Murchú C, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin, Ó Conaill, Ó Murchú PG, Ní Chroinín, Mac Craith, Uí Daltún, Uí Bhuachalla, De Foite Sean, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conbhubhair Sean, Ó Conchubair Alan, MacCarthaigh N, Uí Bhriain, Ó Laoghaire, Dawson, De Róiste, Ó Muineacháin B, Ó Dubhghaill, Ó Sé Sean Pól, Ó Mhurchú Gearóid, Críod, Ó Luanaigh, Ó Luasa, Ó Haodha Padriagh, Ó Múrchú 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 Frank O'Flynn, County Mayor, presided.

Councillor: Coughlan G, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O'Donovan, Collins D, O'Connell, Murphy PG, Cronin, McGrath, D'Alton, Buckley A, White J, O'Callaghan, Barry, Sheppard, Rasmussen, O'Connor S, O'Connor A, McCarthy N, O'Brien, O'Leary, Dawson, Roche, Moynihan B, Doyle, O'Shea JP, Lynch, Moynihan G, Murphy Gerard, Creed, Looney, 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, S/Senior Executive Officer Corporate Services, Director of Services, Environment, Climate Action, Broadband and Emergency Services.

[a] CONFIRMATION OF MINUTES

Proposed by Councillor Deirdre O'Brien

1/6-2

Seconded by Councillor Michael Hegarty

RESOLVED:

“That the minutes of the Meeting held on 12th June 2023 be confirmed and signed by the Mayor.”

[b] VOTES OF SYMPATHY

2/6-2

TO: Mrs Joan White on the death of her mother Mrs Julia O'Donovan.

TO: Linda Sheils on the death of her mother Peg Sheils.

TO: Imelda Callanan on the death of her brother Denis Callanan.

TO: Vera Twomey on the death of her daughter Ava Barry.

[c] STATUTORY BUSINESS

DISPOSAL OF PROPERTY

SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001:

3/6-2

MUNICIPAL DISTRICT OF KANTURK/MALLOW:

Disposal of land at Pinewood Estate, Mallow, Co Cork, on the basis of longstanding possession.

3(a)/6-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 16th June 2023.

Situation: Disposal of land at Pinewood Estate, Mallow, Co Cork, on the basis of longstanding possession.

Area: 0.005 hectares/0.0128 acres

Consideration €1

MUNICIPAL DISTRICT OF WEST CORK:

Grant of lease of land at Tawnies Lower, Clonakilty, Co Cork, to develop sports pitch.

3(b)/6-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 16th June 2023.

Situation: Grant of lease of land at Tawnies Lower, Clonakilty, Co Cork, to develop sports pitch.

Area: 0.0805 hectares/0.198 acres

Consideration: €200 per annum

LOCAL GOVERNMENT ACT, 2001 (AS AMENDED):

Proposed by Councillor Ian Doyle

5/6-2

Seconded by Councillor John Paul O'Shea

RESOLVED:

“That Cork County Council agrees to the entering into an Agreement, as presented to it under Section 85 of the Local Government Act 2001 (as amended), with Limerick City and County Council, for the carrying out by Limerick City and County Council of all the relevant statutory procedures, procuring the design work, the employment and appointment of all consultants, experts and advisors, acquiring the land by agreement or compulsory purchase order and arranging for the construction works to be carried out, and any other powers, functions and duties necessary for the design, construction and completion of the Patrickswell to Charleville Greenway Scheme.

The making of an Agreement by a Local Authority, under Section 85 of the Local Government Act 2001, or amended to same, is a reserved function.”

During this discussion, the Members made the following points:

- Members welcomed the greenway and noted that this was a positive step towards active travel.
- Said that they were concerns around the M20 works.

- Members said it is important to ensure that other works such as the Mallow Relief Road are not forgotten.

LOCAL GOVERNMENT ACT, 2001 (AS AMENDED):

Proposed by Councillor Michael Hegarty

6/6-2

Seconded by Councillor Kay Dawson

RESOLVED:

“That Cork County Council agrees to the making of an Agreement, as presented to them under Section 85 of the Local Government Act, 2001 (as amended), with Waterford City and County Council for the execution by Waterford City & County Council of the functions necessary for the Cork to Waterford Pathfinder Project – Youghal to Dungarvan Scheme.”

During this discussion, the Members made the following points:

- Members welcomed this project but noted that congestion on county roads is getting worse and funding is required for development and maintenance of our road’s infrastructure

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

COBH MUNICIPAL DISTRICT

7/6-2

Cllr. Anthony Barry proposed, seconded by Cllr. Paul Hayes

“That Cork County Council erect Lyme Disease awareness signs at parks and walkways under its control and encourage other providers to do likewise.”

RESPONSE:

Members noted the response from Mr. Niall Healy, Director of Services, Municipal District Operations and Rural Development as follows:

According to the HSE, Lyme disease is caused by the bacterium *Borrelia burgdorferi* which is spread by the bite of a tick. Ticks are tiny spider-like creatures with three life-cycle stages, the smallest of which is about the size of a pinhead. The HSE advises that they are frequently found in woodland, moorland and other grassy areas, where they feed on the blood of mammals and birds. They are usually found close to the ground, especially in moist, shaded areas.

Responsibility for public health matters, and associated messaging, is vested in the Department of Health and the HSE. It is noted that the HSE’s Health Protection Surveillance Centre issues guidance to the public with respect to Lyme Disease and the precautions and preventative measures that the public should consider in that regard.

The proposed erection by the Council of information signage in public spaces, amenity areas etc, warning specifically of the dangers of Lyme disease is not considered appropriate. The council is, however, happy to assist in promoting any awareness material that is received from the HSE.

During this discussion, the Members made the following points:

- Members said that this illness can be very debilitating and people can suffer serious long term effects.

- Said it is essential that public awareness increases to prevent anyone from catching this disease.
- Said public are not aware and a sign is essential at parks where ticks are prevalent.
- Members said an awareness campaign is essential for the prevention of this disease.
- Members asked to write to HSE and Coillte to promote a campaign for awareness of contracting lyme disease at parks and walkways.
- Said a letter should be circulated to other local authorities to increase awareness of this disease.

On the proposal of Mayor and seconded by Cllr Paul Hayes, the motion was amended as follows:

“That Cork County Council to write to the HSE and Coillte to promote a campaign for awareness of the possibility of contracting lyme disease at parks and walkways and to circulate correspondence to all other local authorities.”

Members agreed the amended motion.

[g] CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS COMHFHREAGRAS Ó RANNA RIALTAS

DEPARTMENT OF EDUCATION

8/6-2

Correspondence received 15/06/23 from Department of Education in response to the Council’s letter dated 24/04/23 in relation to the calls for extra nursing staff where required in special schools.

Members noted the correspondence from Department of Education.

GAA

9/6-2

Correspondence received 24/05/23 from Cork GAA in response to the Council’s letter dated 08/05/23 in relation to the lack of television coverage of the Cork & Tipperary match on Saturday 6th May and a request for a review of the “GAAGO” App.

Members noted the correspondence from the Cork GAA.

During this discussion, the Members made the following points:

- Members said that the response was unsatisfactory.
- Said that GAA is based on a large amount of volunteering and the games should be provided for free.
- Said that members of the public should not have to go to a pub to watch a GAA match.

On the proposal of Cllr Joe Carroll, seconded by Cllr Kevin Murphy, Members agreed that a letter should be sent to the Cork GAA County Board requesting that the matter be forwarded to Central GAA Board.

[h] NOTICES OF MOTION

NATURE RESTORATION LAW

10/6-2

Cllr. Deirdre O’Brien proposed, seconded by Cllr Sheila O’Callaghan

“That Cork County Council would write to the Minister for Agriculture, Food and Marine and the Minister of Housing, Local Government and Heritage seeking that all efforts would be made to ensure the proposed Nature Restoration Law does not compromise the productive farmland. In addition, we request that a full impact assessment is undertaken to quantify the extent of farmland that will be

impacted and evaluate the potential economic and social impact on farm families and rural communities prior to agreement on any form of “Nature Restoration Law”.

During this discussion, the Members made the following points:

- Members said that this nature restoration law has not provided enough information for farmers and a full impact assessment is required to quantify the extent of farmland that will be impacted.
- Said there are reservations about rewetting with regards to low lying lands and assurances are needed that surrounding lands will not be affected.
- Members said there is an issue with a lack of information, and they cannot limit rewetting to state owned land and not expect it to flow into bordering lands.
- Said this law is undermining small farmers and will affect livelihoods.
- Said there is a climate change crisis but realism is needed regarding food production.
- Members said that action needs to be taken in nature and over half of our freshwater systems are affected with species declining.
- Said Ireland is not meeting the requirements of the Habitat Directive.
- Said we need a better framework and healthy ecosystems are fundamental for food security.
- Said there is a lot of scaremongering and misinformation, and people must be supportive of change.
- Members said the rural farmer is the backbone of Ireland and we do not want to put small farmers out of business.

Members agreed to write to the Minister for Agriculture, Food and Marine and the Minister for Housing, Local Government and Heritage seeking efforts to ensure the Nature Restoration Law does not compromise productive farmland and request a full impact assessment to quantify the extent of the farmland that will be impacted.

MARINE LEISURE INFRASTRUCTURE STRATEGY 2010-2020

11/6-2

Cllr. Marcia D’Alton proposed, seconded by Cllr. Danny Collins

“That Cork County Council would provide a report summarising the achievements of the Marine Leisure Infrastructure Strategy 2010 – 2020 and updating in particular on:

1. Progress towards achieving each of the 52 identified actions
2. Progress towards branding and developing a Quality Mark for marketing of marine leisure in Cork County.”

RESPONSE:

Members noted the response from Ms. Patricia Liddy, Director of Services, Corporate Services as follows:

Marine leisure development and tourism crosses a number of Directorates in the organisation. Coastal, Pier and Harbour infrastructure works primarily fall within the remit of the Coastal Unit within the County Engineers Directorate, operational and small scale interventions within the Municipal District Operations Directorate and, Marine Tourism experience development, support to communities including marketing of marine tourism, within the Economic Development and Tourism Directorate, including some external partnership agencies involved in this area.

It would be appropriate to bring a full report to the Tourism SPC and the Coastal Management Committee on this motion in the first instance for their information and deliberation, and thereafter to full Council.

During this discussion, the Members made the following points:

- Members said the Marine Leisure Infrastructure Strategy had a number of targets in consultation with stakeholders that were to be delivered in a ten-year time frame.
- Members said they would like to be provided with a summary of what had been delivered.
- Said the Council is not utilising marine infrastructure and the coastline to the best of its ability.
- Members said that if the marine infrastructure is well developed it will bring a lot of money and tourists to coastal towns and villages.
- Said government are providing too little funding for the coastline to provide vital infrastructure.
- Members said there are many issues with the Cork County coastline and funding is vital in this instance.

The Chief Executive said that Council has two strategies in place covering South Cork and West cork and through these strategies recognises the importance of the entire coastline and marine leisure. He strongly recommended that adequate time be given for preparation of a report on the implementation of the two strategies and that the progress reports would be brought to the Tourism Strategic Policy Committee.

Members agreed to refer this item to the Tourism Strategic Policy Committee for discussion.

HOUSEHOLD WASTE COLLECTION SURVEY

12/6-2

Cllr. Karen Coakley proposed, seconded by Cllr. Sheila O’Callaghan

“I call upon this council to survey households in this County where there is a low uptake in household waste collection services. This should reduce illegal dumping and encourage people to dispose of waste in a safer and more environmentally friendly way.”

RESPONSE:

Members noted the response from Ms. Louis Duffy, Director of Services, Environment as follows:

While the number of households not availing of a kerbside household collection service or using Civic Amenity sites for their waste disposal is very small; when the volume of waste generated by one family on a weekly basis is considered, it is apparent that there is the potential for a small number of dumpers to have a disproportionately large impact on the environment. With a population of over 350,000; covering an area over 7,000 square kilometres, identifying this small percentage of households within Cork County provides a challenge.

The approach of Cork County Council’s Waste Enforcement Team is to utilise available information to ensure the most effective application of resources. As household waste collection services are privately run, Cork County Council does not have access to waste collection data to establish areas of poor collection take up; and under current legislation, cannot compel household waste collection companies to supply this information under GDPR. The enhanced legislation in the CE Act will further strengthen the legal/lawful basis for this information, and should highlight hotspots of poor kerbside collection take up, facilitating targeted household surveys as outlined in the Notice of Motion. Due to the absence of this information at present, Cork County Council uses the information that is available to target specific households where there is cause to suspect that a household neither avails of a kerbside collection nor uses civic amenity site facilities on a regular basis.

Local knowledge is found to be most effective. Information identifying specific households (or vehicles) as may be referred from the public (some of whom wish to remain anonymous), the Environmental Health Officer, Housing Officers and Councillors is welcomed. Dumped waste is visible and of public interest; and is typically brought to the attention of Cork County Council promptly (preserving the integrity of the evidence within); with the Anti-Litter Unit receiving over 600 reports of the dumping of

household waste annually. Every report of dumping is investigated, and bags of dumped waste are combed for evidence that may lead to the producer of the waste. Where insufficient evidence is found to issue a fine under the Litter Pollution Act, the Enforcement Officer follows leads from any evidence that is found and investigates further, in an attempt to narrow down the likely origin of the waste. Further investigation (tracking of receipts, etc.) may still lead to the identification of the likely producer. Once the address of the suspected producer is determined, the Enforcement Officer will call to the property in question and attempt to speak with the householder face to face to establish the current household waste disposal regime and outline their obligations under the Segregation, Storage and Presentation of Household and Commercial Waste Bye-Laws 2019. Where face to face contact cannot be established, the Enforcement Officer formally writes to the householder, seeking information on how they dispose of their waste under the Segregation, Storage and Presentation of Household and Commercial Waste Bye-Laws 2019. Just under 20 such letters have been issued to date in 2023.

On rental accommodation, particularly where there is a cluster of properties, such as a small apartment block, with known issues, the Enforcement Officer will work directly with the Letting Agent to ensure the tenants are in compliance with the Segregation, Storage and Presentation of Household and Commercial Waste Bye-Laws.

This targeted approach has been found at present to be a more effective use of resources than issuing surveys to households in a particular area, the majority of which will be in compliance. It is however anticipated that Household Surveys will be undertaken on the relevant commencement of the enhanced legislation in the CE Act.

WERLA have a role on analysing data in the EDEN portal of the NWCPO website for all LAs nationally.

Having recently analysed the 2022 Annual Returns (ARs) for the Household Waste collectors in Cork County, the following information was noted. (Note this data is currently being validated).

1. The 2022 AR data indicates that Cork County Council has 92,108 customers availing of a kerbside service. The CSO last provided data for the number of occupied dwellings in 2016, which was before the City/County boundary change, but the number for Cork County Council was 113,651. That gives a rough (because of the boundary change issue) uptake figure of about 81% of households availing of a kerbside service. This compares with a national average of 86%. Therefore factoring in the updated boundary changes since then, Cork County is likely to be very close to the national Average.
2. By way of additional background, we can point to the availability and importance of Civic Amenity facilities in County Cork, as many households use those as an alternative to availing of a kerbside collection service. WERLA SR think nationally that CA facilities collect about 17% of Ireland's Municipal waste, so they contribute a lot in terms of collection capacity. Cork County has a good number of these relevant to other Local Authorities. There are also some previous CSO household surveys available to quantify what people do with their rubbish, and on a national level, the number not availing of a kerbside service or using CA sites was very small.

During this discussion, the Members made the following points:

- Members said the increase of illegal dumping is ruining the countryside and undermining the work of the tidy towns groups.
- Said it is a huge drain on the Council's resources.
- Members said that perhaps it is the responsibility of the landlords to provide bins for their residents.
- Said Tidy Towns are doing fantastic work and noted that a survey is required on the uptake of household waste collection services.

- Members said that the litter wardens are doing fantastic work and cover a large area.
- Said a small number of illegal dumpers are having a disproportionate impact.

The Mayor acknowledged the work of Tidy Towns and other volunteers and said there is a high cost in cleaning up rubbish.

The Chief Executive said that there are 92,108 households utilising kerbside collection, there is also a significant network of civic amenity sites. The Environment Department actively engage with property owners where they are satisfied there is a challenge. The Environment Department also engages with multi-accommodation units where there is not an appropriate collection system in place. He said there was merit in awaiting more CSO data to get a deeper insight into the issue. It is essential to review this matter through the Environment Strategic Policy Committee.

The Director of Services, Mr Louis Duffy said that work was underway to grant additional powers to Local Authorities.

Members agreed to forward this motion to the Environment, Climate Action and Biodiversity Strategic Policy Committee for further discussion.

[k] VOTES OF CONGRATULATIONS

13/6-2

- TO:** Stephen O’Leary on winning the gold medal with Team Ireland in World Special Olympics.
- TO:** 1st Cork Crosshaven Scouts on winning the gold standard on the National Cub Challenge.
- TO:** Kinsale Yacht Club on running of the Sovereigns Cup Week of Sailing Event.
- TO:** Ronan Twomey and crew on Rosmarina on winning Portcullis Trophy in Sovereigns Cup 2023.
- TO:** Colm Monahan on winning the gold medal in the Special Olympics Berlin 2023 in the Men’s Singles Badminton.
- TO:** Miley Murphy on winning another national surfing title over the weekend.
- TO:** St Mary’s Senior National School Dunmanway on winning the All Island Debating Competition.
- TO:** John Buckley on being appointed Chair of Munster Football Association.
- TO:** Noel O’Regan on winning the Junior B. Munster Bowling Final.
- TO:** Fr. Liam Kelleher on the occasion of his 55th anniversary of his ordination.
- TO:** Barryroe National School on celebrating 50 years since being opened.
- TO:** Kevin O’Connor with Pius O’Callaghan Golf Copstown on their success at the Special Olympics.
- TO:** Nicola Dwyer on her achievements at the Special Olympics.
- TO:** Cian Kelleher on his success at the Special Olympics.

[i] ANY OTHER BUSINESS

14/6-2

PLASTIC WATER BOTTLES

Members noted that the Council should endeavour to reduce the amount of plastic water bottles provided at meetings.

EPA

Members enquired about a response from the EPA with regards to farm plastics. On the proposal of Cllr Kevin Murphy, seconded by Mayor Cllr Frank O’Flynn, the Members agreed to write back to the EPA for response.

MAINTENANCE WORK BY VOLUNTEERS AT COUNCIL OWNED BURIAL GROUNDS

Members queried if Cork County Council's Insurance cover voluntary groups on graveyards under auspices of Cork County Council.

The Chief Executive confirmed that a policy extension covers maintenance type works at Cork County Council graveyards, and tree felling and construction is not covered.

~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~