



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 24th July 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 Murchú PG, Ní Chroinín, Ó Conaill, Mac Craith, Uí Daltún, Uí Bhuachalla, De Faoite, Daltún-Ó Suilleabháin, 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 Murchú Gearóid, Críod, Uí Muineacháin G, Ó Luanaigh, Cochláin M, 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 Chaochlaoich, 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, Murphy PG, Cronin, O'Connell, McGrath, D'Alton, Buckley A, White, Dalton O'Sullivan, 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, Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, 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.

[a] CONFIRMATION OF MINUTES

Proposed by Councillor Michael Hegarty

1/7-2

Seconded by Councillor Seamus McGrath

RESOLVED:

“That the minutes of the Meeting held on 10th July 2023 be confirmed and signed by the Mayor.”

[b] VOTES OF SYMPATHY

2/7-2

TO: Ralph Riegel on the death of his mother Nora Riegel.

TO: Katherine McSweeney on the death of her father Michael McSweeney.

TO: Mary Snow on the death of her daughter Avril.

TO: Kevin O'Donovan on the death of his mother in law Nollaig Healy.

TO: Leah Cooke on the death of her grandmother Eileen Mehegan.

TO: Francis & Monica Horgan on the death of their son Damian Horgan.

TO: Angela & Pauline Falvey on the death of their brother John Falvey.

DISPOSAL OF PROPERTY

SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001:

3/7-2

MUNICIPAL DISTRICT OF KANTURK/MALLOW:

Disposal of former Fire Station, St. Theresa's Place, Kanturk, Co. Cork

3(a)/7-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 14th July 2023.

Situation: Former Fire Station,
St. Theresa's Place,
Kanturk,
Co. Cork

Area: 0.043 hectares (0.106 acres)

Consideration: €1 per annum

Disposal of Portacabin, Annabella, Mallow, Co. Cork

3(b)/7-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 14th July 2023.

Situation: Portacabin, Annabella (former Driving Test Centre)
Annabella,
Mallow,
Co Cork.

Area: 82.sqm

Consideration: €1 per annum

**PART 8 MANAGER'S REPORT SECTIONS 179(3) OF THE PLANNING & DEVELOPMENT ACT 2000
(AS AMENDED)**

4/7-2

RESOLUTION UNDER SECTION 179 OF THE PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

MUNICIPAL DISTRICT OF COBH:

Proposed by Councillor Sinead Sheppard

Seconded by Councillor Alan O'Connor

Members resolved to approve Part 8 Chief Executive's report in respect of installation of 3.6 m high statue, and ancillary site works at Five Foot Way Carpark, Ringmeen, Cobh.

**PART 8 MANAGER'S REPORT SECTIONS 179(3) OF THE PLANNING & DEVELOPMENT ACT 2000
(AS AMENDED)**

5/7-2

RESOLUTION UNDER SECTION 179 OF THE PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

MUNICIPAL DISTRICT OF YOUGHAL:

Proposed by Councillor Michael Hegarty

Seconded by Councillor Mary Linehan Foley

Members resolved to approve Part 8 Chief Executive's report in respect of works to restore and redevelop two existing viewing platforms located on the R634 Lighthouse Road in Youghal.

During this discussion, the Members made the following points:

- Members asked what lines of funding are needed to complete this project

The Chief Executive said this query will be discussed further at Municipal District level.

LOCAL GOVERNMENT ACT, 2001 (AS AMENDED):

6/7-2

Proposed by Councillor Seamus McGrath

Seconded by Councillor Jack White

RESOLVED:

“That Cork County Council agrees to the entering into an Agreement, as presented to them under Section 85 of the Local Government Act 2001, with Cork City Council, for the carrying out by Cork City Council of all the relevant statutory procedures, procuring the design work, the employment and appointment of all consultants, experts and advisors and arranging for the construction of works to be carried out, and any other powers, functions and duties necessary for the design, construction and completion of the N28 Carrs Hill resurfacing project.”

LOCAL GOVERNMENT ACT, 2001 (AS AMENDED):

7/7-2

Proposed by Councillor Alan O'Connor

Seconded by Councillor Sheila O'Callaghan

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 with Cork City Council, for the carrying out by Cork County Council of all the relevant statutory procedures, procuring the necessary design work, acquiring the land and carrying out of the construction work and any other powers, functions and duties necessary for the design, construction and completion of the Dunkettle Active Travel Project.”

FILLING OF VACANCIES ON THE SOUTH CORK LOCAL COMMUNITY DEVELOPMENT COMMITTEE

7/7-2

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. Valerie Murphy as a replacement representative for Avondhu Blackwater Partnership CLG on the South Cork LCDC. The previous nominee (Mr. Patrick Roche) is hereby de- selected.

Proposed by Councillor Michael Hegarty

Seconded by Councillor Noel McCarthy

During this discussion, the Members made the following points:

- Members thanked Mr. Roche for his years of service
- Members agreed to send a Vote of Congratulations to Mr. Roche

8/7-2

ADOPTION OF ANNUAL REPORT 2022

SECTION 221 OF THE LOCAL GOVERNMENT ACT 2001

Proposed by Cllr. Michael Hegarty

Seconded by Cllr. Seamus McGrath

RESOLVED:

“In accordance with Section 221 of the Local Government Act 2001, the Annual Report for 2022 be hereby adopted”

9/7-2

CHIEF EXECUTIVE'S MANAGEMENT REPORT TO COUNCIL:

Quarterly report of the Corporate Services Directorate for the 3-month period up to 31st March 2023.

Members noted the Corporate Services Directorate Quarterly Report.

10/7-2

Quarterly report of the Library Directorate for the 3-month period up to 31st March 2023.

Members noted the Library Directorate Quarterly Report.

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

MINISTER FOR AGRICULTURE FOOD AND THE MARINE

11/7-2

Correspondence received 30th May 2023 from the Minister for Agriculture, Food and the Marine in response to the Council's letter dated 12th April 2023 in relation to Keelbeg, Union Hall.

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

DEPARTMENT OF TOURISM, CULTURE, ARTS, GAELTACHT, SPORTS & MEDIA

12/7-2

Correspondence received 14th June 2023 from the Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media in response to Council's letter dated 9th May 2023 in relation to GAAGo.

Members noted the correspondence from the Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media.

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & HERITAGE

13/7-2

Correspondence received 15th June 2023 from the Minister for Housing, Local Government and Heritage in response to the Council's letter dated 12th June 2023 in relation to the Small Towns and Villages Growth Programme in County Cork.

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

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & HERITAGE

14/7-2

Correspondence received 23rd June 2023 from the Minister for Housing, Local Government and Heritage in response to the Council's letter dated 24th May 2023 in relation to the Development Contribution Waiver Scheme.

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

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & HERITAGE

15/7-2

Correspondence received 23rd June 2023 from the Minister for Housing, Local Government and Heritage in response to the Council's letter dated 24th May 2023 in relation to the Tenant Purchase Scheme

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

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & HERITAGE

16/7-2

Correspondence received 6th July 2023 from the Minister for Housing, Local Government and Heritage in response to the Council's letter dated 23rd January 2023 in relation to grant supports available to owners of septic tanks registered before February 2013.

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

During this discussion, the Members made the following points:

- Members said this response does not address the original notice of motion

Members resolved to write back to the Minister for Housing, Local Government & Heritage to request that, as part of the review currently being conducted into the grant supports available for remediation, upgrade, or replacement of domestic waste water treatment systems, the Minister would consider that grant assistance should be made available to all householders who need to improve their waste water system if it is causing a threat to human health or the environment.

MINISTER FOR FURTHER & HIGHER EDUCATION, RESEARCH, INNOVATION & SCIENCE

17/7-2

Correspondence received 14th July 2023 from the Minister for Further & Higher Education, Research, Innovation and Science in response to the Council's letter dated 24th April in relation to accelerating the number of Mechanic Apprenticeships through the educational system.

Members noted the correspondence from the Minister for Further & Higher Education, Research, Innovation & Science.

[h] NOTICES OF MOTION

CITIZENS' ASSEMBLY ON IRISH NEUTRALITY

18/7-2

Cllr. Liam Quaide proposed, seconded by Cllr Gerard Murphy

“That Cork Co. Council would write to the three party leaders in government asking that they establish a Citizens' Assembly on Irish neutrality and security policy and investment.”

During this discussion, the Members made the following points:

- Members said the subject of neutrality is vexed in Irish discourse and that it is appropriate for us to seek information from the Government
- Said a more volatile global situation arising from the current global crisis is anticipated
- Said there is a lack of defence capability in Ireland
- Members said Ireland holds one third of EU data on security and defence
- Said Russian ships have carried out extensive mapping around Europe, potentially carried out in Irish shores
- Members said neutrality is an important and divisive issue and that it needs to be discussed in an open democratic forum
- Said many politicians are afraid to come out to express their opinion
- Said there are some basic realities to consider including that there can be a destructive element in human nature
- Said there are powerful elements in the world not amenable to neutrality that look for weaknesses in other nations and exploit that ruthlessly
- Members said that policies that were developed years ago are not relevant now in the world of cyber security
- Said we need to invest substantially in our Army
- Members proposed an amendment to the wording of the motion in which Cork County Council's position on whether or not to support a Citizen's Assembly is reserved until a later date
- Said that it is important to write to the Minister for Defence to seek the rationale for their decision and Cork County Council can then look at whether or not to support a Citizen's Assembly on the matter

The Mayor called for a vote to be taken on the amended motion as follows:-

"That Cork County Council would write to the Department of Defence asking why a Citizen's Assembly was not established on Irish neutrality and security policy and investment."

FOR: Councillor Coughlan G, Coleman, Murphy K, O'Donovan, Murphy PG, Cronin, McGrath, D'Alton, O'Callaghan, Barry, Sheppard, Rasmussen, O' Connor S, O'Flynn, O'Brien, O'Leary, Roche, Doyle, O'Shea JP, Creed, Moynihan G, Looney, Coughlan M, Murphy Gearóid, Healy, Hegarty, Ahern, Kelly, Carroll, Hurley

[30]

AGAINST: Councillor White, O'Connor A, Murphy Gerard, Kennedy, McCarthy S, Quaide

[6]

ABSTAIN: Councillor O'Sullivan M, O'Connell, Dawson, O'Shea T, Linehan-Foley, Coakley

[6]

The Mayor declared the amended motion carried.

Cllr. John Paul O'Shea proposed, seconded by Cllr. Caroline Cronin

“That Cork County Council update members on the rollout of the Ready to Build Sites Scheme.”

RESPONSE:

Members noted the response from Mr. Liam Ahearn, S/County Engineer, as follows:

Cork County Council have identified 8 no. sites already in council ownership which may be potentially suitable for the ready to build scheme. We are currently engaging with DHLGH to clarify aspects of how the scheme is to operate so we can advance our assessment of these sites.

Nationally the role out of the Vacant Homes Refurbishment Scheme was prioritised for resources within Local Authorities including Cork County Council due to the very large number of applications and extensions to that scheme. Cork County Council will be engaging with DHLGH in August to try and progress some sites under the ready to build scheme on a pilot basis.

During this discussion, the Members made the following points:

- Members said they are happy with the response
- Said it is positive to see that eight sites have been identified already
- Said that they are vital in areas around the County where property is very expensive
- Said that the Ready to Build Sites Scheme has provided great options for many people over the years
- Members said that we need to get back into providing ready to build sites as a Council and said government policy is supportive of it
- Stated that there is good funding available from the Department
- Said that rollout of the Ready to Build Sites Scheme would be a game-changer for many in Cork county
- Said these sites provide fully serviced plots of land that reduce costs for individuals, couples, and families who earn too much to qualify for social housing but are unable to afford property
- Said a lot of villages and towns across Cork county would benefit from this scheme in terms of having connections to services and having their sites ready to go
- Members said they would be delighted to see the scheme rolled out in West Cork as it would bring new life to towns and villages
- Said the Council needs to take the initiative
- Said it is important for young people to get a chance to build a house
- Said that many people have the ability to carry out a build but don't have a site to build on
- Noted that Uisce Éireann might not have the required infrastructure available on the sites
- Members queried if the land is council owned, would planning permission be required for it?

The Mayor supported the motion and asked if it would be prudent to issue a request for expressions of interest to see how many sites are needed in each area.

The Chief Executive said that this is a very good concept. He said a lot of focus has been placed on the Croí Cónaithe scheme but that there is no doubt that if clarity is provided by the Department on the Ready to Build Sites Scheme, Cork County Council are in a good position to move forward. Mr. Lucey said he would welcome a letter from the Council to our parent department seeking clarity on a number of matters. He said clarity is needed on the role of the Local Authority in providing fully services sites and on the role of Uisce Éireann in servicing the sites.

Members agreed to write to the Department of Housing, Local Government and Heritage to seek clarification on the points raised by the Chief Executive.

SEEKING OF REPORT FROM THE PLANNING DIRECTORATE

20/7-2

Cllr. William O’Leary proposed, seconded by Mayor Frank O’Flynn

“To seek a report from the Planning Directorate detailing the following for 2019, 2020, 2021, 2022 - (a) the number of active planning enforcement files per annum (b) the number of files closed per annum (c) the number of prosecutions per annum (d) the number of full time planning enforcement officers in the section p/a (e) the number of administrators working p/a.”

RESPONSE:

Members noted the response from Mr. Michael Lynch, Director of Services, Planning. as follows:

Year	Warning Letters	Enforcement Notices	Prosecutions	Files Closed
2019	373	9	4	475
2020	451	8	0	583
2021	465	12	0	309
2022	571	13	4	233

Taking account of the size of the County and the complexity and range of issues associated with Planning Enforcement, Cork County Council has arranged itself such that all Development Management Planners and Estate Engineers undertake enforcement work as part of their workload. Similarly, any Reporting Officer within a Directorate across the organisation that arranges for the inclusion of a Condition or has expertise in a particular discipline and about which there is concern of unauthorised development, reports on the Planning Enforcement issue.

Furthermore, the Planning Directorate receives legal advices from Cork County Council’s Law Department, supplemented by external Legal Counsel where necessary.

There are currently 6 administrative staff in the Enforcement Section that operate under the oversight of a Senior Executive Officer and who works in a structured reporting arrangement with the 3 no. Senior Planners in Development Management.

While overall service delivery is managed by the Director of Services, Planning & Development through the Enforcement, Estates and Development Management Sections; Cork County Council’s Planning Enforcement service delivery model may be described as an integrated multi-disciplinary inter-departmental approach to reflect the range of issues arising.

During this discussion, the Members made the following points:

- Members thanked the Director of Services for the detailed reply

WAITING TIMES FOR DRIVING TESTS

21/7-2

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

“This Council requests that the RSA and Department of Transport use every means possible to reduce the totally unacceptable waiting times for driving tests.”

During this discussion, the Members made the following points:

- Members said they have been contacted by constituents who are waiting months for a driving test
- Said that the waiting list runs anywhere from 5 to 10 months
- Said the target set by the RSA is 10 weeks which is still unacceptably long
- Noted that 75 testers are currently being recruited
- Members stated that people in rural areas are being particularly affected by the backlog
- Said the issue hugely affects people where public transport is not available
- Said the impact on families and individuals is something that needs to be addressed
- Said that 50,000 people were waiting for a driving test earlier this year
- Members said young people are disproportionately affected and young people need to get on the road
- Said there is a struggle to find accommodation in colleges
- Said it affects young people who are trying to get a summer job
- Stated businesses in rural areas cannot find a full complement of staff
- Said there are a lot of young people in apprenticeships and it is a drawback for them
- Said there is a huge emphasis now on apprenticeships and all these people need to be able to get to work
- Said that members could get a date for their driving test and it could be pushed out again
- Members made reference to an amnesty that was previously introduced in the late 70s to clear a similar backlog
- Members suggested that this should be looked at to clear the current backlog
- Members queried the value of the current driving test
- Said the structure of the test has not changed in many years and applicants are only tested in a 50 km zone
- Said a qualified driving instructor should be able to make an assessment to determine if young drivers are competent

The Mayor said the amnesty should be looked at and agrees that qualified driving instructors should be allowed to assess the competency of young drivers.

Members agreed to write to the RSA and Department of Transport to use every means possible to reduce the totally unacceptable waiting times for driving tests. Members also agreed to circulate this letter to Local Authorities.

[k] VOTES OF CONGRATULATIONS

[22/7-2](#)

TO: Jim Skinner on celebrating his 100th birthday recently.

TO: Cork Camogie Team on winning the All Ireland Senior Camogie Semi Final against Galway

TO: Alison Bergin on winning a silver medal at the 2023 World Rowing Championships

[i] ANY OTHER BUSINESS

[23/7-2](#)

BALLYCOTTON HARBOUR

Members said the EPA delay in making a decision on the dumping at sea licence, which has been applied for, is unacceptable. They said it could have a disastrous impact on the operations of the RNLI lifeboat based in Ballycotton Harbour and the local fishing industry and marine leisure industry. Members said Cork County Council has still not received a decision. They said if this is not resolved within the next week to 10 days, the government grant of €1.8m will be lost as there is a timeframe set for completing the work and project will not proceed. Members stated that Kinsale harbour is silting up badly and if this is not addressed soon it will impact the fishing industry, local yacht club and marine leisure industry. Members noted that the Port of Cork already have a dumping at sea licence for this location.

The Chief Executive said Cork County Council is doing its level best to get the matter resolved. He stated that Cork County Council is ready to appoint a contractor but cannot go ahead until the licence is granted. He said there is a very significant issue here and it would be very unfortunate if the work cannot be completed.

OUTDOOR STAFFING NUMBERS

Members asked for an update by email on the status of the recruitment process of outdoor staff.

The Chief Executive confirmed an update will be sent to Members.

NATIONAL PLOUGHING CHAMPIONSHIPS

Councillor Frank Roche proposed, seconded by Mayor Frank O'Flynn

Members said it is unacceptable that the National Ploughing Association are only selling tickets online for this year's National Ploughing Championships. Members said that tickets need to be available for sale at the gates also to accommodate people who do not have the means to access tickets online. Members agreed to write to the National Ploughing Association to ask that the decision to sell tickets for the National Ploughing Championships online only be reversed.

CROÍ CÓNAITHE GRANT SCHEME

Councillor William O'Leary proposed, seconded by Councillor John O'Sullivan

Members said 13 months to complete works and draw down the grant money under the Croí Cónaithe scheme is not achievable. They said it is not achievable for many applicants who struggle to get labour within that timeline and for applicants who are refurbishing derelict properties. Members agreed to write to the Minister for Housing, Local Government & Heritage to request that the current time frame of 13 months under the Croí Cónaithe vacant property refurbishment grant be extended.

RETAINED FIREFIGHTER'S DISPUTE

Councillor William O'Leary proposed, seconded by Mayor Frank O'Flynn

Members said they are concerned about the escalation in the retained firefighters dispute, They said it will have huge implications for Cork County and the Environment Department. Members agreed to write to the Minister for Housing, Local Government and Heritage to urge all sides to come together.

~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~