



# Comhairle Contae Chorcaí

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## 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 Monday 23<sup>rd</sup> October 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 Conaill, Ó Murchú PG, Mac Craith, Uí Daltún, Uí Bhuachalla, De Faoite, Daltún-Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conbhuhair 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, 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 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, O'Connell, Murphy PG, 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, 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, A/Divisional Manager West Cork, A/Divisional Manager North Cork, A/Divisional Manager South Cork, Senior Executive Officer Corporate Services.

The Mayor advised the Meeting that the Chief Executive would provide a report on Storm Babet immediately following Statutory Business.

Mayor Frank O'Flynn left the Chair at 14.12. Councillor Seamus McGrath took the chair at 14.13.

#### **[a] CONFIRMATION OF MINUTES**

**1/10-2**

*Proposed by Cllr. John Paul O'Shea*

*Seconded by Cllr. Michael Hegarty*

### **RESOLVED:**

That the amended minutes of the Meeting held on 25<sup>th</sup> September 2023 be confirmed and signed by the Mayor.

*Proposed by Cllr. Seamus McGrath*

*Seconded by Cllr. Pat Hayes*

**RESOLVED:**

That the minutes of the Meeting held on 9<sup>th</sup> October 2023 be confirmed and signed by the Mayor.

**[b] VOTES OF SYMPATHY**

**2/10-2**

**TO:** Seanie Farmer & Eileen Farmer on the death of their mother Eileen Farmer

**TO:** Mairead Barry on the death of her husband Seamus Barry

**TO:** Gretta & Paul Hickey on the death of Julie Walsh.

**[c] STATUTORY BUSINESS**

**DISPOSAL OF PROPERTY**

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

**3/10-2**

**MUNICIPAL DISTRICT OF BANDON/KINSALE:**

*Disposal of land at Bridge Lane, Bandon, Co. Cork.*

**3(a)/10-2**

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 13<sup>th</sup> October 2023.

**Situation:** Disposal of lands at Bridge Lane, Bandon, Co. Cork

**Area:** 0.0083 hectares

**Consideration:** €45,000.00

**MUNICIPAL DISTRICT OF WEST CORK:**

*Grant of Wayleave at Reenrou East, Bantry, Co. Cork*

**3(b)/10-2**

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 13<sup>th</sup> October 2023.

**Situation:** Grant of wayleave at Reenroar East, Bantry, Co. Cork.

**Area:** Wayleave coloured yellow measuring c. 171m x 6m -10m varying widths as per the attached map, Folio no. CK57686.

**Consideration:** €1.00

**MUNICIPAL DISTRICT OF KANTURK/MALLOW:**

***Disposal of land at Quartertown, Mallow, Co. Cork***

**3(c)/10-2**

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 13<sup>th</sup> October 2023.

**Situation:** Disposal of land at Quartertown, Mallow, Co. Cork.

**Area:** Area of land measuring c. 1.67 hectares/4.134 acres as per the attached map.

**Consideration:** €500,000.00

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

**4/10-2**

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

**MUNICIPAL DISTRICT OF CARRIGALINE:**

***Proposed by Councillor Seamus McGrath***

***Seconded by Councillor Audrey Buckley***

Members resolved to approve Part 8 Chief Executive’s report to construct a new 3.5km loop walk, along R612 regional road and L6512, L6513, L6515 local roads which includes a new 730m footpath along R612 at Fountainstown village, signage on the local roads, a new pedestrian crossing at the public car park and some landscaping and biodiversity features.

**CHIEF EXECUTIVE REPORT IN ACCORDANCE WITH SECTION 179A OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED.**

**MUNICIPAL DISTRICT OF KANTURK/MALLOW:**

5/10-2

The Chief Executive, Valerie O’Sullivan advised the Elected Members that Cork County Council intends to progress the following Social Housing development at Mill Road, Kanturk, Co. Cork.

The construction of a new housing development consisting of:

- 13 No. Residential Units including:
  - 1 No. 3 bed, 5-person 2 storey terraced house.
  - 4 No. 2 bed, 4-person 2 storey terraced house.
  - 2 No. 1 bed, 2-person single storey house.
  - 6 No. 1 bed, 2-person own door apartments.
- Demolition of existing derelict bungalow
- Relocation of existing site entrance
- Construction of new public roadside footpath
- 22No. car parking spaces.
- Soft landscaping including green spaces, planting, and trees.
- Connection to public utility
- All associated site and ancillary works

**SECTION 19 OF THE LOCAL GOVERNMENT ACT 2001:**

6/10-2

***Filling of the Casual Vacancy arising from the resignation of Cllr Michael Paul Murtagh.***

“That Úna McCarthy be co-opted as a Member of Cork County Council to fill the vacancy created by the resignation of Councillor Michael Paul Murtagh.”

***Proposed by Councillor John Paul O’Shea***

***Seconded by Councillor Jack White***

At this juncture Councillor Úna McCarthy joined the meeting.

Members said it was a great privilege to nominate Úna McCarthy and said she will be a great asset to the Council. Members said Councillor McCarthy will bring forward great ideas and said she is a great addition for the Carrigaline Municipal District. The Mayor welcomed Úna McCarthy to the Chamber and wished her every success. The Chief Executive welcomed Úna McCarthy on behalf of the Executive. Úna McCarthy thanked all for their well wishes and said she looks forward to working hard for her area.

**[d] FINANCIAL BUSINESS**

7/10-2

**AUDITED ANNUAL FINANCIAL STATEMENT 2021:**

Members noted the Cork County Council Audited Annual Financial Statement 2021 and the Local Government Audit Report, pursuant to Section 121 of the Local Government Act, 2001.

**AUDIT COMMITTEE REPORT:**

Members noted the Audit Committee Report on the Audited Annual Financial Statement 2021.

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

8/10-2

**CHIEF EXECUTIVE'S MANAGEMENT REPORT TO COUNCIL:**

8(a)/10-2

Quarterly report of the Corporate Services Report for the 3-month period 30<sup>th</sup> June 2023

*Members noted the Corporate Services Quarterly Report.*

8(b)/10-2

Quarterly report of the Library Report for the 3-month period 30<sup>th</sup> June 2023.

*Members noted the Library Quarterly Report.*

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

**MINISTER FOR PUBLIC EXPENDITURE & REFORM**

9/10-2

Correspondence received 18/10/2023 from the Minister for Public Expenditure & Reform in response to the Council's letter dated 11/10/23 in relation to asking the Minister for Public Expenditure & Reform to engage with Section 39 workers in order to come to a resolution that will prevent strike action.

*Members noted the correspondence from the Minister for Public Expenditure & Reform.*

**JOINT COMMITTEE ON EDUCATION, FURTHER AND HIGHER EDUCATION, RESEARCH,  
INNOVATION AND SCIENCE**

10/10-2

Correspondence received 18/10/2023 from the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science in response to the Council's letter dated 11/09/23 in relation to the school transport system.

*Members noted the correspondence from the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science.*

#### **CHIEF EXECUTIVE REPORT – STORM BABET:**

11/10-2

The Mayor said up to 200 residents and homes in Midleton have been impacted by Storm Babet. He said what is happening on the ground is devastating. He said government has to provide funding to Cork County Council to repair roads that were damaged by the floods. The Mayor thanked the Chief Executive, Senior Management Team and all the staff of Cork County Council for all their work and for being available to the Elected Members. He said his thoughts are with the residents and businesses who have been directly affected.

The Chief Executive provided a report on Storm Babet to the Mayor and Elected Members. Ms. O’Sullivan said it was important to reflect on the severe weather events with which we continue to contend, set out an overview of how they unfolded, and their impacts on the people of County Cork, on our towns, villages, roads and other infrastructure. Ms. O’Sullivan also set out a summary of the work undertaken by the staff of Cork County Council assisted by a number of partner agencies.

The Chief Executive said Cork County Council was as prepared as any agency could possibly have been for this unprecedented rainfall event, particularly in the town of Midleton and its environs. Prior to any rainfall, on foot of the status orange alert which issued from Met Eireann, drains and gullies at known flooding hotspots were all checked. As regards Midleton, all drains and gullies were checked and cleared 2 weeks previously as part of the Council’s routine drainage maintenance programme.

At a county level, a response plan was actioned immediately with Council crews mobilised into action straight away. Stocks of sandbags were increased and made available on a prioritised basis. Pumps were deployed in readiness at key locations across the county.

The Council activated its response plan to great effect:

- The Severe Weather Assessment Team convened 9 times since Monday 16<sup>th</sup> October, meeting twice daily most days
- A dedicated coordination group was set up to tackle the crisis in Midleton and East Cork
- A total of 10 press releases have issued to the public to keep people informed of the evolving situation

Ms. O’Sullivan said the foremost priority in all of this was to save homes and businesses. Public safety has been the core objective.

The Chief Executive said the town of Midleton flooded within 7 to 8 minutes. No agency, regardless of preparedness or competence, could have prevented this. Ms O’Sullivan said the only defence is the construction of a flood relief scheme, as evidenced by the comparatively contained situations in towns where defences are in place.

SWAT members liaised on a continuous basis, assessing the unfolding situation, disseminating information on the damage as it was occurring and the people and premises who required assistance. Through the co-ordination centre structure, real time information flowed from the constant monitoring of our road network, bridges, and other assets, streets, housing estates and properties, to enable quick decisions and deployment of resources to protect and assist people, property and infrastructure.

Throughout, the Comms team ensured that up to date advices and information were provided to Members, the public and the press, broadcast and social media. In excess of 100mm of rainfall fell in parts of Cork County over a 36 hour period equating to more than a month's worth of rainfall. 55mms fell on Midleton and 80mms in Youghal, with 25mms of rain between the hours of 10am and 12 noon alone. This came on top of a land already saturated, groundwater capacity already limited, and rivers already swollen with high tides further complicating matters. The entire county was impacted with roads throughout washed away or undermined in every Division, but East Cork, and Midleton in particular, was the worst affected. This all happened against a backdrop of a Level Orange Rainfall Warning as issued by Met Eireann.

The situation on Thursday October 19th brought an ever-evolving and increasing litany of examples of the damage caused by the severe weather, as the extent of flooding and property damage started to emerge. Reports of people and vehicles trapped as a result of flooding, property and road damage came on a continuous basis, with every hour bringing a new list of situations to which Cork County Council had to respond. The Chief Executive outlined the role that each directorate played in responding to the emergency situation. Ms. O'Sullivan said that Cork County Council will continue to work for all those affected to restore infrastructure and services across Cork County as quickly as possible.

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

- Members thanked the Chief Executive, the Executive Team, Municipal District Officers and all Council staff
- Members thanked the Gardaí, Civil Defence and all volunteers who assisted with the flooding in Midleton
- Said they are grateful to the Ministers who came to visit Midleton in the aftermath of the flooding
- Said Midleton was promised a flood relief scheme within 5 years which has not happened
- Said simple interim measures were not given
- Stated the flood relief measures for Midleton have to be urgently fast tracked
- Members said the devastation in Midleton in shops, GP surgeries, the Hospital, the Garda Station and homes is disgraceful
- Said businesses have lost stock worth thousands of euro
- Said a rates waiver needs to be put in place for affected businesses
- Said sandbags would not have been effective in this flooding event
- Said they are conscious that anything that is said today will ring hollow for anyone who has suffered in Midleton
- Said a separate emergency fund needs to be in place for these repairs and should not be part of the usual funding
- Said a lack of maintenance of forestry's in certain areas caused flooding
- Said the alert from Met Éireann should have been a red weather warning alert
- Members said consideration must be given to a nature based solution to tackle extreme flooding
- Said these extreme weather events will only increase with Climate Change
- Said Pickering in North Yorkshire adopted nature based flood defences after being refused a flood defence scheme
- Said Pickering has remained dry in recent years while other areas have experienced continuous flooding driven by climate change
- Said we will never get on top of this problem unless we think ecologically
- Members said they hope that the relief funding is easily accessible for those who have been affected by flooding
- Members said dozens of properties also flooded in Carrigaline
- Said a number of businesses were badly affected in Carrigaline

- Said a flood relief scheme needs to be put in place in Carrigaline
- Said properties flooded in Ballinhassig for the fourth time since 2009
- Said a scheme was designed for this area in 2016 by the OPW but no progress has been made on this scheme
- Said home owners in Ballinhassig are angry with the lack of progress on this scheme
- Said there needs to be an increase on outdoor staffing levels
- Members felt there was a lack of communication from Uisce Éireann after Storm Babet
- Said Uisce Éireann need to improve their communication with Elected Members
- Members said funding applied for under the Climate Adaptation Fund needs to be increased
- Said Cork County Council needs to collate evidence and images of everywhere that had flood damage
- Said the flood relief scheme has worked in Mallow
- Members said each Municipal District should have a full time drainage group
- Said it is unacceptable that Elected Members were threatened and abused on social media

*Members agreed to write to Minister of State with responsibility for Office of Public Works to ask what interim works can be completed in Midleton following the severe flooding that impacted the town on Wednesday 18<sup>th</sup> October. Members request clarity on when the works can be completed and how fast they can be implemented.*

*Members agreed to write to the Office of Public Works to ask the Office to hold a public open meeting and provide an urgent update on the Midleton Flood Relief Scheme.*

*Members agreed to write to the Minister for State with responsibility for Insurance following the devastating impact of the floods on home owners and business owners in Midleton on Wednesday, 18<sup>th</sup> October. Members ask that insurance companies do not evade their responsibility to homes and businesses damaged by the flood.*

*Members agreed to write to the Minister of Health to provide assistance to GP's in Midleton whose surgeries have been severely damaged by flooding in the town. Members ask that the Minister provide funding to these GP's to ensure services are up and running as a matter of urgency.*

*Members agreed to write to Eirgrid to ask that they immediately review the proposed route in East Cork and put it on the N25. The proposed route and areas identified by Eirgrid are continuously at threat of flooding.*

*Members agreed to write An Tánaiste & An Taoiseach to ask that the Humanitarian fund is excluded from means testing for home owners and business owners affected by the flooding in Midleton on Wednesday 18<sup>th</sup> October, 2023.*

The Chief Executive responded to the Members:

- Said 9 schemes under the auspices of the OPW, Ballinhassig and Ballingearry have gone to tender for consultants
- Carrigaline Flood Scheme is open to being released as per the OPW
- Said Cork County Council Executive will be meeting with Minister O'Donnell and the OPW
- Agrees with Members that there should be a separate emergency fund and said Cork County Council will impress that on various Ministers who have engaged
- Said Cork County Council is not responsible for forestry but have a duty to work with other authorities on this



- Said no authority is responsible for rivers and this should be looked at nationally at a policy level
- Said landowners are responsible for rivers that go through private property
- Said Cork County Council will work with businesses in relation to rates but Cork County Council would have to be reimbursed by national government
- Said sandbanks are not a solution and there is a long standing scheme with the OPW to erect flood barriers
- Will look at restarting Midelton Town Teams
- Said the rest of the county has also been negatively impacted but the rest of the county will not be forgotten
- Stated Cork County Council does not have the funding to have staff in place on a round the clock basis
- Said staff were out in force during this weather event and staffing has to be drawn from existing staffing levels
- Said 128 calls were received to the emergency contact line during Storm Babet and 106 calls were answered
- Said 22 calls were unanswered as callers hung up within 60 seconds before waiting for the call to be answered
- Said Cork County Council will collate all the areas that are known to have had flooding

#### **EXTENSION OF TIME:**

As the time was now 1.15pm an extension of time was agreed.

*Proposed by Councillor Gillian Coughlan*

*Seconded by Councillor Seamus McGrath*

#### **[h] NOTICES OF MOTION**

##### **WORLD HEALTH ASSEMBLY**

**12/10-2**

*Cllr. Marcia D'Alton proposed, seconded by Cllr Seamus McGrath*

“Officials from the Department of Health are currently representing Ireland’s interests whilst partaking in negotiations on amendments to the International Health Regulations (2005) at the World Health Assembly. The World Health Assembly is the decision-making body of the World Health Organisation. The negotiations began in Q1 2022 and the agreed amendments are to be voted on in May 2024. In light of the material nature of the proposed amendments and the duration of the negotiations, this Council asks the government and the Department of Health to clarify:

- 1) Whether it considers the Irish public to be stakeholders in either the current process or in the outcome of these negotiations
- 2) When it intends to fully brief the Irish public about the content of the current negotiations
- 3) When it intends to fully brief the Irish public about the content and implications of the five amendments already passed
- 4) What the legal implications of the amended proposals will be for the Irish people
- 5) Whether the departmental officials acting in the interest of the people of Ireland will defend retention of the existing text defending the overarching principle of ‘respect for the dignity, human rights and fundamental freedoms of persons’.
- 6) How the departmental officials acting in the interest of the people of Ireland will ensure that the principle of informed consent is maintained and enshrined in the proposed amendments.

That this motion would be circulated to all other local authorities in Ireland such that their Elected Members may also contribute to queries about these current negotiations on behalf of their electorate.”

With the agreement of the Members, Notice of Motion 11 was deferred.

### **ISRAEL-HAMAS WAR**

**13/10-2**

*Cllr. Liam Quaide proposed, seconded by Cllr Jack White*

“That Cork Co. Council would write to the three party leaders in government commending them for identifying the Israeli government response to recent atrocities committed against Israeli citizens as a form of collective punishment of the Gazan civilian population, despite the failure of many Western political leaders to do so. And that Cork Co Council would ask that the party leaders would continue to publicly condemn the cutting off of resources that are essential for the survival of those civilians, the mass forcible displacement of the Gaza city population, indiscriminate attacks causing widespread death and injury to civilians and unnecessary destruction of civilian property as clear war crimes under international law.”

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

- Members said the Israel-Hamas War will deepen sides of hate and trauma in the Middle East
- Said what is happening in Gaza now is a humanitarian crisis
- People have been displaced and are suffering terribly
- Members said innocent civilians are bearing the brunt of the conflict
- Said these children are already traumatised as they may have witnessed their parents being killed or trapped under rubble

*Members agreed to amend the motion as follows:*

“That Cork County Council write to the three party leaders in government, to ask government to enact the Occupied Territories Bill.”

*Members agreed to write to the three party leaders in government commending them for identifying the Israeli government response to recent atrocities committed against Israeli citizens as a form of collective punishment of the Gazan civilian population, despite the failure of many Western political leaders to do so. Members agreed to ask government to enact the Occupied Territories Bill*

**[i] ANY OTHER BUSINESS**

**15/10-2**

With the agreement of the Members, Any Other Business was deferred.

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