



# 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 Monday 13<sup>th</sup> November 2023.

### I LATHAIR

#### Comhairleoir Proinsias Ó Flíonn, Méara Chontae

**Comhairleoiri:** Uí Chochláin G, Ó Colmáin, Ó Murchú C, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin D, Ó Murchú PG, Ní Chróinín, Mac Craith, Uí Daltún, Uí Ní Charthaigh U, 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, Ó 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 M, O'Donovan, Collins D, Murphy PG, Cronin, McGrath, D'Alton, McCarthy U, 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, Senior Executive Officer Corporate Services.

### [a] CONFIRMATION OF MINUTES

1/11-1

*Proposed by Cllr. Seamus McGrath*

*Seconded by Cllr. Michael Hegarty*

### RESOLVED:

That the minutes of the Meeting held on 23<sup>rd</sup> October 2023 be confirmed and signed by the Mayor.

### [b] VOTES OF SYMPATHY

2/11-1

**TO:** Mary O'Callaghan on the death of her husband Joe O'Callaghan, former Mayor & County Councillor.

- TO:** Ann Creedon on the death of her husband Joe Creedon, employee of Cork County Council.  
**TO:** Fr. James Moore on the death of his aunt Ellen (Nellie) Steele.  
**TO:** Niall Healy on the death of his aunt Matilda Cronin.  
**TO:** Aoife Barrow on the death of her grandfather Jim Barrow.  
**TO:** Anita Kelly on the death of her partner Louis J Belton.  
**TO:** Carmel Ryan on the death of her husband Dan Ryan, retired Cork County Council engineer.  
**TO:** Liz Maguire on the death of her father Patrick (Paudie) Keohane.

**[c] STATUTORY BUSINESS**

**DISPOSAL OF PROPERTY**

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

**3/11-1**

**MUNICIPAL DISTRICT OF BANDON/KINSALE:**

***Disposal of Former Pumphouse at Curragh Hill, Riverstick Co. Cork***

**3(a)/11-1**

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 3<sup>rd</sup> November 2023.

**Situation:** Disposal of former pumphouse at Curragh Hill,  
Riverstick, Co. Cork, as comprised in Folio CK178488F

**Consideration:** €1

***Exchange of Land at Curra, Riverstick, Co. Cork***

**3(b)/11-1**

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 3<sup>rd</sup> November 2023.

**Situation:** Curra,  
Riverstick,  
Co. Cork

**Area:** Land measuring 0.4698 hectares (1.16 acres)

**Consideration:** €1 nominal fee – as part of exchange of lands

**MUNICIPAL DISTRICT OF COBH:**

***Disposal of House at No. 9 Lake Road, Cobh, Co. Cork***

**3(c)/11-1**

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 3<sup>rd</sup> November 2023.

**Situation:** House at No. 9 Lake Road, Cobh, Co. Cork.

**Consideration:** €1

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

**MUNICIPAL DISTRICT OF FERMOY:**

**4/11-1**

The Chief Executive, Valerie O’Sullivan advised the Elected Members that Cork County Council intends to progress the following Social Housing scheme at Elm Grove, Crann Ard, Fermoy.

The construction of a new housing development consisting of:

- 26 No. Residential Units including:
  - 1 No. 4 bed, 7-person 2 storey house.
  - 17 No. 3 bed, 5-person 2 storey house.
  - 8 No. 2 bed, 3-person 2 storey house.
- Construction of new public roadside footpath
- Construction of new pedestrian crossing with beacons
- 54 No. car parking spaces.
- Soft landscaping including green spaces, planting, and trees.
- Construction of new foul Pumping Station and rising main
- Connection to public utilities
- All associated site and ancillary works

**FILLING OF VACANCIES ON COMMITTEES AND EXTERNAL BODIES:**

**5/11-1**

Appointment of Councillor Úna McCarthy to Committees as follows:

- Joint Policing Committee
- Roads and Transport Strategic Policy Committee
- Planning Strategic Development Strategic Policy Committee
- Traveller Consultative Committee

*Proposed by Councillor John Paul O'Shea*

*Seconded by Councillor Michael Hegarty*

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

**6/11-1**

**CORPORATE POLICY GROUP**

Approval of attendance by Members at Conferences/Training on the Conference list for November 2023.

*Proposed by Councillor John Paul O'Shea*

*Seconded by Councillor Seamus McGrath*

**7/11-1**

**EAST CORK MUNICIPAL DISTRICT**

- “Is there a plan of action to deal with the roads/bridges that were damaged during the flooding?”
- “That Council undertakes to repair and make good to sections of boundary wall destroyed by the recent catastrophic flooding caused by the Owennacurra at Tir Cluain and Willowbank estates, and to assess the damage to concrete fences and berm at Millbrook estate. To engage with Residents’ Associations who have undertaken interim works on this issue
- “That a motion be put forward to full council requesting all energy companies supplying affected homes, businesses and community/sports hubs in East Cork be granted discounts/allowances on their utility bills due to the high costs of running dehumidifiers and electric heating to dry out their properties after the severe flooding.”

**RESPONSE:**

Members noted the response from Dave Clarke, SSE as follows:

***“Is there a plan of action to deal with the roads/bridges that were damaged during the flooding?”***

**RESPONSE:**

A drive over visual inspection has been completed of all public roads in East Cork MD. This was completed over 2 days with 7 Engineers. Damage and issues observed have been logged. Further, more detailed inspections are ongoing and indeed now issues are arising. Warning signage and safeguarding barriers have been installed in numerous locations. Emergency works and repairs are ongoing (e.g. culvert replaced on Midelton to Dungoureny Road, road surfacing at Pynes X, Road collapses and surfacing Inch Village). As we move from the response phase to the recovery phase of this extreme weather event a planned programme of works for the permanent repair of damage to roads and road structures will be developed and implemented to the degree that funding is made available.

*“That Council undertakes to repair and make good to sections of boundary wall destroyed by the recent catastrophic flooding caused by the Owennacurra at Tir Cluain and Willowbank estates, and to assess the damage to concrete fences and berm at Millbrook estate. To engage with Residents’ Associations who have undertaken interim works on this issue.”*

**RESPONSE:**

CCC is currently reviewing and investigating what interim measures can be done in advance of the main flood relief scheme, based on the risk profile of affected properties and will prioritise this work when viable measures are identified. An assessment of the impacts of Storm Babet is also underway. Any recommendations arising from this assessment will be actioned, where possible, as a matter of urgency.

All of the above estates will be included in the post Storm Babet assessment. However, please note that Cork County Council is not responsible for any estates not taken in charge.

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

- Said the government have been quick to step up in the aftermath of Storm Babet and it is great to have that response
- Said any council spending will have to be reimbursed from government
- Said that people affected by the flooding are falling between the cracks, especially in estates that have not yet been taken in charge
- Members said they are concerned about boundary walls that have been destroyed
- Said residents have taken it upon themselves to fix it as they are afraid that they will be flooded again
- Said some people cannot sleep for fear of this happening again
- Said these walls need to be reconstructed as quick as possible
- Said a solution needs to be put in place as the walls have been compromised
- Members spoke about the impact in areas around East Cork
- Said the dredging of river beds is crucial to prevent further flooding
- Said river beds need to be cleaned and Oireachtas Members will have to introduce special legislation to allow this
- Said several bridges were damaged during Storm Babet and the full extent of that has not been fully qualified yet
- Members said people will not be living in damaged properties for a long time to come
- Said energy companies need to give assistance to alleviate that cost

- Said any premises that have been flooded have high energy costs & should be eligible for some refund
- Members said there is a deep sense of vulnerability over what has happened
- Asked if Cork County Council have made contact with the residents in low lying areas
- Said pressure needs to be put on the OPW for Quarry Road in Youghal as there is a flood plan in places and this area was flooded a few weeks ago
- Members asked for an update on the application on the programme of works referenced in the response
- Members said there needs to be an assessment of what happened and why
- Some Members said dredging is damaging for the environment and it can be counter effective in terms of flooding
- Said it is important to look at the steps that can be taken to mitigate any flooding in the future
- Said dredging protects properties, human life and protects the ecosystem
- Said priority should not be given to wildlife over the life of human beings
- Members said they want to query the handover of responsibility for rivers and the legal situation of that handover

The Mayor said he has noticed a lot of debris in bridges need to be cleaned. He expressed gratitude to the outdoor staff of Cork County Council for all their work during Storm Babet.

The Chief Executive said Cork County Council are carrying out a detailed assessment of every flooded property in the county. Ms. O’Sullivan said the overall claim that will be submitted will be between €58 - €63 million. She said the damage caused to bridges will have to be looked at. She said the cost of the severe weather assessment was €4.4 million. The Chief Executive said the Finance Team in Cork County Council is assisting businesses with claims from the Red Cross Team. Ms O’ Sullivan said Cork County Council can only carry out repairs to estates that have been taken in charge. She said the responsibility for dredging is split between a number of agencies. She said everybody who was affected by the flooding has been contacted as part of the assessment of the County.

*Members agreed to write to all energy companies supplying affected homes, businesses and community/sports hubs in East Cork be granted discounts/allowances on their utility bills due to the high costs of running dehumidifiers and electric heating to dry out their properties after the severe flooding.*

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

### **DEPARTMENT OF RURAL & COMMUNITY DEVELOPMENT**

**8/11-1**

Correspondence received 25/10/2023 from the Department of Rural and Community Development in response to the Council’s letter dated 25/09/23 in relation to requesting an update on the timeline of when an announcement of the approved LAGs in Cork County will be made.

*Members noted the correspondence from the Department of Rural and Community Development.*

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

*Cllr. Marcia D’Alton proposed, seconded by Cllr Susan McCarthy*

“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.”

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

- Said there are two parallel law making processes in place
- Said the proposed amendments would give increased strength to unlicensed medical products
- Said these amendments raise concerns with long held rules
- Asked how severe and widespread an emergency should be
- Asked should these medical products become available on the open market without that testing
- Members said it could be agreed under the right to Freedom of Information
- Asked what officials are partaking in these negotiations on behalf of Ireland
- Said an Freedom of Information request cannot be performed on them and their email address is not published
- Said there are huge questions around governance if these proposed amendments are passed

*Members agreed to write to the Minister for Health to ask for clarity on the six points raised by Members under this Notice of Motion.*

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

“That this council would urgently liaise with the Office of Public Works in order to bring

forward the second tranche of projects in Cork County under the Catchment Flood Risk Assessment and Management programme (CFRAM) with special regard to Rathcormac following the recent flood events .”

Members noted the response from John Slattery, A/County Engineer, as follows:

**RESPONSE:**

In advance of a release date for Tranche 2 schemes, Cork County Council is currently assessing interim measures that could be implemented to reduce flood risk in Rathcormac.

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

- Said there are 130 schemes nationwide that have not been moved forward
- Said there is no prospect of these schemes moving forward any time soon
- Said there was flooding in North Cork on two successive weeks
- Said there have been a number of parliamentary questions to Ministers about the second tranche of projects but the responses are not favourable
- Members said interim measures have to be considered for the schemes under the second tranche of the OPW
- Asked how much funding is available from Local Authorities
- Said there needs to be some action on the ground to restore faith that people can live without the fear of flooding
- Member said the OPW need to carry out a review of CFRAM
- Said that people in Rathcormac are very upset over the delay in progressing the project

The Mayor said that areas that have experienced flooding should be prioritised.

The Chief Executive said that meetings were held with the OPW and Minister Patrick O’Donovan after the recent flooding caused by Storm Babet. She said that a business case has been put forward to the Minister for Cork County Council to have an emergency flood team.

*Members agreed to write to Minister Patrick O’Donovan to ask that areas on the CFRAM list that flooded during Storm Babet be prioritised.*

**RESTRICTED DOG BREEDS**

11/11-1

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

“To request that Cork County Council initiates an Information/Advertising Campaign to highlight the rules relating to Restricted Dog Breeds in Ireland.”

Members noted the response from Paul O Connell, S/Chief Veterinary Officer & Edmond O’Sullivan, Veterinary Inspector as follows:

**RESPONSE:**

Members may be aware that the Department of Rural and Community Development (DRCD) in 2021 initiated a review of Dog Control Legislation including breed specific regulation-their [report](#) was published in April 2022. Earlier this year, following a number of serious dog attacks on people and livestock , government set up a national working group comprising all stakeholder agencies to further

review dog control issues. That working group has also published a report in recent months, which can be accessed [here](#).

Minister Heather Humphreys DRCD has just today announced increased on the spot fines of up to €300 for a range of dog control offences including not having a dog under effective control or a dog not wearing a muzzle where required. The new regulations also allow for issue of multiple fines in relation to a single incident.

The Minister also announced the establishment of a €2 million Fund to upgrade local authority dog shelter facilities and vehicles nationwide. (€98,020 is the allocation for CCC)

Finally, the Minister has also confirmed that a high-level stakeholder group will be asked to consider wider issues around dog ownership, including expanding the list of “restricted breeds”.

The full text of today’s announcement by the Minister can be accessed [here](#).

The Veterinary Department of the council, who is charged with implementing dog control legislation within the county, is open to examining options regarding the development of a local awareness campaign via social media and other platforms on the subject of restricted breeds. The CCC representative on the Local Authority Veterinary Service (LAVS) dog control working group has also requested that the issue of an awareness campaign be discussed at the next national meeting on November 22<sup>nd</sup> next.

For information, attached as an appendix is an extract from the Control of Dogs Act 1998 listing the breeds that are currently specified.

## **Appendix**

### **\*\*extract from CONTROL OF DOGS REGULATIONS 1998\*\***

Article 5 of the Control of Dogs Regulations 1998 sets out additional Leashing and Muzzling requirements in respect of certain breeds.

*“.....A person shall not permit a dog to which this article applies to be in a public place unless such dog is:*

*(i) securely muzzled; and*

*(ii) being led by a sufficiently strong chain or leash, not exceeding two metres in length, by a person over the age of sixteen years who can control the said dog.*

*Article 5 of the above regulations applies to every: —*

*(a) American Pit Bull Terrier,*

*(b) Bull Mastiff,*

*(c) Doberman Pinscher,*

*(d) English Bull Terrier,*

*(e) German Shepherd (Alsatian),*

*(f) Japanese Akita,*

*(g) Japanese Tosa,*

*(h) Rhodesian Ridgeback,*

*(i) Rottweiler,*

*(j) Staffordshire Bull Terrier, and*

*to every dog of the type commonly known as a Ban Dog (or Bandog), and to every other strain or cross of every breed or type of dog described in this article.”*

The above information is available to the public on the Cork County Council website.

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

- Said that life changing injuries can be sustained from restricted dog breeds and it is critically important that there is legislation in place
- Said the majority of dog owners are responsible but there need to be sanctions in place for dog owners who are not responsible
- Members welcomed the discussion that will take place on this issue on November 22<sup>nd</sup>
- Noted the importance of funding
- Said more funding for dog wardens would have been welcome
- Said dog wardens do their best but they have large areas to cover
- Said the increase in fines is welcome for dog wardens too
- Said there needs to be an awareness campaign on restricted dog breeds
- Said there should be an advertising campaign in conjunction with Post Offices
- Said there needs to funding for local authorities to implement fines to dog owners who are not following the rules

*Members agreed to write to Minister Humphries to provide additional funding to Local Authorities for increased enforcement activity and for the employment of additional Dog Wardens.*

## **FULL TIME DRAINAGE CREW**

12/11-1

***Cllr. Tony O'Shea proposed, seconded by Cllr. Joe Carroll***

“That this council would place a full time drainage crew in each engineering area across the County to assist with keeping drains & gullies clear on our roads and streets.”

Members noted the response from Niall Healy, Director of Services, Roads Directorate as follows:

### **RESPONSE:**

“A drainage crew is permanently assigned to each engineering area within the agreed operational plan for each MD in the Northern Division. In situations where an engineering area is under resourced, priority may be temporarily given to other maintenance activities deemed more urgent at the time.”

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

- Said drains and gullies have not been attended to for some time
- Said drainage is one of the most common individual questions to Elected Members from constituents
- Said some roads were destroyed in the recent flooding that were newly resurfaced
- Said it is disappointing to see roads being destroyed and it costs a fortune to have these roads resurfaced again
- Said drainage is critical and essential to the preservation of roads
- Members said there needs to be an increase in staffing levels to help clear drains around the county
- Said the Government promised that the same level of service would be given to towns after Town Councils were abolished but this has not happened
- Said there is neglect in towns and villages around the county
- Members said that drain cleaning was seen as a non priority during the recession but it is a priority
- Said staff need to engage with the public on local knowledge
- Said a drainage programme needs to be implemented around the county and this would protect the roads for some time
- Said a sweeper with vacuum pipe would be beneficial in larger towns similar to what is currently used in Cobh
- Members said that landowners also need to take responsibility for clearing drains and gullies

The Chief Executive confirmed that the response to the motion also extends to the Western & Southern Divisions. Ms. O' Sullivan said that drainage is a priority on the ground and said Cork County Council will never be fully funded to maintain the roads in Cork County to the standard that they should be. She said there currently 354 outdoor staff in place with 20 vacancies. She said the vast majority of outdoor staff are located in the Western Division. The Chief Executive said there are difficulties with getting the

work done due to underfunding for roads across Cork County. She said having a crew just to deal solely with drainage is not feasible as it is not required all year round.

**EXTENSION OF TIME:**

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

*Proposed by Councillor Seamus McGrath*

*Seconded by Councillor James Kennedy*

**EXTENSION OF DURATION**

13/11-1

*Cllr. Deirdre O'Brien proposed, seconded by Mayor Frank O'Flynn*

“That this Council would call on the Minister for Housing and Local Government to reconsider the policy on the Extension of Duration and to allow Extension of Duration for once off planning’s when based on economic and technical change.”

Members noted the response from Pdraig Barrett, Director of Services, Planning & Development as follows:

**RESPONSE:**

The Power to extend appropriate period is contained within Section 42 of the Planning and Development Act 2000 (as amended). This was amended by the Planning and Development (Amendment) Act 2021 (Commencement Order No. 2 2021). A copy of the current wording is set out below. As was outlined by the Department the purpose of the amendment **‘... seeks to ensure the timely delivery of housing and the completion of construction projects...’**

The purpose of the (2021) extension of the appropriate period under the Act is to facilitate the completion of projects that have **commenced as opposed to projects that did not commence within the 5 years of the grant of permission.**

This motion calls for extension of duration for one-off housing applications only whereas it may not be possible to restrict the relaxation to one type of permission and such a relaxation, if allowed, may have to be available to all permissions.

The motion seeks to reinstate the economic case to facilitate extension of duration for projects that have not commenced and provide for the case of extension of duration for projects for technical reasons. There is an absence of clarity on the type of economic reason that could constitute reasonable grounds for considering such a request and no clarity on how this can be scrutinised or assessed. The lack of

clarity on these issues could lead to differing approaches being taken by different planning authorities as opposed to a consistent approach throughout the country.

Therefore, the provisions that allow for extension of duration that currently prevail are appropriate and the planning directorate would not be in favour of the proposed changes.

**Power to extend appropriate period.**

42.— (1) On application to it in that behalf, but subject to subsection (8),] a planning authority shall, as regards a particular permission, extend the appropriate period by such additional period not exceeding 5 years as the authority considers requisite to enable the development to which the permission relates to be completed provided that each of the following requirements is complied with:

(a) (i) the authority is satisfied that—

(I) the development to which the permission relates was commenced before the expiration of the appropriate period sought to be extended,

(II) ...

(III) substantial works were carried out pursuant to the permission during that period, and

(IV) the development will be completed within a reasonable time,

(b) the application is in accordance with such regulations under this Act as apply to it,

(c) any requirements of, or made under those regulations are complied with as regards the application, and

(d) the application is duly made prior to the end of the appropriate period.

(2) In extending the appropriate period under subsection(1) a planning authority may attach conditions requiring the giving of adequate security for the satisfactory completion of the proposed development, and/or may add to or vary any conditions to which the permission is already subject under section 34(4)(g).

(3) (a) Where an application is duly made under this section to a planning authority and any requirements of, or made under, regulations under section 43 are complied with as regards the application, the planning authority shall make its decision on the application as expeditiously as possible.

(b) Without prejudice to the generality of paragraph (a), it shall be the objective of the planning authority to ensure that it shall give notice of its decision on an application under this section within the period of 8 weeks beginning on—

(i) in case all of the requirements referred to in paragraph (a) are complied with on or before the day of receipt by the planning authority of the application, that day, and

(ii) in any other case, the day on which all of those requirements stand complied with.

(4) A decision to extend the appropriate period of a permission shall be made not more than twice under this section and a planning authority shall not further extend the appropriate period. Where a second decision to extend an appropriate period is made under this section, the combined duration of the 2 extensions of the appropriate period shall not exceed 5 years.

(5) Particulars of any application made to a planning authority under this section and of the decision of the planning authority in respect of the application shall be recorded on the relevant entry in the register.

(6) Where a decision to extend is made under this section, section 40 shall, in relation to the permission to which the decision relates, be construed, and have effect, subject to, and in accordance with, the terms of the decision.

(7) Notwithstanding subsection (1) or (4), where a decision to extend an appropriate period has been made by a planning authority prior to the coming into operation of this section, the planning authority, where an application is made to it in that behalf prior to the expiration of the period by which the appropriate period was extended, may further extend the appropriate period provided that each of the following requirements is complied with—

(i) an application is made in that behalf in accordance with regulations under section 43,

(ii) any requirements of, or made under, the regulations are complied with as regards the application, and

(iii) the authority is satisfied that the relevant development has not been completed due to circumstances beyond the control of the person carrying out the development.

(8) A planning authority shall not extend the appropriate period under this section in relation to a permission if an environmental impact assessment or an appropriate assessment would be required in relation to the proposed extension concerned.

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

- Said applicants are subject to building costs that have gone through the roof
- Said there can be genuine issues in trying to get contractors and tradesman
- Said people are being punished for issues outside of their control
- Members said the once off applicant is being penalised
- Said that regulations could change if applicants have to re apply for planning, especially if zoning changes under a County Development Plan
- Said that there a lot of factors that affect the eligibility of an application and could lead to planning permission not being granted
- Said Community Buildings can be restricted until grants are available
- Said sustainability and renewal energy are all subject to grants and grants are subject to change

*Members agreed to write to the Minister for Housing and Local Government to reconsider the policy on the Extension of Duration and to allow Extension of Duration for once off planning's when based on economic and technical change.*

**[k] VOTES OF CONGRATULATIONS**

**14/11-1**

- TO:** Erins Own GAA on winning the County Senior Hurling Title Premier
- TO:** Shane Sweetman on competing in the Jumping World Cup Grand Prix in Lexington
- TO:** Ciara Maisie Cremin on winning Bronze at the ITF Taekwondo Bulgarian Open representing Ireland
- TO:** Rylane Community Park Association on winning a special award at the National Pride of Place Awards
- TO:** Aghabullogue GAA on winning the 2023 Intermediate A Football County Final
- TO:** Austin O' Connor on competing in the 5 Star Badminton Horse Trials
- TO:** Newcestown Senior A Football and Senior A Hurling Club on winning Double County Final Hurling and Football
- TO:** A Taste of Bandon Committee on the success of "A Night Out in Bandon" and taste of Bandon Festival
- TO:** The organisers of the U21's World Angling Championships on hosting the world championship in Crosshaven & Carrigaline
- TO:** Ibane Junior Ladies Football team on winning the County Final
- TO:** Organisers of the Samhain Festival in Clonakilty
- TO:** Drinagh Co – Op on the centenary celebrations and the launch of the book
- TO:** Philip O'Regan on authoring a fantastic memoir on the history of Drinagh Co-Op
- TO:** Castlehaven GAA on winning The Cork Senior Club Championship Final and the AIB Club Championship Final
- TO:** O' Donovan Rossa Ladies on their fantastic win in The Munster Club Final
- TO:** Jake O'Brien on his success with Crystal Palace Soccer Team and Lyon Club in France.

**[i] ANY OTHER BUSINESS**

**15/11-1**

**ISRAEL-HAMAS WAR**

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

Members said the situation has deteriorated since last spoken about at the last meeting of Full Council. They said the situation is an affront to all of our humanity and that the international community is now losing all moral authority. They said only a trickle of aid is being let in. Members said both the sides got a chance under the Oslo Accord but both have been negligent since then. They said the Irish position is that we must keep Irish lines of communication open as Irish citizens are being held hostage in both countries. They said Irish people want to send their solidarity to the people of Palestine.

*Members agreed to write to the Government to request that the Occupied Territories Bill be enacted. Members call on the Government to formally sanction the Israeli ambassador and seek a European mandate seeking for an immediate full cease fire.*

*Members also agreed to write to An Tánaiste Micheál Martin to urge the International Criminal Court to issue arrest warrants for Hamas leader Ismail Haniyeh and Israeli Prime Minister Benjamin Netanyahu in light of atrocities against civilians, widely regarded as war crimes, committed in Israel/Palestine since October 7<sup>th</sup>.*

**MARINE PROTECTED BILL**

*Cllr. Karen Coakley proposed, seconded by Mayor Frank O'Flynn*

Members agreed to write back to the Minister for Housing, Local Government & Heritage to get an update on the Marine Protected Bill as requested previously.

**MINISTER FOR TRANSPORT**

*Mayor Frank O'Flynn proposed, seconded by Deputy Mayor John Healy*

Members agreed to write back again to the Minister for Transport to seek a delegation with Cork County Council to request grant allocations for Cork County.

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