



# 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 22<sup>nd</sup> January 2024.

### I LATHAIR

#### Comhairleoir Proinsias Ó Flíonn, Méara Chontae

**Comhairleoiri:** Uí Chochláin G, Ó Colmáin, Ó Murchú C, Ó Suilleabháin Sean, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin D, Ó Murchú PG, Ní Chróinín, Heinhold, 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, Dawson, Ó Laoghaire, 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, Collins D, Murphy PG, Cronin, Heinhold, 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'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, Senior Executive Officer Corporate Services.

Councillor Kevin Murphy took the chair at 14.12.

### [a] CONFIRMATION OF MINUTES

1/1-2

*Proposed by Cllr. Michael Hegarty*

*Seconded by Cllr. Kevin Murphy*

### RESOLVED:

That the minutes of the Meeting held on 11<sup>th</sup> December be confirmed and signed by the Mayor.

2/1-2

*Proposed by Cllr. Michael Hegarty*

*Seconded by Cllr. Kevin Murphy*

**RESOLVED:**

That the minutes of the Meeting held on 8<sup>th</sup> January 2024 be confirmed and signed by the Mayor.

**[b] VOTES OF SYMPATHY**

3/1-2

**TO:** Cllr Michael Fitzgerald and John Fitzgerald on the death of their mother Jane Fitzgerald.

**TO:** Ivor & George Jeffery on the death of their mother Kitty Jeffery.

**TO:** The Scully Family on the death of John Scully.

**TO:** The Burchill Family on the death of Samuel Burchill.

Cllr. Marcia D’Alton remarked on the passing of Ian Bailey from West Cork.

**[c] STATUTORY BUSINESS**

**DISPOSAL OF PROPERTY**

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

4/1-2

**MUNICIPAL DISTRICT OF KANTURK/MALLOW:**

***Disposal of House at Mountcorbett, Churchtown, Mallow, Co. Cork***

4(a)/1-2

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 22<sup>nd</sup> January 2024.

**Situation:** House at Mountcorbett, Churchtown, Mallow, Co. Cork.

**Area:** As outlined on File Plan CK49051

**Consideration:** €78,000

***Grant of Wayleave at Brindle Hill, Charleville, Co. Cork***

4(b)/1-2

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 22<sup>nd</sup> January 2024.

**Situation:** Grant of wayleave at Brindle Hill, Charleville, Co. Cork.

**Area:** Wayleave coloured yellow as per as per the attached map.

**Consideration:** €1.00

**MUNICIPAL DISTRICT OF BANDON/KINSALE:**

***Grant of Right of Way at Ballydownis, Kilbrittain, Co. Cork***

**4(c)/1-2**

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 22<sup>nd</sup> January 2024.

**Situation:** Grant of Right of Way at Ballydownis, Kilbrittain, Co. Cork

**Area:** 490m<sup>2</sup>/0.2324 hectares

**Consideration:** €1

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

**5/1-2**

Appointment of Councillor Chris Heinhold to Committees as follows:

- Environment, Climate Action & Biodiversity Strategic Policy Committee
- Arts, Culture & Language Strategic Policy Committee
- Coastal Management Committee

***Proposed by Councillor Alan O'Connor***

***Seconded by Councillor Cathal Rasmussen***

**CORPORATE POLICY GROUP**

Approval of attendance by Members at Conferences/Training on the Conference list for January 2024.

*Proposed by Councillor Michael Hegarty*

*Seconded by Councillor Noel McCarthy*

**WESTERN DIVISIONAL COMMITTEE**

“That the members of Full Council would discuss the call for the hospitality VAT rate to be reverted to 9% and that they would write to the Minister to request the reduction in the VAT rate”.

*Councillor Marie O’Sullivan proposed, seconded by Councillor Alan Coleman*

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

- Said smaller indigenous businesses are going to the wall and these businesses are the heartbeat of towns
- Said these businesses provide support to local communities with sponsorship and work experience
- Said reductions in electricity costs have not passed to commercial ratepayers yet
- Said the margins for small businesses are very tight as wages and bills have all gone up
- Members said the number of small businesses that are closing from week to week is very concerning
- Said it is worrying to see the closure of so many cafes and restaurants over the past few weeks
- Said small businesses have suffered enough over the years with multinationals blowing them out of the water
- Said Ireland has the third highest VAT rate in Europe
- Members said the increase in minimum wage in one go has caught a lot of business owners by surprise
- Said the increase in minimum wage needs to be a smaller and gradual increase
- Said it is important to get government support for the 9% rebate going forward
- Members said Revenue are very much on top of businesses and are causing a lot of strain to small business owners
- Said the VAT rate for pubs should be reduced down from 23% to 17%
- Said the previous reduction on the VAT rate was very helpful for small businesses and the Minister needs to do this again
- Said a reduction in VAT rate would be a great help to the hospitality sector
- Members said some business owners are only opening their cafes and restaurants a few days a week to reduce operating costs
- Said these businesses are the shopfront of our tourist industry

*Members agreed to write to the Minister for Finance, An Taoiseach, An Tánaiste and all Cork TD's to ask that the hospitality VAT rate be reverted to 9% and that the collection programme be fair and sensible. Members also agreed that this letter would be circulated to all Local Authorities.*

*Members agreed to write to the Minister for Finance, An Taoiseach, An Tánaiste and all Cork TD's to ask that the VAT rate for pubs should be reduced down from 23% to 17%. Members also agreed that this letter should be circulated to all Local Authorities.*

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

**8/1-2**

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

**8(a)/1-2**

Quarterly report of the Corporate Services Report for the period up to 31<sup>st</sup> December 2023.

*Members noted the Corporate Services Report.*

**8(b)/1-2**

Quarterly report of the Library Directorate for the 3-month period up to 30<sup>th</sup> September 2023.

*Members noted the Library Directorate Quarterly Report.*

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

### **OPW**

**9/1-2**

Correspondence received 04/01/24 from the OPW in response to the Council's letter dated 24/10/23 in relation to asking the Office to hold a public open meeting and provide an urgent update on the Midleton Flood Relief Scheme.

*Members noted the correspondence from the OPW.*

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

- Said there needs to be continued engagement with homeowners and businesses

The Chief Executive said there will be continuous updates given to homeowners and businesses.

### **MINISTER FOR FINANCE**

**10/1-2**

Correspondence received 05/01/24 from the Minister for Finance in response to the Council's letter dated 14/12/23 in relation to VAT refund for Farmers.

*Members noted the correspondence from the Minister for Finance.*

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

- Said they welcome the fact that the Department is engaging with Farming organisations
- Said they welcome that there is no change in policy and that interpretation will go back to where it was
- Said this is a classic case of public service not knowing how business works
- Said it will be a lifeline to farmers if it is lifted

## **MINISTER FOR HOUSING, LOCAL GOVERNMENT & HERITAGE**

11/1-2

Correspondence received 09/01/24 from the Minister for Housing, Local Government & Heritage in response to the Council's letter dated 14/12/23 in relation to increasing the limit as to how many people would qualify for upgrade, refurbishment and repair of septic tanks.

*Members noted the correspondence from the Minister for Housing, Local Government & Heritage.*

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

- Said the reality is the grant is only available to a limited number of applicants
- Said a lot of septic tanks in Cork County need to be upgraded
- Said rural households are being treated very unfairly
- Said the grant needs to be available to all households where their septic tank is not operating properly
- Said only €10,000 was paid out in this grant in Cork County last year

The Mayor agreed that the grant criteria is limited and said there is confusion over how many people can apply.

*Members agreed to write back to the Minister for Housing, Local Government & Heritage to ask that the grant eligibility be increased, request clarity on the actual grant limit and ask that the grant be rolled out nationwide to all households.*

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

### **UISCE ÉIREANN**

12/1-2

*Cllr. Danny Collins proposed, seconded by Cllr. Cathal Rasmussen*

“That Cork County Council would write to the appropriate government departments to abolish Uisce Éireann (Irish Water) and to return services to all local authorities throughout the country.”

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

- Said the Elected Members of Cork County Council had a meeting with Uisce Éireann officials last year
- Said they raised concerns around communication and quality of water services at that meeting
- Said it is very frustrating not being able to get confirmation of dates of works

- Said previous assurances from Uisce Éireann that communication would improve has not happened
- Said the state of the roads after Uisce Éireann works is very concerning
- Said this is another example of the undermining of Local Government
- Said the lack of powers that Local Government have is a fundamental problem
- Members said they are concerned that local knowledge will be lost when Cork County Council is no longer involved with Uisce Éireann
- Said that setting up Uisce Éireann cost a fortune and abolishing it will cost even more
- Said there was a previous proposal to set up separate water regional authorities and this should be looked at if Uisce Éireann is abolished

The Chief Executive said the responsibility of all water services falls with Uisce Éireann now, not Cork County Council. Ms. O' Sullivan said if Uisce Éireann is not to be abolished, they need to be directed to act in line with Cork County Council. She said there needs to be a departmental approach to direct Uisce Éireann to act in line with the County Development Plan.

*Members agreed to write to Uisce Éireann to voice their dissatisfaction with communication from Uisce Éireann and highlight that there has been no improvement in communication practices since Elected Members met with Uisce Éireann officials in 2023.*

## **FLUORIDATION OF DRINKING WATER**

13/1-2

“Restating Council’s call in 2014 and again in 2018 for an end to the fluoridation of drinking water and emphasising Council’s particular concerns with regard to:

- the neurotoxicity of fluoride and in particular recent international studies linking an IQ loss in children from prenatal exposure to fluoride from water fluoridation
- increasing awareness of the synergistic effect of toxins on the human body and the environment
- increasing focus on the ethics of protecting susceptible sub-populations.

In responding to the above, this Council requests that the Department of Health (who is responsible for implementing the policy of fluoridation established under Statute) would outline:

- any investigative studies or reviews carried out on the interaction between fluoride (as added to public drinking water supplies) and other common toxins
- any ethical evaluation of the impact of mass medication on sub-populations especially negatively affected by fluoride (as added to public drinking water supplies)
- its new model for fluoridation monitoring following the disbanding of the Irish Expert Body on Fluorides and Health in 2022.”

***At the agreement of the Members, it was agreed that this motion would be deferred to the next meeting of Full Council on 12/02/2024.***

## **INTERNATIONAL PROTECTION APPLICANTS**

14/1-2

***Cllr. Deirdre O'Brien proposed, seconded by Cllr. William O'Leary***

“That this Council call on the Government to outline its policy on the sourcing of accommodation for International Protection Applicants i.e. type of accommodation considered, the process for obtaining a fire inspection safety certificate; discontentment, division is rising in many of our communities and rural areas as there is feeling of huge unfair burden of unknown placed on them without the adequate resources, services and communications.”

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

- Said they have seen anxiety levels rising over the past few months because of very rapid changes
- Said the Government need to outline their policy on accommodation and accommodation procedures
- Said the current Government policy is unclear and reactive
- Said they are shocked to hear that student accommodation will be used for immigrants as they are aware of the current lack of student accommodation
- Said there needs to be consideration that the services that Irish Citizens are entitled to access are under severe pressure
- Members said the Government are not doing enough to dispel the disquiet out there amongst the public
- Said people are critical of absentee landlords who do not care about local towns
- Members said it is important to remember that people are coming from desperate situations of famine and war
- Said all buildings for immigrants need to be safe
- Said there needs to be adequate community resources in place to support immigrants
- Said it is important to put things into proportion and there are consequences for not abiding with our International obligations
- Said there is land zoned in many cases to account for an increase in population of hundreds if not thousands of people
- Said in many cases there should not be such a severe impact on GP's and schools
- Members said there is great wealth in the country, it is just about redistributing it better
- Said there are myths circulating about refugees
- Said it is important to address the social issues that have given rise to this anger
- Said the lack of services predate the current crisis
- Said there is a lack of communication with local reps, local stakeholders and voluntary organisations

The Chief Executive said the Local Authority has no role in the selection of accommodation for refugees. Ms. O'Sullivan said the process for obtaining a fire inspection safety cert for buildings identified to accommodate international protection applicants is the same process as any other building in the county.

The Mayor said there needed to be an agreed motion on this matter. He said the query on the fire service has been answered by the Chief Executive and more information is needed.

Members proposed an amendment to this motion. Members agreed to reword this motion as follows:

*“That this Council calls on the Government to outline its policy on the sourcing of accommodation for International Protection Applicants, i.e. type of accommodation considered, the process for obtaining a fire inspection safety certificate and how the adequacy of the resources, services and communications to support the identified accommodation is assessed.”*



*Proposed by Councillor Marcia D’Alton*

*Seconded by Councillor Gearóid Murphy*

*Members agreed to write to An Taoiseach, An Tánaiste and the Ministers involved to outline its policy on the sourcing of accommodation for International Protection Applicants, i.e. type of accommodation considered, the process for obtaining a fire inspection safety certificate and how the adequacy of the resources, services and communications to support the identified accommodation is assessed.”*

**Extension of Time**

As the time was now 1.15pm, an extension of time was requested.

*Proposed: Councillor Noel McCarthy*

*Seconded: Councillor Kevin Murphy*

**[k] VOTES OF CONGRATULATIONS**

**15/1-2**

**TO:** Jack Crowley on being picked for the Six Nations.

**TO:** Kieran Lynch on winning the Professional Golfers Association Assistant in Ireland for 3 years in a row.

**TO:** Skibbereen Golf Club on giving Kieran Lynch the training opportunity for three years which allowed him to receive the honour of Top PGA Assistant in Ireland.

**[i] ANY OTHER BUSINESS**

**ISRAEL-HAMAS WAR**

**16/1-2**

*Cllr. Sinead Sheppard proposed, seconded by Cllr Cathal Rasmussen*

Members said this is to show support for the Palestine people and said the escalating conflict is concerning to us all. Members said what we are seeing is genocide and a message of solidarity is very important. They said the Government need to enact the Occupied Territories Bill. Members said they want to fly the Palestine Flag on County Hall for 7 days in support of Palestine. They said the response from Israel has been disproportionate and excessive beyond belief.

*Members agreed to write to An Taoiseach, An Tánaiste and Minister Eamonn Ryan to urge the Government to enact the Occupied Territories Bill and Members agreed to raise the flag.*

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