

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork and by Microsoft Teams on Monday 25th March 2024.

I LATHAIR

Comhairleoir Proinsias Ó Flíonn, Méara Chontae

Comhairleoiri: Uí Chochláin, 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, Uí Bhriain, Ó'Laoighaire, Dawson, De Róiste, Ó Muineacháin B, Ó Dubhghaill, Ó Sé Sean Pól, Ó Murchú Gearóid, Críod, Uí Muineacháin G, Ó Luanaigh, Ó Cochláín M, Uí Loinsigh, Ó Luasa, Ó Haodha Padriagh, Ó Múrchú Gearóid, Kenny, 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, 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'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, Kenny, 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

Proposed by Cllr. Seamus McGrath Seconded by Cllr. Pat Hayes

RESOLVED:

That the minutes of the Meeting held on 11th March 2024 be confirmed and signed by the Mayor.

[b] VOTES OF SYMPATHY

TO: Tomás O'Brien on the passing of his father Peter O'Brien

TO: Tomás Lannin on the passing of his father Frank Lannin

1/3-2

TO: Ted Cronin on the passing of his wife Sheila Cronin

[c] STATUTORY BUSINESS

DISPOSAL OF PROPERTY SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001:

MUNICIPAL DISTRICT OF KANTURK/MALLOW:

Disposal of House at 3 Deerpark, Charleville, Co. Cork

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 15th March 2024.

Situation:	Disposal of house at 3 Deerpark, Co. Cork
Consideration:	€57,000

MUNICIPAL DISTRICT OF WEST CORK:

Grant of Wayleaves in favour of Uisce Éireann at Dunmanway, Co. Cork

3(a)/3-2

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 15th March 2024.

Situation:	Grant of wayleaves in favour of Uisce Eireann at Dunmanway, Co.
	Cork.

Consideration: €1.00

<u>CHIEF EXECUTIVE REPORT IN ACCORDANCE WITH SECTION 179A OF THE</u> <u>PLANNING & DEVELOPMENT ACT 2000 AS AMENDED.</u>

MUNICIPAL DISTRICT OF WEST CORK:

Members resolved to approve Part 8 Chief Executive's report in respect of the development of 35 no. new Affordable Purchase, Cost Rental and Social (c. 10%) units at lands adjoining Beechgrove Estate, Tawnies Lower, Clonakilty, Co Cork.

The construction of a new housing development consisting of:

- 35 No. Residential Units including:
 - 1 no. two storey four bed accessible house
 - 4 no. two storey three bed townhouses

4/3-2

3(a)/3-2

- 10 no. two storey two bed townhouses
- 6 no. two bed duplex apartments
- 4 no. two bed apartments
- 10 no. one bed apartments
- Communal bin & bike stores and a total of 49 No. car parking spaces including 3 No. accessible parking spaces.
- Soft landscaping including green spaces, planting, and trees.
- Connection to public utilities
- All associated site and ancillary works, including roads, footpaths, and drainage.

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

COBH MUNICIPAL DISTRICT

"That Cork Council would write to Irish Water, on behalf of Cobh Municipal District, to request that Carrig Na bhFear be seriously considered for works to be undertaken as a matter of urgency on waste water treatment plant for the village and surrounding areas."

Cllr. Sinead Sheppard proposed, seconded by Cllr. Alan O'Connor

During this discussion, the members made the following points:

- Carrig Na bhFear has huge potential and great existing facilities.
- The area is being held to ransom by Uisce Éireann.
- The community is understandably frustrated with the issue.
- Areas ahead of Carrig Na bhFear on a list of works are nowhere near being completed.

Members agreed to write to Uisce Éireann requesting for works to be undertaken as a matter of urgency on wastewater treatment plant for the village and surrounding areas.

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

CHIEF EXECUTIVE'S MANAGEMENT REPORT TO COUNCIL:

6/3-2

Economic Development Report for the period up to 25th March 2024.

Members noted the Economic Development Report

[g] CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS COMHFHREAGRAS Ó RANNA RIALTAS

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & HERITAGE

7/3-2

Correspondence received 07/03/2024 from Minister of Housing, Local Government & Heritage in response to the Council's letter dated 23/02/2024 in relation to the Development Contribution Scheme Waiver.

During this discussion, the members made the following points:

- Said this is a worthwhile scheme.
- It is disappointing that it is not to be extended.
- That the timelines are very tight.
- Costs to build houses are astronomical.
- There is a lack of construction workers.

Members agreed to write to An Taoiseach, An Tánaiste and Minister Éamonn Ryan to request the extension of the scheme.

DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & HERITAGE

8/3-2

Correspondence received 15/03/2024 from Minister of Housing, Local Government & Heritage in response to the Councils letter dated 23/01/2023 in relation to the Marine Protection Bill.

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

TRANSPORT INFRASTRUCTURE IRELAND

9/3-2

Correspondence received 08/03/2024 from TII in response to the Councils letter dated 26/02/2024 in relation to planning policy on national roads.

During this discussion, the members made the following points:

- Original correspondence was misunderstood.
- The response was very disappointing.
- TII are influencing planning decisions with their submissions.
- The response should be passed to the Councils planners.
- A site-specific approach is needed.

The Chief Executive added that TII are a statutory consultee in the process.

Members agreed to revert to TII and clarify the first letter and seek a more appropriate response.

DEPARTMENT OF FINANCE

10/3-2

Correspondence received 07/03/2024 from Minister of State for Financial Services to the Councils letter dated 15/01/2024 in relation to insurance access following Storm Babet.

During this discussion, the members made the following points:

- Can the taskforce that has been established be identified and invited to a meeting.
- What is the Minister doing to help the people of East Cork.
- The people of East Cork feel failed by Government.

Members agreed to write back to the Minister of State for Financial Services and ask what she is doing to help the people of East Cork.

h] NOTICES OF MOTION

AUTISM FRIENDLY PARKING

11/3-2

Cllr. Sinead Sheppard proposed, seconded by Cllr. John Paul O'Shea

"That Cork County Council would look at rolling out Autism Friendly Parking spaces within the municipal districts of the County similar to the age friendly scheme that was introduced."

Members noted the response from Patricia Liddy, Director of Services, Municipal District Operations & Rural Development, as follows:

RESPONSE:

The initiative referred to is run and administered by Autism Supporting Diversity Ireland (ASD Ireland), Cork County Council has no role. Autism Friendly parking is being rolled out in different locations throughout Ireland by ASD Ireland, the majority of these locations are controlled by management companies that use clampers. Any vehicle with a sticker displayed on its windscreen will not be clamped. Cork County Council co-ordinates age friendly activities for Cork County which is why we designate age friendly parking.

Full details in the ASD Ireland initiative can be found at: https://www.asdireland.ie/resources/permit/

During this discussion, the members made the following points:

- Many parents have been in contact regarding this issue.
- That it could be piloted in one area.
- That age friendly parking works well.
- Hidden disabilities need to be recognised.

Members agreed to amend the motion as follows and refer to the roads SPC for further discussion:

"That Cork County Council would look at rolling out Autism Friendly Parking spaces within the municipal districts of the County and outside schools similar to the age friendly scheme that was introduced."

TAKING IN CHARGE OF ESTATES

12/3-2

Cllr. Liam Madden proposed, seconded by Cllr. John Paul O'Shea

"Firstly Update re taking in charge of estates by Council what is present position especially following the agreement that additional funding would be made available through Councils Capital Budget this year can members get a full report of estates throughout Cork County. Secondly what is position with Uisce Eireann in these estates and especially with standalone treatment systems."

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

RESPONSE:

There was no increased provision for estates within this year's Revenue Budget, but members agreed that additional funding would be made available through the Council's Capital Budget. This is currently being reviewed by the Planning and Development Directorate and a Capital Scheme is being prepared for consideration and progression. Estates to be considered as part of this process, will be subject to approval, legal entitlement, and funding.

Below is a summary of the current position, as of 14/3/24, of the taking in charge applications that are on hand. Details of each estate and specific lists for each MD are available if required by the Members.

Cork County Council currently has 219 applications for taking in charge. Of these 103 are developer requests and 116 are at the request of residents.

Of the 219 taking in charge requests, 36 Estates cannot be considered for taking in charge as they are, not housing estates, or are gated developments, or have management companies in place, or have failed to follow up with required information. There are therefore 183 actual housing estates with valid requests. Of these 99 estates are at various stages of the taking in charge process and currently no procedural or infrastructural impediments have arisen to prevent taking in charge. 57 other estates are currently being reviewed as part of the Council's Esates Capital Programme for the coming years. 27 other locations require infrastructural improvements (4) or require a plan to deal with Waste Water Treatment Units (23) and are therefore not currently progressing. The breakdown of the status of these requests is as follows.

Progressing to Taking in Charge

- 3 estates are currently with legal department and the taking in charge process is underway.
- 25 estates have been approved by Uisce Éireann (UÉ) and are now with legal dept for legal approval before proceeding to the formal taking in charge process.
- Cork County Council are awaiting information from UÉ on 4 estates.
- It is planned to progress the taking in charge of 24 sites, subject to legal and engineering issues being resolved and subject to agreement with UÉ.
- In 43 locations Cork County Council are awaiting snagging completion by the developer.

Being reviewed as part of Council Estates Capital Programme

• In 57 locations the developer is no longer active and significant funding will be required to bring these locations up to the required standard. This list is currently being reviewed under the capital programme.

Cannot currently be considered for taking in charge.

- 23 estates contain waste water treatment plants and UÉ policy excludes taking in charge waste water treatment plants where they cannot be connected to the public infrastructure and therefore the taking in charge process cannot progress.
- There are 4 sites that would benefit from additional infrastructure that has been part funded by the Department, and it is not known if UÉ will progress with this infrastructure.

Invalid Applications or not housing estates.

- 11 locations have been deemed unsuitable as they are gated developments and constructed with the intention of being managed by a Facility Management Company. The access, layout and amenity of these developments render them unsuitable for local authority management.
- 7 locations are not housing estates and not connected to public roads or UÉ infrastructure and therefore are not considered part of this process.
- 18 locations have not provided sufficient information to be considered for taking in charge. These locations have been corresponded with.

	Who Applied?	NO. OF UNITS					
MD	Developer	Residents	TOTAL	DEVELOPER	RESIDENTS	TOTAL	
BANDON- KINSALE	11	9	20	483	251	734	
CARRIGALINE	8	10	18	670	633	1303	
СОВН	12	10	22	1101	446	1547	
EAST	17	14	31	929	772	1701	
FERMOY	16	9	25	843	261	1104	
KANTURK- MALLOW	13	35	48	347	1710	2057	
MACROOM	10	9	19	467	248	715	
WEST	16	20	36	328	339	667	
Total	103	116	219	5168	4660	9828	

Taking in charge applications – Summary table by MD (as at 14/3/24)

Summary by category													
MD	cat .1	cat. 1a	cat. 1b	cat .2	cat. 2a	cat .3	cat. 3a	cat .4	cat .5	cat .6	cat.6a /6b	cat .7	TOT AL
BANDON- KINSALE	0	2	1	4	1	0	0	4	3	1	2	2	20
CARRIGA LINE	1	1	1	1	0	1	0	3	5	2	1	2	18
COBH	1	2	1	2	2	1	0	6	6	0	0	1	22
EAST	0	8	0	4	0	2	0	7	8	0	1	1	31
FERMOY	1	6	0	0	0	4	0	5	6	0	0	3	25
KANTUR K- MALLOW	0	2	1	1	0	13	0	16	4	2	2	7	48

MACROO M	0	1	0	7	0	0	0	5	4	1	0	1	19
WEST	0	3	0	4	1	3	0	11	7	5	1	1	36
	3	25	4	23	4	24	0	57	43	11	7	18	219

Summary by category (Developer applications)													
MD	cat .1	cat. 1a	cat. 1b	cat .2	cat. 2a	cat .3	cat. 3a	cat .4	cat .5	cat .6	cat.6a /6b	cat .7	TOT AL
BANDON- KINSALE	0	2	1	2	1	0	0	0	2	1	0	2	11
CARRIGA LINE	0	1	0	0	0	0	0	0	4	1	0	2	8
COBH	1	2	1	1	0	1	0	0	5	0	0	1	12
EAST	0	8	0	2	0	1	0	0	5	0	0	1	17
FERMOY	0	5	0	0	0	1	0	1	6	0	0	3	16
KANTUR K- MALLOW	0	2	0	0	0	4	0	1	1	0	0	5	13
MACROO M	0	1	0	5	0	0	0	0	3	0	0	1	10
WEST	0	3	0	0	0	1	0	2	7	2	0	1	16
	1	24	2	10	1	8	0	4	33	4	0	16	103

Summary by category (Resident applications)													
MD	cat .1	cat. 1a	cat. 1b	cat .2	cat. 2a	cat .3	cat. 3a	cat .4	cat .5	cat .6	cat.6a /6b	cat .7	TOT AL
BANDON- KINSALE	0	0	0	2	0	0	0	4	1	0	2	0	9
CARRIGA LINE	1	0	1	1	0	1	0	3	1	1	1	0	10
СОВН	0	0	0	1	2	0	0	6	1	0	0	0	10
EAST	0	0	0	2	0	1	0	7	3	0	1	0	14
FERMOY	1	1	0	0	0	3	0	4	0	0	0	0	9
KANTUR K- MALLOW	0	0	1	1	0	9	0	15	3	2	2	2	35
MACROO M	0	0	0	2	0	0	0	5	1	1	0	0	9
WEST	0	0	0	4	1	2	0	9	0	3	1	0	20
	2	1	2	13	3	16	0	53	10	7	7	2	116

CATEGORY DESCRIPTION

1. Legal Dept has signed off and TIC statutory process underway / Residents application - statutory process underway

1a) Irish Water has signed off. Awaiting Legal Dept sign-off before finalising statutory TIC procedure

1b) Sent to Irish Water

2. Estate contains WWTP. TIC subject to Irish Water approval (their current policy excludes estates with WWTP)

2a) Departmental funding approved under NTICI. Council engaging with Irish Water and Dept

3. Plan to progress to TIC subject to legal/engineering issues being resolved and Irish Water's agreement in principle

3a) Awaiting Irish Water's response

4. Developer not progressing TIC/no longer active. Progressing TIC may be dependent on additional funding to bring estate to TIC standard.

5. Snags to be carried out by developer / Receiver

6. Considered unsuitable for TIC e.g. private gated development and/or Management Company in place

6a) Estate Road and services not directly connected to existing public networks. TIC would not be in accordance with Council or Irish Water's policy/procedures

6b) Not an estate as defined by the Planning Act - unsuitable for TIC

7. Invalidated TIC application. Insufficient information submitted.

NOTE: All TIC applications are subject to (a) new Protocols in place with Irish Water which have to be complied with to secure their' (Irish Water's) agreement in principle to take the Sanitary Services in these estates in charge (b) compliance with Planning, Engineering and Legal issues

2. Prior to UÉ coming in to being in **2014** Cork County Council was the water services authority responsible for the taking in charge process and ongoing maintenance of infrastructure. Cork County Council responsibility for Water Services ceased fully in September 2023.

The taking in charge policy now requires UÉ to agree to take responsibility for the ongoing responsibility and maintenance of water services infrastructure before the Council can consider taking an estate in charge as the local government sector is no longer responsible, resourced or funded for same.

During this discussion, the members made the following points:

- A report is needed for each Municipal District.
- Legacy estates are a problem.
- Treatment plants are causing issues.
- There are many different situations occurring.
- Have to be strong on negligent developers.
- Costs of taking in charge of many estates is prohibitive.

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• A specific department fund is needed.

Chief Executive Valerie O'Sullivan added that this is a very complex issue and that a breakdown by Municipal District can be provided at Municipal District level. She agreed regarding seeking a specific fund.

Members agreed to write to the Department of Housing, Local Government & Heritage to seek a dedicated fund for taking in charge of estates and also ask the Planning & Development directorate to circulate a breakdown per Municipal District

LOCAL IMPROVEMENT SCHEMES

"Looking for a report from the Roads Directorate detailing,

- (1) The amount of funding received for 2024 for Local Improvement Schemes,
- (2) The amount of funding applied for,
- (3) The number of schemes which can be progressed with the 2024 allocation received."

At the agreement of the Members, it was agreed that this motion would be deferred to the next meeting of Full Council on 08/04/2024.

INCREASED COST OF BUSINESS GRANT

Cllr. Jack White proposed, seconded by Cllr. John Paul O'Shea

"Can this Council please get an update on the rollout in Cork County of the Increased Cost of Business Grant."

Members noted the response from Jeremy Canty, A/Director of Finance, as follows:

RESPONSE:

As part of the National Budget 2024, a package of €257 million was included for the Increased Cost of Business (ICOB) Grant. It is considered a vital measure for small and medium businesses. Local Authorities funded by the Department of Enterprise, Trade and Employment (DETE), will manage the rollout of the grant to qualifying businesses. The Local Authority sector will handle the implementation, approval, and disbursement of the grant to businesses.

This is a once-off grant and not a Commercial rates waiver. The Grant will be available to circa 9,000 businesses operating from a rateable premises in the County of Cork. The Scheme is targeted to benefit small-to-medium businesses.

The qualifying criteria are:

- For qualifying businesses with a 2023 Commercial Rate bill of < €10,000, the ICOB grant will be paid at a rate of 50% of the business's Commercial Rate bill for 2023.
- For qualifying businesses with a 2023 Commercial Rate bill of between €10,000 and €30,000, the ICOB grants will be €5,000.
- Businesses with a 2023 Commercial Rates bill greater than €30,000 are not eligible to receive an ICOB grant.

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- The business must be a commercially trading business currently operating from a property that is commercially rateable.
- The business must have been trading on 1st February 2024 and it must intend to continue trading for at least three months from the date that information is verified.
- The business must provide confirmation of its bank details.
- The business must be rates compliant. Businesses in performing payment plans or with relatively small arrears may be deemed to be compliant.
- The business must be tax compliant and must possess a valid Tax Registration Number (TRN).
- There are a number of excluded business categories which are not eligible to receive the Grant.

The excluded categories are identified based on the following assumptions:

- Anything that cannot be defined as a 'commercially trading business operating directly within a premises that is commercially rateable' should be excluded.
- This includes, but is not limited to:
 - Public institutions do not qualify.
 - Financial institutions do not qualify, with exceptions for credit unions and post offices (i.e. larger financial institutions are excluded).
- Vacant properties do not qualify.

Where a qualifying business is currently operating from a rateable property, and that property was rateable in 2023, then that business qualifies for the grant. This is irrespective of whether that business was operating from that property in 2023 (this is to allow for instances where properties change owners/occupiers).

CURRENT SCHEDULE

- Manager appointed to run the process for Cork County Council.
- Platform being provided by LGMA on mycoco.ie.
- Contact Centre will field all calls and queries.
- Team of Assessors and Approvers being assembled (Finance and Economic Development)
- Website Communications in relation to ICOB issued w/c 4th March 2024.
- The ICOB Portal (mycoco.ie) accessible to businesses since 14th March.
- A letter detailing how to apply for the grant is being sent to rate payers starting on 20th March.
- Local Authorities can commence processing grants from 12th April.
- Payments to businesses will begin from **22nd April**.
- Application deadline: 1st May 2024

During this discussion, the members made the following points:

- Tremendous scheme for businesses to avail of.
- Are the deadlines department or council set deadlines.
- The scheme did not gather enough worthwhile publicity.
- It is a vital source of funding for Small Medium Enterprises.

Chief Executive Valerie O'Sullivan added that there is a lot of work happening within the finance department to contact the 9,000 businesses who can benefit from the scheme. She informed members that the deadlines are department deadlines, but that Cork County Council would not be found wanting should any businesses have issues.

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MALLOW GENERAL HOSPITAL

Cllr. Eoghan Kenny proposed, seconded by Cllr. Cathal Rasmussen

"That Cork County Council will write to Bernard Gloster, CEO of the Health Service Executive (HSE) and Dr Andy Philips, Regional Executive Officer, HSE South West, asking that the newly built 48 single bed wing of Mallow General Hospital (MGH) be named 'The Sherlock Wing.' Former Cork County Councillor and TD for Cork East, Joe Sherlock RIP, spearheaded the retention and upgrading of MGH and his son Seán, current Cork East TD and former Cork County Councillor has advocated strongly over the past two decades for MGH, culminating in the building of this wing, securing the future of MGH."

During this discussion, the members made the following points:

- That Joe Sherlock did amazing work for Mallow General Hospital.
- The new wing is a fantastic development.
- That naming a piece of Council infrastructure would be more appropriate.
- This may not progress if sent to the HSE.
- That this would be more appropriate to discuss at SPC level.

At the agreement of the Members, it was agreed that this motion would be deferred to the next meeting of Full Council on 08/04/2024.

[k] VOTES OF CONGRATULATIONS

TO: Bishop Paul Colton on his appointment as Bishop 25 years ago today.

TO: Drinagh National School on winning the "Manufacturing a Healthy Future 2023 Printing Design Challenge using 3D Printers"

TO: Dorothy Brophy on her recent retirement from Castletownbere Library.

TO: Ballinacarriga National School on winning the "Manufacturing a Healthy Future 2023 Printing Design Challenge using 3D Printers"

[i] ANY OTHER BUSINESS

MINISTER FOR AGRICULTURE & CENTRAL BANK

Cllr. John O'Sullivan proposed, seconded by Mayor, Cllr. Frank O'Flynn.

Members agreed to write to the Minister of Agriculture and the Central Bank to request advisory clinics for farmers be established as well as a dedicated fund to help farmers to deal with the ongoing issues caused by bad weather.

<u>UISCE ÉIREANN</u>

Cllr. Bernard Moynihan proposed, seconded by Cllr. John Paul O'Shea.

15/3-2

16/3-2

Members agreed to contact Uisce Éireann regarding the ongoing water outages in Cullen and to seek a resolution urgently.

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\sim~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~\sim~
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