COMHAIRLE CONTAE CHORCAÍ

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**Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork on 25th November, 2019.**

**I LATHAIR**

Comhairleoir, Cristóir Ó Suilleabháin Méara Chontae

Comhairleoiri Ó Muineacháin B, Ó Dubhghaill, Ó Sé J.P, Ó Murchú Gearóid, Críod, Ní Mhuineacháin G, Ó Luanaigh, Ó Cochláin M, Uí Loinsigh, Ó Luasa, Ó hAodha Padraig, Ó Múrchú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léineacháin Ui Foghlú, O Coileáin N, Ó Héigheartaigh, Ó Conchubair S, Uí Thuama, MacCarthaigh S, Mac Uaid, Ó Suilleabháin C, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaoich, Ó hAodha Pól, Ó Colmáin, Ó Murchú Caoimhín, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin D, Ó Murchú P.G, Uí Mhurchú Cáit, Mac Íomhair – Uí Chearnaigh, Mac Craith, Ui Daltún, Lombard, Uí Bhuachalla, Ó Conchubair L, Daltún Ó Suilleabháin, Ó Suilleabháin P, Barra, Sheppard, Rassmussen, Ó Conchubair S, Ó Conchubair A, MacCarthaigh N, Ó Flionn, Ui Bhriain, Ó Laoghaire, Dawson, De Róiste.

**PRESENT**

Councillor, Christopher O’Sullivan, County Mayor presided.

Councillor Moynihan B, Doyle, O’Shea J.P, Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan – Foley, Collins N, Hegarty, O’Connor J, Twomey, McCarthy S, Quaide, O’Sullivan C, Carroll, Hurley, Coakley, Hayes Paul, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan S, Collins D, Murphy P.G, Murphy Katie, Cairns, McGrath, D’alton, Lombard, Buckley, O’Connor L, Dalton – O’Sullivan, O’Sullivan P, Barry, Sheppard, Rasmussen, O’Connor S, O’Connor A, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche.

Chief Executive, Senior Executive Officer.

**CONFIRMATION OF MINUTES**

**1a/11-2**

***Proposed by Councillor Frank O’Flynn***

***Seconded by Councillor Martin Coughlan***

**RESOLVED:**

“That the minutes of the Meeting held on 29th October, 2019 be confirmed and signed by the Mayor.”

**1b/11-2**

***Proposed by Councillor Martin Coughlan***

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

**RESOLVED:**

“That the minutes of the Budget Meeting held on 11th November, 2019 be confirmed and signed by the Mayor.”

**VOTES OF SYMPATHY**

**2/11-2**

**TO:** Mike Collins on the death of his wife, Anne.

**TO:** Tony Murphy Housing Department on the death of his father, John.

**TO:** Mandy O’Brien on the death of her uncle, Des Leader

**FINANCIAL BUSINESS**

**3/11-2**

**Section 106 of the Local Government Act, 2001**

**(As Amended by the Local Government Reform Act 2014)**

“That Cork County Council is authorised to borrow by way of overdraft a sum not exceeding €10m for the twelve month period ending 31st December, 2020, subject to the sanction of the Minister for Housing, Planning and Local Government.”

***Proposed by Councillor Seamus McGrath***

***Seconded by Councillor Kevin Murphy***

**REPORTS & RECOMMENDATIONS OF COMMITTEES**

**4/11-2**

**MUNICIPAL DISTRICT OF COBH**

***“That this Council asks TII to clarify its position on the installation of noise mitigation measures for residential areas abutting national roads. In addition to this can the TII outline what studies it has undertaken to assess the impact of noise on residential areas abutting National Roads and clarify if there are plans to mitigate against the impacts of noise in these areas.”***

***Proposed by Councillor Padraig O’Sullivan***

***Seconded by Councillor Cathal Rasmussen***

During this discussion the members made the following points:

* Unpredicted development of Housing
* Volume of traffic has increased noise levels an issue
* Dissatisfied with TII as they are not engaging with Members
* Members requested a delegation meet with TII

**ROADS (MANAGEMENT & DEVELOPMENT)**

**5/11-2**

County of Cork Road Traffic 30km/h special Speed Limit Bye-Laws for Housing Estates 2019 (to be adopted).

***Proposed by Councillor Gobnait Moynihan***

***Seconded by Councillor Declan Hurley***

* Members wanted to know if this will be rolled out in other areas
* Expressed view that physical traffic calming measures might be needed
* Requested a review be carried out to see if reduced speed limits have had a positive effect
* Additional signage needed
* Driver education should emphasis adherence to speed limits

Members agreed to refer this matter to the Roads & Transport SPC for further discussion.

**STRATEGIC POLICY COMMITTEES**

**6/11-2**

Section 48 of the Local Government Act 2001

Approval of Membership of Strategic Policy Committees

***Proposed by Councillor Frank O’Flynn***

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

**CORRESPONDECE FROM GOVERNMENT DEPARTMENTS**

**DEPARTMENT OF FINANCE**

**7/11-2**

Members noted correspondence dated 17th October, 2019 in response to Council’s letter dated 25th July 2019 in relation to the cost of Motor Insurance.

**DEPARTMENT OF EMPLOYMENT AFFAIRS & SOCIAL PROTECTION**

**8/11-2**

Members noted correspondence dated 22nd October, 2019 in response to Council’s letter of 15th October, 2019 in relation to the National Strategy for Carers.

During this discussion the members made the following points:

* Members expressed their dissatisfaction with the response
* Acknowledged their strategy was not effective and non supportive of family carers
* Members declared that urgent action was required

Members agreed to write back to the Minister requesting that urgent action is required for carers.

**DEPARTMENT OF HOUSING, PLANNING & LOCAL GOVERNMENT**

**9/11-2**

Members noted correspondence dated 22nd October, 2019 in response to Council’s letter of 15th October, 2019 in relation to the Register of Electors.

During this discussion the Members made the following points:

* Members acknowledged that the report was not concluded and will await further response from the Department

**DEPARTMENT OF HOUSING, PLANNING & LOCAL GOVERNMENT**

**10/11-2**

Members noted correspondence dated 4th November, 2019 in response to Council’s letter of 13th September, 2019 in relation to the revision of County Boundaries to include the waters of harbours.

**DEPARTMENT OF CULTURE, HERITAGE & THE GAELTACHT**

**11/11-2**

Members noted correspondence dated 24th October, 2019 in response to Council’s letter of 15th October, 2019 in relation to Hare Coursing.

**OFFICE OF THE MINISTER FOR EDUCATION & SKILLS**

**12/11-2**

Members noted correspondence dated 31st October, 2019 in response to Council’s letter of 15th October, 2019 in relation to Uniform Re-Use Programmes and Book Rental Schemes and in particular, the rewarding of schools for adopting principles of cost effective practices.

**BUS ÉIREANN**

**13/11-2**

Members noted correspondence dated 31st October, 2019 in response to Council’s letter of 15th October, 2019 in relation to how fares are established for bus routes in Cork County.

During this discussion the members made the following points:

* Members expressed their dissatisfaction with the response
* Advised the response did not adequately address the Route 40 query

Members agreed that Cork County Council write back to Bus Éireann specifically asking if Route 40 was a commercial route or not.

**OFFICE OF THE MINISTER FOR FINANCE**

**14/11-2**

Members welcomed correspondence dated 4th November, 2019 in response to Council’s letter of 13th February, 2019 in relation to the Help to buy incentive.

**DEPARTMENT OF COMMUNICATIONS, CLIMATE ACTION & ENVIRONMENT**

**15/11-2**

Members noted correspondence dated 4th November, 2019 in response to Council’s letter of 15th October, 2019 in relation to incentivising Post Office operators.

**OFFICE OF THE MINISTER FOR TRANSPORT, TOURISM & SPORT**

**16/11-2**

Members welcomed correspondence dated 13th November, 2019 in response to Council’s letter of 29th October, 2019 in relation to reported proposals to allow electric vehicles to use bus lanes.

**NOTICES OF MOTION**

**PARKING FINES**

**17/11-2**

Cllr. Liam O’Connor proposed, seconded by Councillor Audrey Buckley.

***“The number of parking fines issued by traffic wardens to drivers parking in disabled parking bays in the years 2017, 2018 and 2019 to date.”***

Members noted the response from Mr. Niall Healy, Director of Services, Municipal District Operations and Rural Development.

**RESPONSE**

The total number of Cork County Council Parking fines issued to drivers in disabled parking bays was 253 in 2017, 251 in 2018 and 267 to date in 2019.

During this discussion the members made the following points:

* Members expressed that 5 fines per week was quite high
* Member advised that clamping or penalty points would be a deterrent to parking in disabled bay
* Members asked that an updated study/report is prepared regarding traffic wardens in the county.

**PAY PARKING**

**18/11-2**

Cllr. James Kennedy proposed, seconded by Councillor Pat Hayes.

***“That this Council would progress an agenda that ensures that Municipal pay parking structures across all Municipal areas would be largely consistent, that Council would move to ensure that each Municipal District would run and control its own pay parking operation and would cease, as soon as is practicable, to rely on private operators for the collection of parking fees and the levying of fines.”***

Members noted the response from Mr. Niall Healy, Director of Services, Municipal District Operations and Rural Development.

**RESPONSE**

Members might note that in accordance with Schedule 3 of the Local Government Act 2014 the decision to introduce or makechanges to pay parking arrangements is a reserved function of each individual Municipal District.

The specific parking management arrangements are a matter for management to determine and it is important to note that the Chief Executive cannot be restricted in terms of his management of this executive role.

Members may be aware that a Countywide Parking Management Unit (based in County Hall) was established in April 2019 to manage and oversee parking management administration on a countywide basis. The purpose of this unit is to streamline back office administration and to ensure consistency of approach where possible and practicable.

The primary objective of Pay parking is to manage parking in a sustainable manner and in such a way as to support the economic viability of the town in question. The matter was carefully considered by the previous Council and it was clear that achieving uniformity of fees and parking arrangements would not be achievable on a countywide basis. The members agreed that it would be important to put a policy framework in place so that decisions with regard to pay parking could be made in the context of a clear policy. Such a policy (copy attached) was approved by members at a March 2015 meeting of Council.

The above-mentioned policy remains valid and provides for Municipal Districts taking decisions and, specifically, in cases where there is a financial impact, the Municipal District allocation for the entire County would be affected and this would therefore need to tie in with the overall budget plan for the Council. The agreed policy sets out how the function is to be performed in terms of consistency and the overall local authority budgetary strategy, and the involvement of CPG as required.

During this discussion the members made the following points:

* Members acknowledged that Mallow Town was the only town with outsourced pay parking operators
* Advised that APCOA got €1.4 million since 2014
* Members requested to bring the traffic enforcement for Mallow under direct control of Cork County Council so parking charges can be used within the Municipal District
* Members stated that too much money was spent on enforcement
* Members stated that a pay parking system will not keep customers in towns if they have to pay for parking
* Pay parking measures are inconsistent across the County

Members were informed that pay parking operation was a matter for the Executive and each Divisional Manager will deal with each Municipal District.

**5G**

**19/11-2 & 22/11-2**

***It was agreed by both Cllr. Karen Coakley and Cllr. Kevin Murphy to debate both Notices of Motion together.***

Cllr. Karen Coakley proposed, seconded by Cllr. Kevin Murphy

***“I am calling on Cork County Council to seek a detailed report in to the safety of 5G. People are extremely worried and voicing their concerns about the harmful effects of radiation. Concerns must be addressed as there could be implications for the public. I call on this Council to support a report and to alleviate the concerns of the people of this County. ”***

**22/11-2**

Cllr. Kevin Murphy proposed, seconded by Cllr. Kay Dawson

***“That Cork County Council urgently requests RTÉ, our national broadcaster) to organise a National Debate to inform the Irish people in respect of the pros and cons which may follow from the proposed introduction of the 5G Network.”***

During this discussion the Members made the following points:

* There is a lack of information on the matter.
* Members expressed the urgency to seek expert advice on the safety of 5G.
* Concerns from public citizens about potential health risks.
* Members are concerned the system could produce harmful levels of radiation.
* Several studies have been carried out raising concerns about 5G.
* Other Members advised that it has a great potential for Rural Ireland to deliver high speed broadband.
* A national debate is needed.

Members requested that the Council write to ComReg Regulatory Authority inviting them to address Members with a detailed report in Development Committee Meeting.

**LOCAL COMMUNITY GROUPS**

**20/11-2**

Cllr. Ben Dalton O’Sullivan proposed, seconded by Councillor Gobnait Moynihan.

***“That Cork County Council would publish guidelines after consultation with the relevant organisations, which local community groups can aim to reference and implement at local level with recommendations on how to make their communities more Dementia Friendly and Age Friendly.”***

Members noted the response from Mr. Niall Healy, Director of Services, Municipal District Operations and Rural Development.

**Response**

National guidelines in the form of toolkits, case studies and good practice guides have been made available by Age Friendly Ireland via their website [www.agefriendlyireland.ie](http://www.agefriendlyireland.ie) while these guidelines incorporate some dementia-friendly measures, the question of specific dementia-friendly guidelines will be brought to the attention of the National Age Friendly Ireland Programme Manager for consideration.

In the context of the National Age Friendly Programme, Cork County Age Friendly Programme has been to the fore and is regarded as one of the most vibrant and progressive programmes nationally.

Cork Age Friendly County Strategy 2016 – 2021 was prepared by the Cork Age Friendly County Alliance under the aegis of the National Age Friendly Cities and Counties Programme (AFCCP). The strategy serves both as a framework to help to make Cork County a great place in which to live and grow old, and, as a basis for interagency cooperation in the achievement of its objectives. It was developed in conjunction with:

* Cork County Older People’s Council (OPC) - a representative group of older peoplewho work with Cork County Council and with key state and voluntary agencies to advocate for older people
* Older people from around the County of Cork
* Key organisations whose operations impact upon the lives of older people
* National and local organisations that advocate for older people

As part of the Cork Age Friendly County Strategy, there are four Age Friendly Towns in County Cork - Cobh, Bandon, Mitchelstown and Kinsale. Cork County Council has worked with the OPC and the Age-Friendly Committees in each of these towns over a two year period to implement various age-friendly measures. The lessons learned from this initiative and examples of best practice in each of these towns are currently being reviewed and evaluated in conjunction with the OPC. These lessons will be collated and may form the basis for Cork County OPC Guidelines in the future that would supplement the national guidelines available at [www.agefriendlyireland.ie](http://www.agefriendlyireland.ie)

During the discussion the members made the following points:

* Members welcomed the response and requested documentation be made available to Community Groups.
* Members expressed that there is a lack of services for people with Dementia.
* Council should do its utmost to make life easier for sufferers and families.
* Members listed various initiatives to make towns more Age Friendly.
* Back up from other agencies such as HSE needed for service delivery.

Members also agreed to forward to HSE Forum for discussion.

**CLEAN AIR STRATEGY**

**21/11-2**

Cllr. Seamus McGrath proposed, seconded by Councillor Gearóid Murphy

***“That Cork County Council calls on the Minister for Communications, Climate Action and the Environment to publish before the end of the year the promised cross-governmental Clean Air Strategy and introduce a prohibition on the use, supply and distribution of bituminous coal across the country, including County Cork and HSE Forum, as soon as possible.”***

During this discussion the members made the following points:

* Members acknowledged that 1995 the ban on bituminous coal improved air quality.
* Members outlined how bituminous coal affects air quality in towns and villages and progress on the issue had stalled.
* Members expressed that the Government need to engage with the industry.

***Extension of time until 2.00pm***

Proposed by Councillor Seamus McGrath

Seconded by Councillor Mary Linehan Foley

**PHARMACEUTICAL CORPORATIONS**

**23/11-2**

Cllr. Noel Collins proposed, seconded by Councillor Mary Linehan Foley

***“That this Council, for the safety and protection of human life, call on the Minister for Health to investigate how powerful pills, legally made by pharmaceutical corporations, find their way into the hands of gangs, who can sell them online, and what enforcement is proposed to monitor the situation.”***

During this discussion the members made the following points:

* Members expressed how people were self diagnosing and ordering drugs online
* Advised that people were indulging in dangerous practice
* Outlined that there is no way to check online products
* Members asked that we forward to HSE Forum also for discussion

Members agreed to write to Minister for Health and HSE Forum for discussion.

**MONEY MESSAGE**

**24/11-2**

Cllr. Liam Quaide proposed, seconded by Cllr. Alan O’Connor

***“That Cork County Council would write to All Leaders of Opposition Parties requesting that he use his influence on the Confidence and Supply arrangement to end the government’s use of the ‘money message technicality, which was obstructed dozens of successfully passed opposition party Bills from becoming law. These include major environmental legislation – The Waste Reduction Bill and the Climate Emergency Bill, as well as the human rights – oriented Occupied Territories Bill. The use of this technicality is undemocratic and it renders ‘new politics’ largely redundant.”***

During this discussion the Members made the following points:

* Members outlined that ‘Money message’ must be signed by Taoiseach before opposition party bills are finalised
* Waste reduction legislation and Climate Emergency bill were blocked
* Members expressed that it was a financial loss to many people because of the delay to legislation

Members agreed to write to all Leaders of Opposition Parties requesting an end the government’s use of ‘money message’ technicality.

**PRIMARY MEDICAL CERTIFICATE & THE DISABLED DRIVERS AND DISABLED PASSENGERS SCHEME**

**25/11-2**

Cllr. James O’Connor proposed, seconded by Cllr. Ian Doyle

***“Cork County Council calls on the Minister for Health and the Minister of State for Disability Issues to broaden the existing criteria and legislation for the Primary Medical Certificate and the Disabled Drivers and Disabled Passengers Scheme to cater for families who are caring for an individual/s with severe ASD and severe sensory disabilities.”***

During the discussion the Members made the following points:

* Members outlined how the primary medical certificate allows certain exceptions for those eligible
* Members advised that ASD and severe sensory disabilities are not covered under primary medical certificate
* Members expressed how transport costs are a huge problem to the disabled
* Members acknowledged that the scheme needs to be broadened to assist families

**BESSBORO HOUSE**

**26/11-2**

Cllr. Mary Linehan Foley proposed, seconded by Cllr. Danielle Twomey

***“Asking Cork County Council to write to the Minister for Children Katherine Zappone TD, asking her to engage with the relevant bodies to review the sale of Bessboro House, bearing in mind the countless women that were resident there, and that it be looked at sensitively as a building that holds great emotion for many women in this state and a view to the state purchasing part of the home.”***

During this discussion the Members made the following points:

* Members requested a Memorial Garden/Plaque be erected on the grounds as a remembrance to the women and children that lived at Bessboro.
* Members stated that the history of the building should be respected and the state should look at purchasing the building.
* Members expressed that Bessboro represented a dark chapter in our history.
* It was noted that burial grounds existed on the site and access should be maintained.

Members requested we write to Minister Zappone to consider a Memorial Garden/Plaque be erected on the grounds of Bessboro House and to ask that the state consider purchasing Bessboro House.

**MEMORANDUMS OF UNDERSTANDING**

**27/11-2**

**Cllr. Alan O’Connor proposed, seconded by Cllr. Liam Quaide**

**“*The public health and environmental reasons for the banning of ‘fracking’ in Ireland, legislated by Dáil Éireann through the 'Petroleum and Other Minerals Development (Prohibition of Onshore Hydraulic Fracturing) Act 2017';***

***The international scope of adhering to the UN Sustainable Development Goals, reaffirmed in the Climate Charter signed by all local authorities in Ireland in October 2019;***

***The Global Covenant of Mayors for Climate and Energy, to which Cork County Council is a signature party:***

***“That Cork County Council will write to the Port of Cork requesting that it ends all memorandums of understanding to jointly develop facilities in Cork Harbour which would enable the importation of liquefied natural gas extracted via hydraulic fracturing, and that this letter be copied to the Minister for Communications, Climate Action and Environment.”***

During this discussion the Members made the following points:

* Members were concerned with the building of new fossil fuel infrastructure in Cork to store imported gas.
* Concerns of local level air/water pollution.
* Members advised that biodiversity is impacted by fracking.
* Port of Cork must be respectful of other stakeholders.
* Local residents need to be advised in advance.

**VOTES OF CONGRATULATIONS**

**28/11-2**

**TO:** Patricia Messinger - On 29 successful years presenting ‘Cork Today’ on C103FM

**TO:** Revd Canon Elaine Murray - On being installed as a Canon – Prebendary of Desertmore & Killanully

**TO:** Eileen Lyons - On captaining Donoughmore Ladies on their Junior Ladies Football– All Ireland

**TO:** Fr. O’Neill’s - On winning Munster Intermediate Championship

**TO:** Mourneabbey Ladies Football - On winning All Ireland Senior Football

**TO:** Alfie Clohossey - On winning Gold Medal at the Irish International Taekwon – Do Competition

**TO:** Donoughmore Ladies Football Team - On winning Junior Ladies Football – All Ireland

**TO:** Kilshannig Junior A Football Team - On winning Kilshannig Junior A Football County Championship

**ANY OTHER BUSINESS**

**29/11-2**

**AN POST**

Cllr. Alan Coleman proposed, seconded by Cllr. Seamus McGrath.

That Cork County Council write to An Post regarding treatment of families when a postmaster passes away.

**CAPE CLEAR**

Cllr. Christopher O’Sullivan proposed, seconded by Cllr. Alan Coleman.

That Cork County Council write to Mairtín Ó Méalóid requesting that he gives a presentation to Development Committee Meeting in January 2020 on the Clean Energy Transition for the 26 Islands, which is a European initiative.

**This concluded the business of the Meeting**