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**Minutes of Proceedings at Meeting of Cork County Council held by Microsoft Teams on 8th March, 2021 at 11am.**

**I LATHAIR**

**Comhairleoir Máire Léanacháin - Uí Foghlú, Méara Chontae**

Comhairleoiri: Ó Muineacháin B, Ó Dubhghaill, Ó Sé, Sean Pól, Ó Múrchú, Gearóid, Críod, Ní Mhuineacháin G, Ó Luanaigh, Uí Loinsigh, Ó Luasa, Ó hAodha, Padraig, Ó Múrchú, Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léineacháin Ui Foghlú, Ó Héigheartaigh, Ní hEachthigheirn, Uí Thuama, MacCarthaigh S, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaoich, Ó hAodha, Pól, Uí Chochláin G, Ó Colmáin, Ó Murchú, Caoimhín Ó Suilleabháin, Sean, Uí Shuilleabháin, Máire, Ó Donnabháin, Ó Coileáin D, Ó Murchú PG, Uí Mhurchú Cáit, Ó Conaill, Mac Craith, Uí Daltún, Uí Bhuachalla, Ó Conchubair L, Daltún Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conchubair S, Ó Conchubair A, MacCarthaig N, Ó Flionn, Uí Bhriain, Ó Laoghaire, Dawson, De Róiste.

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**PRESENT**

 **Councillor Mary Linehan-Foley, County Mayor, presided.**

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

Chief Executive; Senior Executive Officer, Mr. Michael Lynch, Director of Services, Planning, Mr. Padraig Barrett, Director of Services, Roads & Transportation.

 **[a] CONFIRMATION OF MINUTES**

**1/3-1**

***Proposed by Cllr. Michael Hegarty***

***Seconded by Cllr. Kevin Murphy***

**RESOLVED:**

“That the minutes of the Meeting held on 22nd February 2021 be confirmed and signed by the Mayor.”

**SUSPENSION OF STANDING ORDERS**

Councillor Deirdre O’Brien proposed a suspension of standing orders to discuss the Bank of Ireland closures across Cork County, seconded by Councillor Declan Hurley. It was agreed the matter would be dealt with at 1pm.

 **[b] VOTES OF SYMPATHY**

**2/3-1**

**TO:** Yvonne McCarthy on the death of her husband, Donie McCarthy

**TO:** Adrian O’Brien on the death of his mother in law, Jean Gutteridge

**TO:** Seamus Heaney on the death of his father, David Heaney

**TO:** Hennessy Family on the death of Paddy, Willie & Johnny Hennessy

**TO:** Aoife Halligan on the death of her father, Jim Halligan

**TO:** Michael Maguire on the death of his father in law, Ned Cleary

 **[c] STATUTORY BUSINESS**

**3/3-1**

**Disposal of Property:**

**Section 183 of the Local Government Act 2001:**

# *Members noted the following disposals:*

**Municipal District of East Cork:**

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

# *Disposal of land at No. 17, Woodview Court, Youghal, 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 26th February, 2021.

**SITUATION:** Disposal of land a No. 17 Woodview Court, Youghal, Co. Cork

**AREA:** 0.00172 hectares (0.00425 acres) – Part of Folio CK77333F

# CONSIDERATION: €1,500

**Municipal District of Fermoy:**

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

# *Grant of Right of Way at Farrahy Road, Kildorrery, 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 26th February, 2021.

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**SITUATION:** Grant of Right of Way at Farrahy Road, Kildorrery, Co. Cork

# CONSIDERATION: €1.00

**4/3-1**

**Chapter 2 Section 128b (1) (i) of the Local Government Reform Act 2014 2020 LCDC North, South & West Cork Annual Reports:**

Requirement of LCDC to prepare, adopt and submit to the local authority a report in relation to the performance of its functions for the previous year. North Cork LCDC Annual Report was adopted at meeting held on 15th February, West Cork and South Cork Annual Reports adopted at their meetings held on 25th February.

Members noted the Annual Reports for the North, South and West LCDCs.

During a discussion, Members made the following points:

* Members thanked the staff of the Economic Development Department on having worked so diligently
* Said there was great co-operation with the Local Development Companies
* Said much work was being done.

**5/3-1**

**Nomination to the Board of Údarás na Gaeltachta:**

***Proposed by Cllr. Seamus McGrath***

***Seconded by Cllr. Frank O’Flynn***

**RESOLVED:**

That Councillor Gobnait Moynihan is nominated to the Board of Úrdaras na Gaeltachta for the two year period from 2021 – 2023.

**6/3-1**

**Section 85 of The Local Government Act, 2001 (As Amended):**

Section 85 Agreement between Cork County Council and Cork City Council to allow the County to deliver flooding relief works at Primrose Hill, Tower, Co. Cork.

***Proposed by Cllr. Mary Linehan Foley***

***Seconded by Cllr. Seamus McGrath***

**RESOLVED:**

That pursuant to Section 85 of the Local Government Act 2001 as amended, Cork County Council will enter into an Agreement with Cork City Council whereby Cork County Council will carry out all of the necessary duties and functions of Cork City Council in respect of delivering the flooding relief works project at Primrose Hill, Tower, Co. Cork with the exception of obtaining any necessary planning approvals and undertaking public consultation procedures as required under the Planning and Development Acts and Regulations. It is hereby resolved under Section 85 of the Local Government Act 2001 as amended to enter into Agreement with Cork City Council for the provision of the services as outlined.

**7/3-1**

**The Planning & Development Act 2000 (as amended) & Planning & Development (Strategic Infrastructure) Act 2006.**

*Consideration of the Planning Authority report in accordance with the requirements of Section 37E (4) and 37E (5) of the Planning and Development Act 2000 (as amended). Strategic Infrastructure Development Application – Curns Energy Ltd.*

Mr. Michael Lynch, Director of Service, Planning Department outlined that an application had been made to An Bord Pleanála by Curns Energy Ltd on 8th January, 2021. The application was for a proposed development comprising the construction of up to 17 No. wind turbines with a maximum overall blade tip height of up to 150 metres and 1 No. Meteorological Mast with a maximum height of up to 112 metres. The proposed development is located within the townlands Lyremountain, Lyre, Ballyanthony, Knockanarig, Breeda, Rearour North and Rearour South, County Cork and Lyrenacarriga (and other townlands) County Waterford.

Members asked if a deferral to allow time for further review of the Planning Authority report was possible. The Chief Executive informed Members that the report must be submitted to An Bord Pleanála by 19th March 2021 so had to be considered at this meeting.

The Chief Executive told the meeting that the Planning Authority’s report to An Bord Pleanála had been prepared  in accordance with the requirements of Section 37E (4) and 37E (5) of the Planning and Development Act 2000 (as amended) on the Strategic Infrastructure Development application to An Bord Pleanála  from Curns Energy Ltd.

He said the report was presented to Members for their consideration and that he was seeking the views of the Members on the proposed development.

The Chief Executive said that the Planning Authority must submit a report to An Bord Pleanála and Members can, by resolution, append recommendations to the report to An Bord Pleanála. The Meetings Administrator record of the meeting will also be attached to the report.

During this discussion the Members made the following points:

* Members expressed concerns on location of turbines and proximity to homes
* Majority of Members expressed the need to reject the application as a Council
* Members said that there was inadequate public consultation in the area and citizens are not being heard and that workshops should have been held with the communities
* Members said there was lack of proper guidelines regarding wind turbines
* Members clarified the location of the townlands of Rearour North and Rearour South
* Concerns raised on how close the proposed development is to the main water supply for Youghal
* Some Members supported the Planning Authority’s recommendation as set out in the report and were in favour of wind turbines

***Proposed by Councillor Ann Marie Ahern***

***Seconded by Councillor Mary Linehan Foley***

“That this Council recommends the rejection of this application from Curns Energy Ltd and that this recommendation is to be attached to the Planning Authority’s report to An Bord Pleanála together with the Meetings Administrator’s record of the meeting”.

The Mayor called for a vote to be taken on the proposed resolution.

**FOR:** Councillor: Coughlan G, Coleman, Murphy Kevin, O’Sullivan M, O’Donovan, Collins D, McGrath, D’Alton, Buckley, Dalton O’Sullivan, Barry, Sheppard, Rasmussen, O’Connor S, McCarthy N, O’Flynn, O’Brien, O’Leary, Roche, Moynihan B, Doyle, Moynihan G, Hayes Pat, Kennedy, Madden, O’Shea T, Linehan-Foley, Ahern, Twomey, McCarthy S, Kelly, Carroll, Hurley, Coakley, Hayes Paul

**[35]**

**AGAINST:** Councillor: Murphy Gerard, Hegarty

**[2]**

**ABSTAIN:** Councillor:O’Connell, O’Connor A, O’Shea J.P, Creed, Lucey, Quaide

**[6]**

The Mayor declared the results as follows 35 **FOR,** 2 **AGAINST,** 6 **ABSTAIN** and that the resolution was carried.

 **[f] REPORTS AND RECOMMENDATIONS OF OFFICERS**

**8/3-1**

**National Transport Authority Sustainable Transport Measures Grant 2021:**

# Members welcomed the Report from Mr. Michael Lynch, Director of Service, Planning on the National Transport Authority Sustainable Transport Measures Grant 2021.

Mr. Lynch outlined that approval in principal to the programme of work across the county had been received and that the programme was prepared by the Planning Dept in co-operation with Roads and Municipal Districts Directorates. He said that the NTA will fund an 18-person multi-disciplinary team to support the programme. He said it was an ambitious plan that will ensure that towns and villages are connected to each other and to strategic employment and service areas. He said there were sensitive interventions proposed that will enhance the quality of life in the areas where the work is done.

During this discussion the Members made the following points:

* Members welcomed the €15.8m allocated to Cork County Council
* Noted the approval to 101 interventions for towns and villages across Cork County and welcomed the geographical spread
* Welcomed the 27 pedestrian crossing lighting upgrades
* Significant schemes such as pedestrian and cycle route networks were included
* Acknowledged that it would make towns and villages more sustainable
* Said that there was great value for money in investing in sustainable travel programmes
* Said it will reduce car use and traffic congestion in areas such as little Island
* Asked if notice boards could be included where different types of users share paths for safety
* It will provide active travel connectivity within the county
* Will provide commuters & students with a direct, safe alternative mode of transport
* Members complimented the scheme with provisions for priority bus shelters
* Members requested representative of the NTA for briefing at Development Committee
* Said that Members need more input in the roll out
* Said it was a positive statement about investment in rural Ireland and its tourism potential
* Said that it was a transformative development of sustainable travel but should integrate with nature
* Footpath improvements needed to connect schools to town and village centres and that the ’10 Minute Town’ concept should be looked at
* Asked if the funding was adequate for completion of certain projects
* Asked that peripheral areas were looked at for funding

Mr. Michael Lynch informed Members that he would ask the National Transport Authority to brief Members at Development Committee and he would arrange to reissue maps to Elected Members with a revised legend. He said that there will be a multi annual approach to the projects and that the funding given for 2021 will not always be the full cost but will allow projects commence-additional funding will follow. He said projects have to pass through NTA ‘gateways’ for different stages. He said there will be regulatory processes to be undertaken for most of the projects and these will be brought before Members for approval. He said that biodiversity was always a consideration. He said that the council was also seeking to advance the ‘town living’ strategy and that the issue of schools connectivity was being examined.

**9/3-1**

**Roads Grant Allocations 2021:**

Members welcomed the report from Mr. Padraig Barrett, Director of Service, Roads and Transportation on Road Grant Allocations 2021 for National, Regional & Local Roads.

He outlined the funding received under the range of categories and said the €86,990,093 funding was an increase of 42% on last year’s allocation. He said that the programme will complement the Active Travel projects.

During this discussion the Members made the following points

* Members welcomed the €86,990,093 funding and the increase in same
* Members said the funding was paramount in ensuring safeguarding of national, regional and local road infrastructure
* Welcomed the 15% increase for Regional and Local Roads for pothole & surface repair and bridge rehabilitation etc
* The funding is crucial for dealing with deteriorating effects caused by extreme weather
* Members acknowledged the need for drainage maintenance to be maintained
* Welcomed the investment in walking and cycling infrastructure across towns and villages with walking & cycling activities on the rise
* Welcomed the funding for pavement and minor works for projects
* Members said it was a significant investment for Cork County
* Cork County Council is to progress 31 bridge rehabilitation works across the county
* Acknowledge that impact the funding will have on delivering of Climate Adaptation objectives
* The importance of delivering connectivity and sustainability within the county
* Members also advised that there was still significant shortfall
* Asked about the comparison on size of county and roads network to other local authorities
* Asked if speed measuring devices will be acquired
* Said traffic calming measures were needed at entrances to Housing estates-signage alone is not effective
* The funding will facilitate growth locally, regionally and nationally for Cork County
* Footpath Programmes received €900,000 and Municipal Districts will liaise with Members on the programme
* Said while funding was increased, it was coming from a low base
* Asked if the grants related to the amount of motor tax collected in Cork County
* Asked if the work programme would be impacted by restrictions on construction due to covid19
* Asked what was provided for maintenance work
* Members outlined a number of specific roads matters that need to be addressed

Mr. Padraig Barrett said that these allocations represent a significant investment by Government in Cork County and illustrates the confidence of Government in the capacity of Cork County Council to administer and manage the expenditure in 2021 in the funding programmes. He said that comparisons with other rural local authorities had been done and that Cork County was getting its fair share-12% of the overall road network of the country was in Cork county and about 12% of overall funding for roads was allocated to Cork. He said that where the funding provided proved insufficient, applications for funding would be made to the Dept for specific defects on the road network. He said a Speed Limit review will commence later in 2021 for completion in May 2022. He addressed members queries about specific roads and locations. He said that the discretionary maintenance grant had decreased. Covid 19 meant that there were more walkers and cyclists and also more commercial vans as more home deliveries. There were competing demand and safety of all users had to be considered. He said that the impact on the Roads Programme of Covid 19 meant that there would be a challenge to meet expenditure goals and he was confident this will be achieved in line with safety advice.

*Proposed by Councillor Declan Hurley*

*Seconded by Councillor Mary Linehan-Foley*

**RESOLVED:**

That a letter would issue from the Mayor’s office to the Department of Transport to seek additional funding in 2021 for Cork County Council’s Regional and Local Roads as it has largest road network in the Country and has a significant shortfall in funding needed to carry out infrastructure works and maintenance.

*Proposed by Councillor Seamus McGrath*

*Seconded by Councillor Mary Linehan-Foley*

**RESOLVED:**

That this Council would write to the Department of Transport to seek an increase in 2021 funding for Cork County Council for provision of 30kph Speed Limit Signage In Housing Areas.

The Members agreed that both letters be issued to the Dept of Transport.

**Extension of Time:**

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

*Proposed by Councillor Gillian Coughlan*

*Seconded by Councillor Deirdre O’Brien*

**SUSPENSION OF STANDING ORDERS**

Members requested a suspension of standing orders to discuss the closure of Bank of Ireland branches across Cork County.

***Proposed by Cllr. Deirdre O’Brien***

***Seconded by Cllr. Declan Hurley***

During this discussion the Members made the following points:

* Members said it was another setback for Rural Ireland
* Town centres need investment not closures
* Acknowledged that a lot of people are not aware of online banking
* Withdrawal of vital services to elderly population
* Mobile phone coverage and broadband an issue for online banking
* Members asked if BOI could extend services for 2 years instead of 6 months
* Acknowledged the issues of not having night safes and ATMs
* Advised that BOI buildings should be made available to An Post to run operation
* Members said it was disrespectful to people who bailed the banks out
* Said legislation should be changed to allow An Post and Credit Union do bank business for customers
* Said that the Minister of Finance had said that he had no role in commercial decisions
* Said that footfall and geographical spread should have been looked at
* Said citizens should have a say in the model of banking in Ireland going forward

***Proposed by Cllr. Deirdre O’Brien***

***Seconded by Cllr. Declan Hurley***

**RESOLVED:**

That this Council write to Bank of Ireland to ensure customers get proper services and request that the transition period for branch closures to be extended over a 2-year period and request the retention of ATMs at all branches, and also to write to the Minister of Finance to request that legislation be put in place to allow An Post and Credit Unions provide local banking services and that government intervene with Bank of Ireland to ensure that Bank of Ireland buildings that are to close be offered to An Post to allow them expand their services.

**[h] NOTICE OF MOTIONS**

**10/3-1**

**Shipping Licence:**

# *Cllr. Marcia D’Alton proposed, seconded Cllr. Seamus McGrath:*

*“To ask Minister to amend the Environment Protection Agency Act 1992 to include “shipping” as an activity licensable under the Act. This would require all ports above a certain size throughout Ireland to operate in accordance with an Industrial Emissions licence.”*

During this discussion the Members made the following points:

* Members acknowledged that the EPA has a list of Environment Protection responsibilities and that shipping had not been included in the different types of industrial activities that were required to apply to the EPA for a licence
* Acknowledged the huge amount of cargo handled at some Irish ports
* Concerns were expressed that port operations can have a serious impact on the environment
* Advised that residents living by ports find it difficult
* Some Members said they were not in support of licencing for smaller ports and agreed a change to the wording of the motion to include the words ‘major commercial ports’

***Members agreed to write to Minister Eamon Ryan, Minister for the Environment, Climate & Communications to amend Environmental Protection Agency Act 1992 to include ‘shipping’ as an activity licensable under the Act. This would require all major commercial ports above a certain size throughout Ireland to operate in accordance with an Industrial Emissions licence.***

**11/3/1**

**Sanitary Products:**

# *Cllr. Gobnait Moynihan proposed, seconded Cllr. Susan McCarthy*

*"Cork County Council recognises that period poverty is a very real issue for women in low income households. And that Cork County Council agrees to have free sanitary products available in the toilets of all Cork County Council buildings, including community centres, swimming pools and libraries."*

Members noted response from Mr. Niall Healy, Director of Service, Municipal Districts and Operations as follows:

**RESPONSE:**

Period poverty has been defined as a situation whereby females struggle to afford sanitary products. It has been suggested that it is a problem in Ireland and worldwide. In 2019, the Irish Government established a committee to consider the issues associated with period poverty. The committee, which is chaired by the Department of Health, aims to deal with period poverty in detail. It also includes representation from a range of government departments and Non-Governmental Organisations, including the National Women's Council of Ireland and the Department of Finance.

This matter is, first and foremost, a matter of public health, and is therefore a matter that lends itself to national legislators to consider and resolve. It is accepted that it is not solely a matter for the Department of Health, but rather a multi-disciplinary cross departmental response is merited. It is important that any national response is influenced by informed thinking and an evidence-based approach.

It is believed that those most impacted by period poverty include low-income families, direct provision centres, women's refuges and homeless women.

It has been suggested in Oireachtas debates that consideration could be given, in any national policy approach, to public bodies stocking sanitary products for free in schools, universities, hospitals, direct provision centres, refuges, Garda stations, prisons etc. In so doing, it is important that the response meets the needs of those who are most in need.

It is noted that the motion from Cllr Moynihan proposes to make sanitary products available for free in the toilets of all Cork County Council buildings, as well as community centres, swimming pools and libraries. It is suggested that this Council should await the outcome of the workings of the national committee specifically tasked with researching and reviewing this matter, and to ensure that any response is consistent with national policy provisions and meets the specific public health standards and obligations that apply to public bodies. It is imperative that any action is specifically targeted to benefit the socio-economic groups that are deemed to be in greatest need.

During this discussion the Members made the following points:

* Member advised that period poverty is when people cannot afford sanitary protection
* Acknowledged that people are in financial constraints especially during Covid 19
* Said sanitary products were a necessity, not a luxury and this was a practical issue
* Members described it as crazy in this day and age that products were not available free of charge
* Members said toilet paper and hand sanitiser were provided within the council buildings
* Advised that it was now a cashless society and people may not have appropriate coinage to hand
* Members acknowledged that some women and girls could not take part in sporting activities as they didn’t have protection available to them
* Suggested that existing providers of sanitary services for public toilets could advise on how best to proceed

The Chief Executive commented on the practicalities of implementing the roll out of the scheme and advised awaiting the outcome of the National Committee chaired by the Dept of Health to ensure there is consistency in the manner in which to proceed. He said that a significant debate was happening at national level and that this was not a matter for local authorities only. He said that the advice of the Department of Health will be sought.

The Mayor called on a vote to be taken as follows:

**FOR:** Councillor: Coughlan G, O’Sullivan J, O’Sullivan M, O’Donovan, Murphy P.G, McGrath, D’Alton, Buckley, Dalton O’Sullivan, O’Callaghan, O’Connor A, O’Flynn, O’Brien, O’Leary, Roche, Doyle, O’Shea J.P, Moynihan G, Looney, Murphy Gearóid, O’Shea T, Linehan-Foley, McCarthy S, Kelly, Hurley, Hayes Paul

**[26]**

**AGAINST:**

**[0]**

**ABSTAIN:**Councillor: Murphy Kevin

**[1]**

The Mayor declared the results as follows 26 **FOR**, 0 **AGAINST**, 1 **ABSTAIN** and the motion was carried.

**[k] VOTES OF CONGRATULATIONS**

**12/3-1**

**TO:** Siobhan Cronin on being appointed first female editor in its 132 years history for The Southern Star

**TO:** David O’Gorman on winning this year’s Dairygold Malting Barley Competition

**TO:** All the Irish Athletes who participated in the European Indoor Championships 2021

 **[l] ANY OTHER BUSINESS**

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

**Christmas Tree Lights:**

# During this discussion the members made the following points:

* Members notified that Christmas lights were still up in some towns and villages in Cork County
* Acknowledged they were left up to raise spirits in communities for the month of January
* Asked for them to be taken down before Easter

The Chief Executive informed Members this work was deemed non-essential under the current level 5 public health restrictions with no contractors available to carry out these works. The Members were notified that each Municipal District will carry out this work once restrictions have been lifted.

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

**St. Patrick’s Day Light up Buildings:**

# During this discussion the members made the following points:

* Members acknowledge that no physical parades would take place again this year
* Members were advised that virtual St Patrick’s Day activities such as greening of buildings will happen to mark our National Day
* Each Municipal District will notify Members of the lighting of public and landmark buildings across Cork County to celebrate this occasion

**~ This concluded the business of the Meeting ~**