

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork and by Microsoft Teams on 23rd January 2023 at 11am.

I LATHAIR

Comhairleoir Dónal Ó Coileáin, Méara Chontae

Comhairleoiri: Uí Chochláin G, Ó Colmáin, Ó Murchú C, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Murchú PG, Ní Chroinín, Mac Craith, Uí Daltún, Ó Muircheartaigh, Uí Bhuachalla, De Faoite S, Daltún Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conchubair S, Ó Conchubair A, MacCarthaigh N, Ó Flionn, Uí Bhriain, Ó Laoghaire, Dawson, De Róiste, Ó Muineachain B, Ó Dubhghaill, Ó Sé SP, Ó Múrchú G, Críod, Ní Mhuineachain G,Ó Luanaigh, Ó Cochláin M, Uí Loinsigh, Ó Luasa, Ó Haodha Padraig, Ó Múrchú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léineacháin Uí Foghlú, Ó hÉalaithe, Ó Héigheartaigh, Ní Heachthigheirn, Uí Thuama, MacCarthaigh S, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaoich, Ó Haodha Pól

PRESENT

Councillor Danny Collins , County Mayor, presided.

Councillor: Coughlan, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O' Donovan, Murphy PG, Cronin, O'Connell, McGrath, D'Alton, Murtagh, Buckley A, White J, Dalton – O' Sullivan, O' Callaghan, Barry, Sheppard, Rasmussen, O' Connor S, O'Connor A, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Moynihan B, Doyle, O'Shea JP, Murphy G, Creed, Moynihan G, Looney, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan – Foley, Healy, Hegarty, Ahern, Twomey, McCarthy S, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul

Deputy Chief Executive James Fogarty, Director of Services Corporate Services, Director of Services Planning, Senior Executive Officer Corporate Services

[a] CONFIRMATION OF MINUTES

1/2-1

Proposed by Councillor Anthony Barry

Seconded by Councillor Karen Coakley

RESOLVED:

That the minutes of the Meeting held on 9th January 2023 be confirmed and signed by the Mayor.

[b] VOTES OF SYMPATHY

TO: Ann McNamara on the death of her husband Ted McNamara

[c] STATUTORY BUSINESS

3/2-1

PART 8 MANAGER'S REPORT SECTIONS 179(3) OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)

Resolution under section 179 of the planning & development act 2000, as amended

MUNICIPAL DISTRICT OF CARRIGALINE:

Proposed by Councillor Seamus McGrath

Seconded by Councillor Audrey Buckley

Members resolved to approve Part 8 Chief Executive's Report for new Council compound at Kilnagleary, Carrigaline, Co. Cork.

4/2-1

FILLING OF VACANCIES ON THE SOUTH CORK LOCAL COMMUNITY DEVELOPMENT COMMITTEE

Section 4(2) and Sections 32-35 of the Local Community Development Committee (Section128E) Regulations 2014 (SI No. 234 of 2014):

In accordance with the provisions of Section 4(2) and Sections 32-35 of the Local Community Development Committee (Section 128E) Regulations 2014 (SI No. 234 of 2014).

Members resolved to approve the appointment of Ms. Ashley Amato as a replacement representative for Cork Chamber on the South Cork LCDC. The previous nominee (Ms. Margaret Kelly) is hereby deselected.

Proposed by Councillor Michael Hegarty

Seconded by Councillor Seamus McGrath

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

CHIEF EXECUTIVE'S MANAGEMENT REPORT TO COUNCIL:

Quarterly report of the Corporate Services Directorate for the 3-month period 30th September 2022

Members noted the Corporate Services Directorate Quarterly Report.

During this discussion the Members made the following points:

- Members asked if there are any changes to the work of the Franchise team following on from the recent changes in legislation
- Members noted the work being done by the Corporate Services Department

Director of Services, Corporate Services said there are some online changes in relation to 18 year olds. 17 year olds can now register to vote.

6/2-1

Quarterly report of the Library Directorate for the 3-month period 30th September 2022

Members noted the Library Directorate Quarterly Report.

During this discussion the Members made the following points:

- Members commended the work of the Library Services
- Asked if the Library services have received any feedback on their pilot programme on Period Poverty products
- Queried the progress of funding for this programme
- Members commended My Local Library
- Said it is the best utilization of Council public spaces
- Members asked for a follow up on the opening date of the new Kinsale Library

Deputy Chief Executive said the feedback on the pilot programme for Period Poverty has been overwhelmingly positive. A second round of funding has been secured. The Deputy Chief Executive acknowledged the success of My Local Library. An update on the Kinsale Library opening date will be circulated to Members.

[f] CORRESPONDENCE FROM GOVERNMENT DEPARTMENTS COMHFHREAGRAS Ó RANNA RIALTAS

DEPARTMENT OF HOUSING

Correspondence received 5th January from the Department of Housing in response to the Council's letter dated 12/09/22 in relation to making grant assistance available to all householders who wish to improve their waste water.

7/2-1

Members noted the correspondence from the Department of Housing.

During this discussion, the Members made the following points:

- Members said they are disappointed with the response
- Said all septic tanks should be open to grant aid
- Members requested to write back to the Minister of the Environment to seek further clarification on grant supports available to owners of septic tanks registered before February 2013 and to ask these would be eligible for grant aid

8/2-1

IARNRÓD ÉIREANN

Correspondence received 10th January from Iarnóid Éireann in response to Council's letter dated 12/12/22 in relation to the reintroduction of food and beverage services previously provided on rail journeys.

Members noted the correspondence from Iarnród Éireann.

During this discussion, the Members made the following points:

• Members said the response is disappointing, services should be open early in the morning

[g] NOTICES OF MOTION FOGRAÍ RÚN

UISCE EIREANN

"That Cork County Council write to Uisce Eireann, Minister for Housing, Local Government & Heritage Darragh O'Brien & Minister for Public Expenditure & Reform Pascal Donohoe outlining our disappointment on the progress that has been made to date on implementing the seven approved WWTP upgrade projects for Cork County under the Small Towns and Villages Growth Programme under their Capital Programme 2020 - 2024. Lisgoold & Ballineen/Enniskeane WWTP upgrades are only now at concept design stage while the remaining five projects in Ballinspittle, Belgooley, Castlemagner, Kilumney/Ovens & Glanworth will only progress to concept design stage during 2023. This likely means all seven projects will now not be completed and operational under the current capital programme which comes to an end in 2024. As a Council, we should insist on the prioritisation of these projects during 2023 to ensure current houses and new houses proposed for these seven villages have access to improved wastewater services".

Councillor John Paul O Shea proposed, seconded by Councillor Kay Dawson

During this discussion, the Members made the following points:

- Members said 35 Towns & Villages were put forward for this scheme
- Cork County Council are very proactive in engaging with the scheme
- Only 7 schemes were selected to proceed, anxious to get more over the line
- Members said there has been very little progress on these schemes
- These schemes have a 4 stage process, only at stage 1 & 2 of the process
- Members said no project will be complete by 2024
- Houses cannot be added until completion
- Members said these villages are out on a limb until Uisce Éireann bring forward these works
- Funding has been provided by government and Cork County Council has provided data
- Members are asking Uisce Éireann to fast track and implement these works before 2024
- Members said they are getting communication from Uisce Éireann pushing out dates for delivery
- Uisce Éireann has been granted funding, want to see action on the ground
- Said there are 3 housing developments in East Cork where occupancy is delayed due to lack of connections
- Uisce Éireann will be charging the developer €1000 per metre, local contractors can do the work for €200 per metre
- Uisce Éireann have received the monies
- The house purchaser will be left this extra cost
- Members said there is minimal priority level in Uisce Éireann and this is hindering the County Development Plan
- Said Uisce Éireann is stifling growth and development
- Water Infrastructure needs a lot of work and upgrading
- Members said they are frustrated with the Uisce Éireann capital programme continually being pushed out
- Members should protest outside Uisce Éireann headquarters and ask to meet the CE of Uisce Éireann who has the authority to move along these projects
- The water infrastructure needs a lot of work and upgrading
- Said better communication is needed from Uisce Éireann
- Members said a meeting is needed with senior management of Uisce Éireann to get a plan in place
- Members agreed to write to Uisce Éireann, Minister for Housing & Minister for Public Expenditure & Reform
- Members also agreed to write to the Chief Executive of Uisce Éireann to request a meeting with a delegation in respect of water services provision in Cork County.

The Mayor said a letter will be sent to the CE of Uisce Éireann to request a meeting with a delegation from Cork County Council. If this does not happen, Members will arrange a protest outside Uisce Éireann headquarters.

The Deputy Executive said Members have the full support of the Executive. Mr. Fogarty said the Executive wants improved communication from Uisce Éireann. He said it is good that the County Development Plan is in place, the 35 projects came from that document. Deputy Chief Executive said a deadline on completion dates is needed from Uisce Éirean.

DANGEROUS DOG BREEDS

"That this council is updated on the current arrangements in place to deal with dangerous dogs in Cork. The numbers employed in this area and the powers available to council to deal with owners of dangerous breeds of dogs."

Councillor Bernard Moynihan proposed, seconded by Councillor Gillian Coughlan

During this discussion, the Members made the following points:

- Members said this issue has arisen because the public has been raising it with Councillors
- Said dangerous dog breeds can do serious damage to animals and humans
- Said if a dog is not microchipped, the dog should not be around members of the public
- Owners of dangerous dog breeds need to be reprimanded if not complying with regulations
- Parents are in fear for their children in green areas
- These dogs are not on leads or muzzled
- Members agreed to write to the Minister for Agriculture to seek to have a task force in place to deal with this issue
- Members asked for an amendment to the motion to write to the Minister for Agriculture and to the Minister for Environment to insist on DNA tracing for dogs
- Said there are issues with dog fouling and dogs being stolen by others
- Said DNA traceability would go back to the owner of the dog
- Said there are hundreds of thousands of dogs in this country registered and unregistered
- Members said the powers of dog wardens should be increased
- Members said they do not want to put an extra cost on responsible dog owners
- Asked if 9 dog wardens around Cork County is enough
- Said enforcement needs to be stronger
- Members said this motion is important as one of the highest rates of attendance in A&E is for bites or attacks from dogs
- Said the current system and laws are not sufficient
- Said it is a question of implementation of the current laws
- Members said owners of dogs need to take responsibility and muzzle their dogs
- Said there is a requirement since 2016 that all dogs need to be microchipped
- Members asked what mechanism do we have in place to check if dogs are microchipped?
- Asked if any fines have ever been issued to owners for not having their dogs microchipped
- Said the only way to rectify people's behaviour is enforcement of laws

Members agreed to write to the Minister to increase enforcement, microchipping, database and to raise issues of illegal "Lurching".

11/2-1

MARINE PROTECTED AREA BILL

"I call upon this Council to write to Minister Darragh O' Brien requesting the introduction of the new Marine Protected Area Bill (MPA) in the hope that once this bill is introduced that it would be possible to re-look at Baltimore and other harbours and remove sections of them from the original SAC's so that work could be undertaken such as breakwaters which cannot be undertaken at the moment due to the application of the SAC rules."

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Councillor Karen Coakley proposed, seconded by Councillor Joe Carroll

During this discussion, the Members made the following points:

- Members said coastal communities are waiting for the government to introduce the 2 new proposed bills
- Works are unable to be completed due to the SAC rules
- The Members referred to Paragraph 5 (a) of the General Scheme of the Marine Protected Areas bill as follows:

(5) (a) A public authority may grant an application for an authorised activity which does not comply with the conservation objectives in the Designation Order, where the public authority considers that – (i) imperative reasons of overriding public interest exist, including social or economic reasons, requiring the authorisation of the activity; and

(ii) no reasonable alternative solutions exist.

(b) The public authority may grant such an application for an authorised activity subject to such conditions as the public authority considers appropriate.

(c) Before granting an application under sub section (6)(a) the public authority shall consult with the Minister for Housing Local Government and Heritage.

(6) When making Ministerial guidance under section 22 (1(d)) of the Maritime Area Planning Act 2021, the Minister shall have regard to the location, conservation objectives and measures included in the Designation Order.

- Said it is imperative that this bill be enacted as soon as possible as communities are being impacted by the delay
- Said the MPA is delaying progress in many coastal areas
- Said that an SAC is not suitable for a working harbour where nothing can be touched
- Members said this issue should be discussed at European level
- Members said they must get clarity whether this SAC can be changed with this bill
- Said that having a protected area is not feasible for a working harbour
- Said that breakwater is needed in Baltimore
- Have to look at dredging around the pontoons, important to get that improvement for infrastructure
- Members said there has to be a duty of care to the people and their livelihoods.
- Members agreed to write to the Minister for Housing, Local Government & Heritage to request the introduction of the new Marine Protected Area Bill (MPA)
- Said pragmatic view is needed.

The Mayor said it is important that the government take action on this as it is needed for safety of boats.

Director of Service Planning said that Cork County Council made a planning application to an Bord Pleanala for a breakwater for 2018. The Bord noted that Cork County Council presented safety issues around not having a breakwater, however the application was refused. He said the intention is to increase the amount of areas subject to MPAs. He said not all of our harbours are designated SACs.

The Deputy Chief Executive said this is a highly complex area and there was uncertainty as to how this bill will operate. He said the implications need to be spelt out and a briefing on the new Bill and MPAs will be given to a future Development Committee.

Extension of Time

Proposed by Councillor Michael Hegarty

Seconded by Councillor Seamus McGrath

12/2-1

MODERATION OF SOCIAL MEDIA PLATFORMS

"To write to the Irish Times, the Irish Independent and the Irish Examiner asking that they moderate their social media platforms so as to reduce racism, xenophobia and misinformation in the comments sections under their posts, and in particular on posts relating the current far-right protests in Dublin and elsewhere."

Councillor Gearóid Murphy proposed, seconded by Councillor Ann Marie Ahern

During this discussion, the Members made the following points:

- Members said they are concerned that far right views are on the rise
- Said there is a substantial increase in racism and xenophobia on social media sites in the comments section
- There is increased traffic to these pages and controversial news drives traffic on web pages
- Editorials rarely try to correct disinformation on social media posts
- Said it is incumbent on everybody who has a social media platform to be mindful and take responsibility
- The end result of articles can be misinformation, bullying and abuse
- Members said it is hurtful to expose people in the comments, an article can spread in seconds
- Said social media platforms have a role to play here
- A lot of accounts seem to be fake accounts spreading hate in the wrong directions
- Members said the traditional method of selling newspapers and advertisements has become much harder
- Government need to be mindful of how newspapers are funded

Members agreed to write to the Irish Times, the Irish Independent, the Irish Examiner, Twitter and Meta asking that they moderate their social media platforms so as to reduce racism, xenophobia and misinformation in the comments sections under their posts, and in particular on posts relating the current far-right protests in Dublin and elsewhere.

[h] VOTES OF CONGRATULATIONS

- **TO:** Orlagh Farmer on her retirement from LGFA after 13 year and winning 6 All Irelands.
- **TO:** Mark O Mahony on his success in signing for Brighton
- **TO:** Michael & Chrissie O'Mahony on their fundraising Christmas lights display which raised €7,652 for local charities
- **TO:** Ballygiblin GAA Club on their tremendous achievement of winning the 2022 All Ireland Junior A Hurling Club Championship
- TO: Orla Finn on her retirement from Inter County Football

TO: Aaron Tobin of Youghal CYMS on winning the Munster Championships
TO: Adam Bulman of Youghal CYMS on winning the Munster Championships
TO: Adam Fitzgerald of Youghal CYMS on winning the Munster Championships
TO: Conor Kennedy of Youghal CYMS on winning the Munster Championships
TO: Ross Bulman of Youghal CYMS on winning the Munster Championships
TO: Bob Ryan on being elected Treasurer of the Munster Council GAA
TO: Pat Ryan and Team on winning the Munster Hurling League Final

[I] ANY OTHER BUSINESS

14/2-1

HOMELESSNESS

Members agreed to write to the Minister for Housing to make him aware of the severity of the housing crisis. Members said there is little to no private rented accommodation available to rent. Members said measures need to be looked at to encourage landlords to stay in the private rental market and to encourage landlord to engage with the HAP scheme. Proposed by Councillor Mary Linehan Foley, seconded by Councillor Danielle Twomey.

YOUGHAL GREYHOUND TRACK

Members agreed to write to the Minister for Agriculture to request that he will take steps to secure the future of Youghal Greyhound Track. Members also agreed to write to East Cork TD's. Proposed by Councillor Michael Hegarty, seconded by Councillor Mary Linehan Foley.

CIVIC RECEPTIONS

Members resolved that a civic reception would be held for Orla Finn:

Proposed by Councillor Kevin Murphy

Seconded by Councillor Marie O'Sullivan

Members resolved that a civic reception would be held for Orla Farmer:

Proposed by Councillor Ann Marie Ahern

Seconded by Councillor Danielle Twomey

~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~