

Validation Checklist

Lodgement Number : **LDG-079764-25**
Case Number: **ABP-322434-25**
Customer: **O'Flynn Construction Co. Unlimited Company**
Lodgement Date: **02/05/2025 15:06:00**
Validation Officer: **Dáire Littleton Caden**
PA Name: **Cork City Council**
PA Reg Ref: **2443414**
Case Type: **Appeal - LRD**
Lodgement Type: **Appeal - LRD**



An
Bord
Pleanála

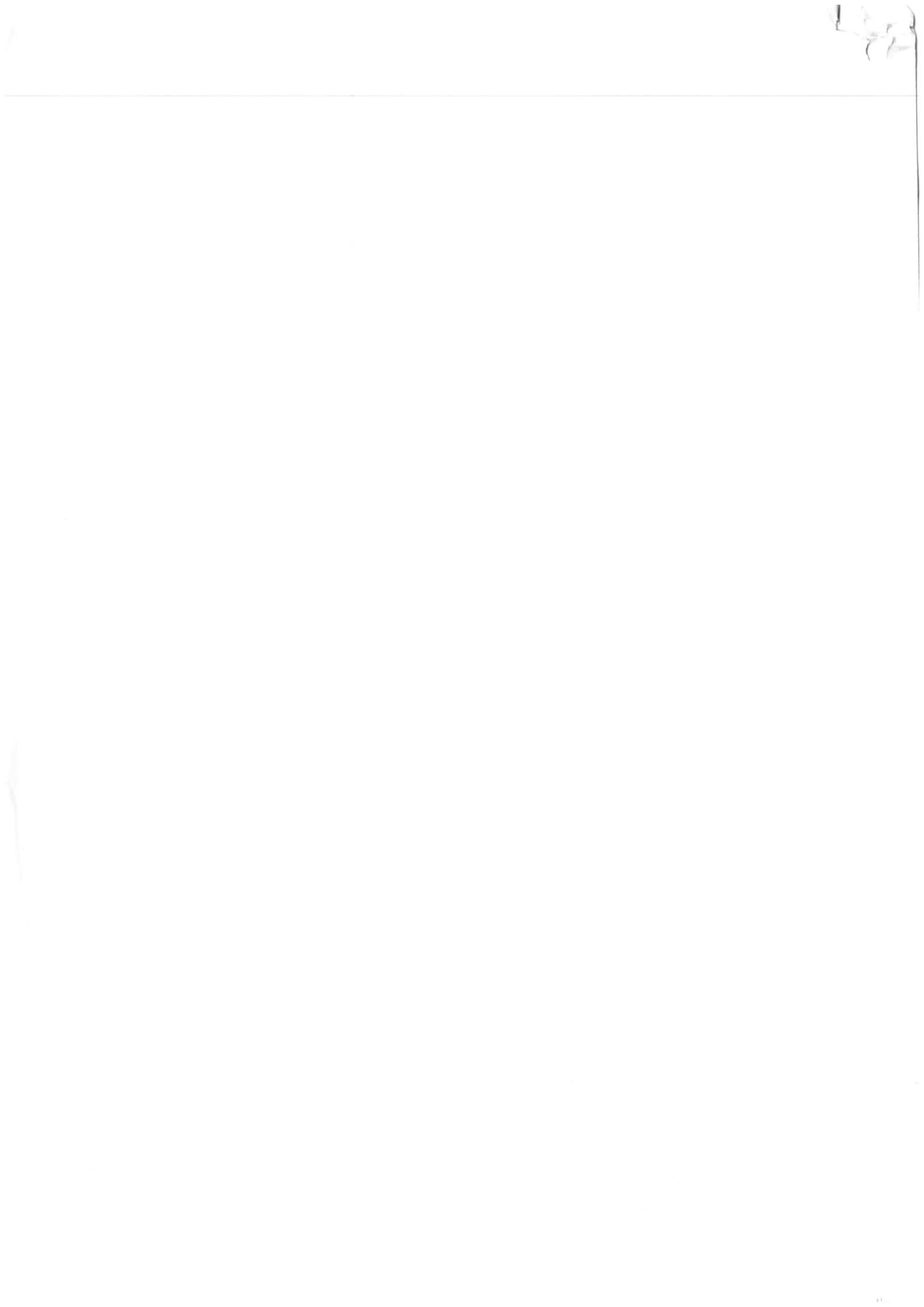
Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Yes
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
3rd Party Acknowledgement	Not Applicable
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes
Valid Lodgement Channel	Yes

LRD- Multiple

LRD01M

Run at: 06/05/2025 09:36

Run by: Dáire Littleton Caden

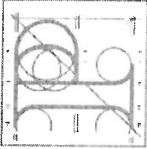


Lodgement Cover Sheet - LDG-079764-25

DD

LRD - Multiple

1st v conditions



An Bord Pleanála

Details

Lodgement Date	02/05/2025
Customer	O'Flynn Construction Co. Unlimited Company
Lodgement Channel	In Person
Lodgement by Agent	Yes
Agent Name	McCutcheon Halley
Correspondence Primarily Sent to	Agent
Registered Post Reference	

Lodgement ID	LDG-079764-25
Map ID	
Created By	Shirley Connolly
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

Categorisation

Lodgement Type	Appeal - LRD
Section	Processing

PA Name	Cork City Council
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Paid	3000.00
Refund Amount	

Observation/Objection Allowed?	
Payment	PMT-062407-25
Related Payment Details Record	PD-062254-25

LRD01141

09/04/25

LD 06/05/25

ABP - 322434



McCutcheon Halley
CHARTERED PLANNING CONSULTANTS

AN BORD PLEANÁLA
LDG- 079764-25
ABP- _____
02 MAY 2025
Fee: € 3,000 Type: CH
Time: 15:00 By: HAWB

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

2nd May 2025

Re: Cork City Council Ref. 24/43414
First Party Appeal against conditions attached to Cork City Council's decision to grant permission for a Large Scale Residential (LRD) comprising 550 no. residential units, creche, 3 no. commercial units and ancillary development at Dunkettle (townland), Glanmire, Cork.

Dear Sir/Madam,

We act on behalf of O'Flynn Construction Co. Unlimited Company with an address at Beckett House, Barrack Square, Ballincollig, Cork (P31 FK27), and wish to appeal conditions 8 and 41(a) attached to Cork City Council's grant of permission for a Large-Scale Residential Development (LRD) comprising the construction of 550 no. residential units (394 no. dwelling houses and 156 no. apartment/duplex units), creche and 3 no. commercial units (comprising a shop, cafe and medical/general practice facility) and all associated ancillary development works located to the north of Dunkettle House (protected structure - PS1190) and associated structures (protected structures - PS1238 PS1239 PS1240 PS1170) Dunkettle (townland) Glanmire, Cork.¹

This appeal is accompanied by the appropriate fee of €3,000.

We request that this appeal is considered under section 139 of the 2000 Planning and Development Act (as amended) and restricted to the consideration of condition No.'s 8 and 41(a) only.

Grounds of Appeal

This appeal seeks to **remove condition no. 8** which requires the crèche to be constructed and fully operational prior to the occupation of any residential dwelling; and **modify Condition 41(a)**, so that the working hours are extended to 0700-1900 hours, Mondays to Fridays.

The grounds of appeal against each condition are outlined in detail below.

¹ An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) was submitted to the planning authority with the application.

Condition no 8

Condition no. 8 requires the proposed childcare facility to be constructed and **"fully operational"** prior to the occupation of any residential dwelling:

"The proposed childcare facility shall be constructed and fully operational prior to the occupation of any residential dwelling within the subject site and prior to commencement of development, updated plans setting out the proposed childcare capacity shall be submitted to and agreed in writing with the Planning Authority."

The reason cited for Condition no. 8 is as follows:

"In order to ensure the provision of essential childcare services."

It is submitted that condition no. 8 is ultra vires and imposes a wholly unreasonable and impossible requirement on the developer to have the creche built and operational *"prior to the occupation of any residential dwelling"*.

Section 34 (4) of the Planning and Development Act 2000 provides that certain conditions may be imposed in connection with the granting of a planning permission. It states;

- 4) Conditions under subsection (1) may, without prejudice to the generality of that subsection, include all or any of the following—
- (b) conditions for requiring the carrying out of works (including the provision of facilities) which the planning authority considers **are required for the purposes of the development authorised by the permission**; (emphasis added)
- (h) conditions for determining the sequence and timing in which and the time at which works shall be carried out;

Any existing childcare requirements in the vicinity of the development cannot be considered in the context of facilities conditioned in the permission for this development. Only the facilities required **for this development** can be considered pursuant to Section 34(4)(b).

Further, the **Development Management Guidelines for Planning Authorities (June 2007)** ("the 2007 Guidelines") set out the Basic criteria for conditions.

7.3 Certain basic criteria have often been suggested as a guide to deciding whether to impose a condition. These include whether the condition is:

Necessary;

Relevant to planning;

Relevant to the development to be permitted;

Enforceable;

Precise;

Reasonable.

The condition is not necessary

It is indisputable that there is no requirement for a creche or childcare facility to be either constructed or operational **for the purpose of the development authorised by the permission** before any unit in

that development is occupied. The condition therefore falls foul of Section 34(4) (b) and is not directly related to the development to be permitted and is ultra vires

The condition is not reasonable

Paragraph 7.3.5 of the 2007 Guidelines provides guidance on what is reasonable. It states;

A condition may be so unreasonable that it would be in danger of rejection by the Courts. For example, it would normally be lawful to impose a continuing restriction on the hours during which an industrial or other use can be carried out, if the use of the premises outside these hours would seriously injure the amenities of property in the vicinity, but it would be unreasonable to restrict the hours of operation to such an extent as to effectively nullify the permission. Again, it may be unreasonable to make a permission subject to a condition which has the effect of deferring the development for a very long period, by requiring, for example, that the permitted development should not be carried out until a sewerage scheme for the area - which may only be at the preliminary design stage - has been completed. If the development is genuinely premature, the application ought to be refused. A condition that requires a developer to carry out additional works may be reasonable but the provisions of section 34(4)(m) of the Planning Act may come into play in some cases where such a condition is attached. Section 34(4)(m) of the Act allows for planning authorities to impose conditions to require a developer to carry out additional works, such as the provision of roads, traffic calming measures, open spaces, car parks, sewers, watermains or drains, facilities for the collection or storage of recyclable materials and other public facilities in excess of the immediate needs of the proposed development, subject to the local authority paying for the cost of the additional works and taking them in charge or otherwise entering into an agreement with the applicant with respect to the provision of those public facilities. If such a condition is attached the planning authority will be liable for the costs of the services over and above the requirements of the development.

*In other cases, a useful test of reasonableness may be to consider whether a proposed condition can be complied with by the developer without encroachment on land that he or she does not control, **or without otherwise obtaining the consent of some other party whose interests may not coincide with his/hers.***

It is well publicised that childcare facilities and early childhood providers are facing very significant viability challenges as well as staffing shortages. The attached Report of the Federation of Early Childhood Providers provides some detailed information on those challenges.

The difficulties faced by the childcare sector means that, not only are developers struggling in many areas to find persons willing to operate a childcare facility but, indeed that childcare facilities, in many areas, cannot be constructed at a price which operators are willing to pay. Where planning permissions are conditioned so that childcare facilities must be constructed before further residential units may be constructed or operated, very often, the developer is being left with the option of subsidising the construction costs and delivering the property to a third party at a loss or not being in a position to continue the residential development. This cannot be considered reasonable on any basis and, where it is not viable to construct the childcare facility, imposing a condition requiring it to be delivered before any residential unit is occupied, effectively nullifies the permission for the housing.

Requiring the childcare facility to be operational at any time but, in particular, before any residential unit is occupied, goes a step further and is even more unreasonable. It requires the consent and cooperation of a third party whose interests may not coincide with the interests of the developer.

The condition therefore directly fails the “reasonable” test set out at paragraph 7.3.5 of the 2007 Guidelines.

It is also important to point out that the creche will be operated by an external operator and therefore the opening/operating of the creche is completely outside of the developer’s control. This same issue arose as part of a number of recent LRD’s including ABP-319654-24 for an LRD in Midleton, where a condition (7a) of the local authority’s decision required “*the creche facility shall be constructed and operational as part of phase 1.*” On appeal the Board agreed that it was unreasonable to expect a creche to be ‘operational’ and revised the wording of the condition to state that the creche would be constructed and made available for use. The Boards approach was based on the following assessment outlined in sections 8.4.3-4 of the inspector’s report:

“The key issue is the use of the word ‘operational’. The applicant considers that it is unreasonable to have the creche operational as part of phase 1 as this would be operated by an external operator, not the developer. The applicant has no objection to a condition that the creche be constructed and made available for an operator. I agree with the applicant that it is unduly onerous for it to be a requirement of the condition that the creche be operational as part of phase 1.”

The Childcare Facilities, Guidelines for Planning Authorities (June 2001) (“the 2001 Regulations”) , at paragraph 3.3.1 (1) state that, in new housing areas, a standard of one childcare facility providing for a minimum of 20 childcare places per approximately 75 dwellings may be appropriate. The proposed childcare facility included as part of the plans for the proposed development the subject of this appeal has capacity for 144 children. Accordingly, it would cater for all 550 residential units in the estate which will be developed and sold over a number of years. It is irrational to consider that a development of 550 critically required residential units would have to be refused if a creche and childcare facility of the scale of the facility proposed was not **constructed or operational prior to the occupation** of any residential dwelling within the site.

The 2001 Guidelines, though indicating the number of childcare facilities which may be appropriate, do not suggest that the permission be conditioned so that the childcare facilities are front-ended. Indeed proper consideration of sustainable development must have regard to viability. The Government has accepted the viability and funding challenges faced by residential developers in Ireland and have designated housing delivery as a top Government priority. Generally any profit margin achieved by a developer comes in the later stages and therefore funding of the construction of childcare facilities at an early stage of development without a willing purchaser is no longer achievable.

The Government has also recognised the challenges to viability in the childcare sector and certain supports have been put in place. Unfortunately, there is no evidence that the current supports are working and developers are finding it extremely difficult to find purchasers of childcare facilities.

Until the viability issues associated with both sectors are resolved, any condition requiring the construction of childcare facilities in an early phase of any large scale residential development effectively nullifies the permission. In view of the fact that housing delivery is a top priority for the long-term sustainability of our economy and indeed our society, it is irrational and contrary to all principles of sustainability to impose conditions which result in an inability to fund the development and effectively render the permission a nullity.

Paragraph 7.13 of the 2007 Guidelines addresses conditions specific to residential developments and say:-

Conditions in relation to phasing:

*In the case of large schemes, it may be appropriate to attach a condition regarding the phasing of the development in order to ensure that residents do not have to live in uncompleted estates for lengthy periods. **It is desirable that any such condition should be worked out in consultation with the developer.***

Of particular relevance is paragraph 7.11 of the 2007 Guidelines which addresses **Conditions requiring the ceding of land**

*Conditions should not be attached to planning permissions requiring land to be ceded to the local authority for road widening or other purposes, **nor should conditions require applicants to allow the creation of public rights-of-way, other than such access roads as are considered a necessary part of the development, or to agree to transfer part of their land to some third party as, say, the site for a school or a church. Conditions of this sort are not lawful. It is in order to require a developer to reserve land free of any development in order, for example, to permit the implementation of a road improvement proposal, or to reserve land as a site for a school or other community facility. It is not lawful, however, to require by condition a transfer of an interest in land to the local authority or other person/body.*** Elements of "planning gain" – not strictly required as part of the development, but of benefit to the public (e.g. transfer of specified land or buildings for public use) – may be accepted as part of a permitted development. (In such cases, it may be appropriate to refer in the decision to specific application documents that set out the offer). However, it is important to ensure that the decision whether to grant or refuse planning permission is not contingent on an offer of planning gain. (Emphasis added)

See the Supreme Court ruling on planning gain in the case of Ashbourne Holdings Ltd. V. An Bord Pleanála.

Condition 8 imposed by Cork City Council effectively requires our client to construct a facility akin to a school or community facility and to hand over that facility to a third party regardless of the willingness of any such third party to cover even the bare cost, let alone any margin for the developer.

Requiring a developer to construct and transfer title to a childcare facility or to hand over a childcare facility to a childcare operator would appear to fall foul of paragraph 7.11 of the 2007 Guidelines. It is lawful for a planning authority to require the setting aside of land for a childcare facility. However, conditions which go beyond this, in the current economic circumstances, risk constituting a requirement to cede land as well as the cost of construction to a third party without any compensation being paid and therefore are ultra vires.

As part of the planning application submission a logical phasing plan was provided which proposed to develop the LRD scheme in three main stages (as shown on drawing 3442-JODA-01-00-DR-C-9001 prepared by JODA Engineering Consultants). The proposed phasing included the childcare facility in Stage 1B as part of the local centre which includes a shop, cafe and medical/general practice facility. The childcare facility is substantial in size and has a minimum capacity of 144 no. children.² Without prejudice to the potential that a condition requiring anything more than the reservation of a site for a childcare facility may be ultra vires, our client remains willing to construct the childcare facility in Stage 1B as proposed.

² Please refer to DWG Ref. 19034-2208 and 19034-2209 by Doyle McDonogh Nash Architects for further details.

It should also be pointed out that our client has already provided a creche as part of a neighbourhood centre³ in the Ballinglanna Strategic Housing Development which is located just 500 metres from the Dunkettle site and this creche has capacity for 81 children. This is more than sufficient to cater for the earlier phases of the Dunkettle LRD and ensures that there will be sufficient childcare services in the area up until the Dunkettle creche is built and operational.

Condition no. 8 therefore clearly fails a number of the basic criteria included in the Development Management Guidelines in that it is unnecessary, unreasonable, unenforceable and ultra vires.

We therefore request that the Board to omit Condition no. 8 in its entirety.

Condition 41(a) – Working Hours

Condition 41(a) relates to working hours and states that *“working hours during site clearance and construction shall be restricted to 0800-1800 hours on Mondays to Fridays and to 0800-1600 hours on Saturdays. Activities outside these hours shall require the prior approval of the Planning Authority.”*

Restricting working hours to 08:00 to 18:00 (Mondays to Fridays) is unnecessary and will only prolong the overall duration of construction works and delay the delivery of housing in this part of the City.

As part of the planning application material submitted to the Council, a comprehensive Construction and Environmental Management Plan (CEMP) was submitted to the Council. Section 3.9 of the CEMP dealt with ‘Site Working Hours’ and proposed that the standard construction working hours of 7am to 6pm Monday to Friday and 8am to 2pm on Saturdays would apply. Any works proposed outside of this would be agreed in advance with the Local Authority.

There is no reason why the developer should not be able to start construction working hours from 7am. This is standard practice on the majority of construction sites and allows site/construction and delivery traffic to avoid competing with peak hour traffic between 8am and 9am.

The working hours included in condition 41(a) of the City Council's decision is also inconsistent with the normal construction hours imposed on larger residential schemes, including the following permitted schemes:

- ABP ref. 316101 - 205 no. student accommodation bedspaces at Rossa Avenue, Bishopstown, Cork, where condition no. 16 stated that site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays, and 0800 to 1400 hours on Saturdays.
- ABP ref. 316101 - 753 no. residential units in Ballyvolane, Cork where condition no. 27 stated that works shall be carried out between the hours of 0700 to 1900 Mondays to Saturdays.
- ABP ref. 317290 - 125 residential units at Ballinacurra, Midleton, Cork where condition no. 18 stated that works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays.
- ABP ref. 318403 - 270 no. residential units at Castleredmond, Midleton, Co. Cork where condition no. 22 stated that works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays.
- ABP ref. 320996 - 166 dwellings at the Ballyhooley Road, Cork where condition no. 20 stated that works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays.

³In addition to the 81 child space creche the neighbourhood centre also includes 1 no. retail unit and 1 no. community building, and landscaping and amenity and open space areas including an external community space which includes a public square.

As can be seen from the decisions outlined above, it is standard practice for construction to be carried out between the hours of 0700 to 1900 Mondays to Fridays. It should also be noted that all of the examples cited above were in built up residential areas - by comparison the Dunkettle site is on the southern environs of Glanmire and has good separation distances to existing houses.

There is no valid reason therefore to restrict the working hours to 0800-1800 hours on Mondays to Fridays and we would ask the Board to modify Condition 41(a) as follows:

"Working hours during site clearance and construction shall be restricted to ~~0800-1800~~ 0700-1900 hours on Mondays to Fridays and to 0800-1600 hours on Saturdays. Activities outside these hours shall require the prior approval of the Planning Authority."

Conclusion

To conclude, we would ask the Board to make the following amendments to the City Council's decision:

- **Remove condition no. 8** which requires the crèche to be constructed and fully operational prior to the occupation of any residential dwelling. This condition is unnecessary, unreasonable, and ultra vires.
- **Modify Condition 4 1(a)** so that the working hours are extended to 0700-1900 hours, Mondays to Fridays.

We request that this appeal is considered under section 139 of the 2000 Planning and Development Act (as amended) and restricted to the consideration of condition no.'s 8 and 41(a) only.

Please do not hesitate to contact the undersigned if you require any further information.

Yours sincerely,



Tom Halley
McCutcheon Halley

- Encl. 1) Cheque for the appropriate fee of €3,000.
 2) Copy of Cork City Council Decision under 24/43414.
 3) Report of the Federation of Early Childhood Providers.

COMHAIRLE CATHRACH CHORCAÍ- CORK CITY COUNCIL

**PLANNING AND DEVELOPMENT ACT 2000
NOTIFICATION OF DECISION TO GRANT**

Permission

SUBJECT TO CONDITIONS UNDER SECTION 34 OF THE ACT OF 2000

To: O Flynn Construction Co. Unlimited
Company
C/O Cora Savage
c/o Cora Savage McCutcheon Halley
6 Joyce House Barrack Square
Ballincollig
Cork

Ref No.: 24/43414 Application Received:
18/11/2024

In pursuance of the powers conferred upon them by the above mentioned Acts, Cork City Council have by order dated **09/04/2025** decided to **GRANT Permission** for the development of land, namely: Permission for the following Large Scale Residential Development (LRD) comprising the demolition/removal of existing ruins/structures including a former dwelling on the northern part of the site) and the construction of 550 no. residential units to include 394 no. dwelling houses (comprising a mix of 23 and 4 bed semi-detached and townhouse/ terraced units) and 156 no. apartment/duplex units (comprising a mix of 1 and 2 bed units in 10 no. blocks ranging in height from 2 to 6 storeys) 1 no. creche 3 no. commercial units (comprising a shop café and medical/general practice facility) and all associated ancillary development works including a new vehicular access new pedestrian access a traffic signal controlled Toucan pedestrian crossing and upgrades to the road markings on the L2998 Road to the east a new greenway through the development connecting to the L2998 to the north and to the existing (Dunkettle to Carrigtwohill) Greenway to the south drainage (including attenuation pond) footpaths & cycle lanes landscaping amenity and open space areas boundary treatments bicycle and car parking bin storage 7 no. ESB substations the undergrounding of the existing overhead electricity lines currently transversing the site public lighting and all other ancillary development located to the north of Dunkettle House (protected structure - PS1190) and associated structures (protected structures - PS1238 PS1239 PS1240 PS1170) Dunkettle (townland) Glanmire Cork, An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) has been submitted to the planning authority with the application. The Environmental Impact Assessment Report and Natura Impact Statement will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during office hours at the offices of the Local Authority. The application may be inspected online at the following website set up by the applicant: www.dunkettlelrd.ie at: To the north of Dunkettle House, (Protected Structure - PS1190) and associated, structures (protected structures - PS1238, PS1239,, Dunkettle (townland) Glanmire Cork

In accordance with plans and particulars submitted on 18/11/2024.

Subject to the (63 No.) conditions and reasons set out in the attached Schedule.

If there is no appeal against said decision, a grant of **Permission** in accordance with the decision, will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanála (see footnote).

It should be noted that until a grant of Permission has been issued, the development in question is **NOT AUTHORISED**.

Signed on behalf of Cork City Council

Majella McMorrow

Majella McMorrow
Senior Staff Officer

Date: 09/04/2025

NB: See Notes Overleaf

Please read the following carefully

1. The Applicant is advised to carefully read through all conditions and notes attached to this decision. Please note that a number of conditions attached to this planning permission may require the submission of compliance plans and/or particulars for the agreement of the Planning Authority prior to the commencement of development. Failure to comply with a condition of a planning permission is an offence under the Planning and Development Act 2000 (as amended). Such compliance submissions should be emailed to planningcompliance@corkcity.ie
2. An appeal against a decision of a planning authority made under section 34 of the Planning and Development Act 2000 (as amended) may be made to An Bord Pleanála within 4 weeks beginning on the date of decision (note: not the date on which the decision is sent or received. This is a statutory time limit and An Bord Pleanála has no discretion to accept late appeals). See enclosed notes. Appeals must be fully complete in all respects, including the appropriate fee, when lodged. It is not permissible to submit any part of an appeal at a later date, even within the time limit. For details of the appeals procedure including details of the correct fee, contact An Bord Pleanála. An Bord Pleanála, 64 Marlborough Street, Dublin 1. www.pleanala.ie.
3. A grant of planning permission under the Planning and Development Act 2000 (as amended) is not to be taken as a waiver of the responsibility of the Applicant and/or developer to comply with the provisions of any Act, Order, Regulation or any other statutory provision (e.g. the Building Regulations, Waste Management Acts, etc).
4. A grant of planning permission under the Planning and Development Act 2000 (as amended) does not exempt the Applicant from any requirements which the Fire Authority (pursuant to the Fire Services Act, Building Control Act and Building Control Regulations) may require to be implemented. The Applicant is therefore advised to contact the Cork City Fire Department to discuss these matters prior to the submission of the Commencement Notice (as required under the Building Control Regulations) and/or the making of an application for a Fire Safety Certificate (pursuant to the Building Control Regulations, if applicable).
5. Please note that a grant of planning permission does not imply that the submitted drawings are in compliance with the Building Regulations. Compliance with the Building Regulations is a matter for the Applicant and their technical advisors.
6. Any requirements under the above two items may require physical or other changes to the development that may require a grant of permission under the Planning and Development Act 2000 (as amended). The Applicant is advised to contact the Planning Authority to clarify any issues that may arise.
7. Please note that a grant of planning permission does not entitle the Applicant/ developer to undertake works which would involve excavation or damage to the public road, or to erect a hoarding, scaffolding or temporary fencing on the public footway/roadway. The specific consent by way of licence from Cork City Council (Roads Protection and Asset Management Division) will be required for any such works, subject to compliance with the licence conditions as based on the "Directions for the Management and Control of Roadworks in Cork City". In the event of accidental damage to the public footway/roadway the Applicant/ developer shall be responsible for its immediate temporary reinstatement. Cork City Council at all times reserves its right to undertake the said works, at the Applicant's / developer's expense, in the event of failure or unsatisfactory execution of the works. The cost of same shall be calculated in accordance with the Roads and Transportation Directorate schedule of reinstatement charges prevailing at the date of the works by Cork City Council.
8. Please note that the provisions of Section 34(13) of the Planning and Development Act 2000 (as amended) which states that a person shall not be entitled solely by reason of a grant of planning permission to carry out any development. Compliance with other regulations and legal requirements may also be necessary.
9. Please note that no part of the proposed development should encroach onto or oversail adjoining public or private land. In the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.
10. The Planning Authority, in deciding this planning application, has had regard to any submissions or observations received in accordance with the Planning and Development Regulations 2001 (as amended).
11. In accordance with Article 20 of the Planning and Development Regulations 2001 (as amended) you are hereby required to remove forthwith any site notice erected in respect of this planning application.

Planning Ref. No.: 24/43414

First Schedule

Having regard to the nature, location and context of the site and surrounding area, the policies and objectives of the Cork City Development Plan 2022-2028 and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the residential or visual amenities of the area, and is in accordance with the proper planning and sustainable development of the area.

**Schedule of Conditions attached to
Planning Permission issued by Cork
City Council – Ref.: 24/43414**

Second Schedule

No.	Condition	Reason
1	The development shall be carried out in accordance with the plans and particulars submitted to the planning authority on 18/11/2024 and as amended on the 14/02/2025 except where otherwise altered or amended by conditions contained in this Schedule	To define the scope of the permission, and to enable the planning authority to check the proposed development when completed, in the interests of proper planning and sustainable development.
2	<p>a) The mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) and other plans and particulars submitted with the planning application on the 18/11/2024 as amended by the Further Information received on the 14/02/2025 shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions.</p> <p>b) A detailed schedule of these measures and monitoring requirements shall be included in the final Construction Environmental Management Plan (CEMP) and any other relevant plans. The final CEMP and monitoring schedule shall be submitted to, and agreed in writing with, the Planning Authority prior to the commencement of any works on site.</p>	In the interests of clarity, protection of the environment and the proper planning and sustainable development of the area.
3	Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, public lighting, drains, public open space, and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to	To ensure the satisfactory completion and maintenance of the development until taken in charge

	the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination	
4	The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann prior to the commencement of this development.	To ensure the satisfactory completion of water supply and waste water collection infrastructure.
5	<p>a) Prior to the commencement of any dwelling or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each dwelling, duplex), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all dwellings or duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified dwelling or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>c) The determination of the planning authority as required in b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the</p>	To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

	requirement of this planning condition has been discharged in respect of each specified housing unit.	
6	The Applicant, or any other person with an interest in the land to which this application relates, shall prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, enter into an agreement with the planning authority under Section 96 of the Planning and Development Act, 2000 as amended, in respect of the matters referred to paragraphs (a) or (b) of Sub-section (3) of Section 96.	To comply with the provisions of Section 96 of the Planning and Development Act, 2000 as amended.
7	The phasing of the proposed development shall be carried out in accordance with a Final Phasing Strategy, to be submitted and agreed in writing with the Planning Authority prior to development commencing	In the interests of clarity and in order to ensure the satisfactory implementation of the development.
8	The proposed childcare facility shall be constructed and fully operational prior to the occupation of any residential dwelling within the subject site and prior to commencement of development, updated plans setting out the proposed childcare capacity shall be submitted to and agreed in writing with the Planning Authority.	In order to ensure the provision of essential childcare services.
9	Prior to commencement of development, the applicant shall submit to the Planning Authority details of material finishes of each Character Area for written agreement of the Planning Authority.	In the interest and visual and residential amenity.
10	The staggered access points to the cycle paths shall be of sufficient width and appropriate design to accommodate box type cargo bike/ trike access.	In the interest of sustainable development.
11	Prior to commencement of development, the applicant shall submit final details, to the Planning Authority; a) of the permitted two-tier bike racks/ housing b) of the bike stores in the front areas of mid-terrace houses with respect to design and location for written agreement of the Planning Authority.	In the interest of sustainable development.
12	Any overlooked bin or bike stores shall have a sedum roof.	In the interest and visual and residential amenity.
13	Prior to occupation of any of the permitted residential units the Active Travel Route north towards Dunkettle Road including the	In the interest of orderly development and support enhanced sustainable mobility

	required safe crossing point of Dunkettle Road shall be completed.	
14	Prior to construction of any of the permitted residential units of Phase 1 Stage C (Reference Figure 3-1 Development Stages; Construction Environmental Management Plan) the Active Travel Route south towards the Dunkettle to Carrigtwohill Greenway shall be completed.	In the interest of orderly development and support enhanced sustainable mobility
15	The future active travel and vehicular access points identified serving the 'Woodville Lands' to the south of the permitted development shall be constructed to the boundary of the permitted scheme to ensure unimpeded connectivity to the neighbouring zoned lands.	In the interest of orderly development and support enhanced sustainable mobility
16	Prior to commencement of the development the applicant shall provide full details for the provision of a pedestrian connection to the north of Duplex Block H6 to tie-into the footpath running adjacent to residential unit No. 393. Once agreed in writing same shall be completed prior to occupation of the adjoining residential units.	In the interest of orderly development and support enhanced sustainable mobility
17	The final geometric layout for the Phase 1 entrance on Dunkettle Road shall be finalised in consultation with Cork City Council and agreed in writing with, the Planning Authority prior to commencement of development. The works shall then be completed by the developer at their own cost to the written satisfaction of the Planning Authority.	To ensure the safe operation of the road network for all users
18	The scope of the public lighting requirements associated with the proposed development including temporary lighting associated with the demolition/construction phase shall be agreed with the Public Lighting Department of Cork City Council prior to commencement of development. Public Lighting designs shall be submitted to the Public Lighting Department of Cork City Council through its@corkcity.ie. Public Lighting designs shall be agreed with and signed off in writing by the Public Lighting Department prior to commencement of development. The lighting design shall cover both the internal public lighting within the development and the public lighting along the public road. The Public Lighting design shall be	In the interests of traffic, cyclist and pedestrian safety

	<p>made up of a design calculations and a public lighting drawing. The Public Lighting drawing shall outline the column type/height, access chamber size/location, ducting route/size and customer service pillar locations as a minimum.</p> <p>The public lighting design calculation shall be carried out using Lighting Reality software.</p> <p>Public lighting designs shall comply with the latest version of the Cork City Council Exterior Public Lighting Design Requirements Document, a copy of which is available on www.corkcity.ie</p> <p>These works are to be undertaken and paid for by the applicant and Cork City Council's public lighting department will not take in charge any public lighting installation that has not be agreed with and signed off in writing by the Cork City Council public lighting department during the planning process.</p>	
19	<p>All off-curtilage parking serving the residential units (the proposed undercroft parking spaces are considered in-curtilage under this condition) shall not be reserved for individual residential units. All EV noted parking spaces should be enabled to support the delivery of electric vehicle charging points and designed in line with the Universal Access Guidelines as prepared by Zero Emission Vehicles Ireland.</p>	In the interest of sustainable transportation
20	<p>Prior to occupation of any of the residential units within the permitted scheme, Dunkettle Phase 1, the following works shall be completed;</p> <p>a) The link road through Fernwood shall be operational / open to the public to mitigate against potential queuing at Glanmire Bridge.</p> <p>b) The Ballinglanna Crossroads shall be upgraded as presented in the submitted transport assessment. The capital costs of any upgrade to the above junction will be solely borne by the applicant and the final design of the improvements shall be prepared in consultation with Cork City Council, and agreed in writing with, the Planning Authority prior to commencement of development.</p>	In the interest of orderly development and support enhanced sustainable mobility
21	<p>Prior to the commencement of the development the Planning Authority shall be notified of the appointment of Mobility Manager including their name and qualifications. The</p>	To provide oversight of mobility issues associated with such a large-scale development

	monitoring measures in Mobility Management Plan shall be updated to reflect same. A review of the Mobility Management Plan including the carrying out of residential travel surveys to be carried out Year 1 and Year 2 after first occupation and then every two years until final occupation.	
22	The final construction traffic management plan shall be prepared in consultation with the appropriate Directorates in Cork City Council, and agreed in writing with, the Planning Authority prior to commencement of development. The plan shall include further details of the phasing of works, details of construction traffic access routes, construction related parking, the location of the compound for the storage of plant and machinery, etc..	In the interest of orderly development.
23	All construction related traffic will be required to access the site via Dunkettle Road from the south and no construction related Heavy Goods Vehicles (HGVs) will be permitted to access the construction site via Glanmire Bridge.	In the interest of public safety and residential amenity
24	a) No queuing waiting, staging, loading or unloading of vehicles entering the construction site will be permitted on the public road network. b) Any vehicular gate or barrier entering the site must be positioned as such to ensure any entering vehicles does not block the road carriageway	To ensure the safe operation of the existing road network
25	Barriers or gates to control access to previously agreed Dunkettle Road residents parking spaces shall not be provided without specific planning permission permitting such interventions	To ensure the safe operation of the road network for all users
26	The current 8 No Parking spaces shall be assigned solely for Dunkettle Road residents and pedestrian access shall be provided from the L2998, Dunkettle Road.	In the interest of orderly development
27	The layout and final construction details of the junction between the northern pedestrian access and the newly constructed infrastructure as part of the Glanmire Roads Improvement Scheme Contract 1 shall be finalised in consultation with Cork City Council and agreed in writing with, the Planning Authority prior to commencement of the development.	To ensure the safe operation of the road network for all users

28	The operation of 2no toucan crossings in close proximity to each other on Dunkettle Road shall be monitored and adjusted as necessary post construction and prior to occupation of the permitted dwellings in consultation with Cork City Council. All costs associated with this to be borne by the applicant	To ensure the safe operation of the road network for all users
29	<p>a) Existing roadside drainage arrangements shall be maintained from obstruction to the satisfaction of the Planning Authority.</p> <p>b) Existing inlets or drains taking surface water from the public road into the site shall be preserved and maintained.</p> <p>c) Surface water shall not be permitted to flow onto the public road from the site.</p> <p>d) Surface water shall not be permitted to enter the foul sewer. All surface water run-off from roofs, entrances and parking areas shall be collected and disposed of to storm drains to the satisfaction of the Planning Authority.</p>	To preserve proper roadside drainage and to prevent the flooding of the public road.
30	<p>a) Sight distances of 50 metres, in both directions, at a point 2.4 metres back from the edge of the public road shall be provided in the centre of the permitted vehicular entrance to the satisfaction of the Planning Authority prior to the commencement of any other development on site.</p> <p>b) Sight viewing distance shall be maintained at the entrance to allow safe access and egress from the property and to also warn oncoming vehicles of your exit. No vegetation or structure shall exceed 1m in height within the sight distance triangle.</p>	In the interests of road safety.
31	Entrance shall be recessed a minimum of 5m behind new fence line and side walls shall be splayed at an angle of 45 dgs. and walls and piers shall not exceed a height of 1m over the level of the adjoining public road. Trucks are not permitted to park on the public road before opening a security gate to enter the site.	To provide proper sight distance for emerging traffic in the interests of road safety.
32	During construction the developer shall provide adequate off carriageway parking facilities within	In the interest of road safety and to protect the amenities of the area.

	the curtilage of the site for all traffic associated with the proposed development, including delivery and service vehicles / trucks. There shall be no parking along the public road or footpath.	
33	During construction the wheels of all trucks shall be washed prior to their exit from the site in a wheel wash facility. Details of the construction, installation and operation of this facility shall be agreed in writing with the Planning Authority prior to commencement of any development.	To protect the amenities of the area and in the interests of road safety.
34	No polluting matter, soiled water, silt or gravel shall be allowed to drain from the site into any watercourse and detailed proposals for installation and maintenance of silt traps and other measures to ensure this shall be submitted and agreed with the Planning Authority before any development commences, or, at the discretion of the Planning Authority, within such further or periods of time as it may nominate in writing.	To prevent water pollution.
35	(a) The developer shall ensure that any excavated material stockpiled on site during construction shall be held in a manner such as to ensure that no silt or run-off from these stockpiles enters any watercourse. (b) The developer shall ensure that the river banks and their habitats for fish, mammals and birds are not negatively impacted upon by the construction works. (c) The Developer shall ensure that surface water from the development is free from any substances which could have a harmful affect on the environment.	In the interest of preservation of wildlife.
36	(a) Construction waste such as wood, metal, and concrete, shall be segregated and submitted for recycling. Waste Gypsum shall be segregated and delivered to an appropriate facility. Hazardous construction waste such as paint, lubricants, oil, lighting, wood preservative shall be segregated and disposed of at an authorised facility. (b) All asbestos arising from the demolition section of this development shall be disposed of in accordance with the procedures of Health and Safety Authority "Guidelines on Working with Materials Containing Asbestos Cement". (c) The developer shall ensure that	In the interest of orderly management and disposal of waste.

	<p>any waste moved off site during site clearance operations or construction works is removed by authorised waste contractors only. The material shall be taken only to sites authorised by a local authority or the Environmental Protection Agency.</p> <p>(d) The developer shall consult with Cork City Council in regard to any proposed offsite disposal of excavated soil or other construction waste and shall submit details of proposed disposal sites along with estimated quantities of waste prior to commencement of construction activities.</p> <p>(e) The information provided in the Resource & Waste Management Plan is sufficient at this point. Prior to the commencement of the development, an updated Resource & Waste Management Plan needs to be resubmitted to the Local Authority for agreement when the main contractor has been appointed or when changes have occurred to the previously submitted plans.</p>	
37	<p>(a) During the construction and demolition phases, the proposed development shall comply with British Standard 5228 "Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control." and "British Standard BS 5228:2009+A1:2014 "Code of practice for noise and vibration control on construction and open sites" Part 2.</p> <p>(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".</p> <p>(c) Prior to commencement of development the developer shall submit to the Planning Authority for written agreement, details outlining how it plans to undertake all piling on site. Please refer to British Standard BS 5228:2009+A1:2014</p>	In order to ensure a satisfactory standard of development, in the interests of residential amenity.

	"Code of practice for noise and vibration control on construction and open sites" Part 2.	
38	<p>Prior to commencement of development, the applicant shall submit a detailed Noise Management Plan for approval by the Planning Authority. The plan shall include the following:</p> <p>(a) Rock Breaking: (i) A detailed schedule for rock-breaking activities in both the eastern and western sections of the site, including the expected duration of these works and if these will be carried out at same time. (ii) Rock-breaking activities shall be scheduled between the hours of 9:00 a.m. and 5:00 p.m. to minimize noise disturbance during early morning hours.</p> <p>(b) Liaison Strategy: (i) A strategy for engagement with nearby noise-sensitive receptors, particularly those at locations NSL1 and NSL2, likely to be affected by the works. (ii) A timeline for early engagement with affected parties prior to commencement of rock breaking and other construction works likely to affect nearby properties, facilitated by the Community Liaison Officer. (iii) The name and contact number of a designated representative for the project to be provided to residents in close proximity to the site, ensuring open lines of communication for addressing noise-related concerns.</p> <p>(c) Screening and Mitigation Measures: Drawings and descriptions of proposed noise screening measures, including the location and design of these screens.</p> <p>(d) Monitoring Procedure: A procedure for ongoing noise monitoring during rock-breaking activities to ensure compliance with agreed noise limits.</p>	In order to ensure a satisfactory standard of development, in the interests of residential amenity.
39	<p>(a) The Upward Light Ratio of the complete installation shall not exceed 5% (i.e. the luminaries flux that goes into the sky should not exceed 5% of the total luminaries flux of the installation).</p> <p>(b) The light trespass into windows of houses shall be limited to a max of 10 Ev (vertical luminance in lux)</p>	In the interests of residential amenity and sustainable development.

	before 11pm and 2Ev after 11pm.	
40	<p>(a) The developer shall constitute a waste management company or structure for dealing with waste arising in the development.</p> <p>(b) The developer shall provide and maintain within the confines of the site, facilities for the storage of recyclable materials e.g. paper, cardboard, glass, and metal. The developer shall make arrangements for the proper collection and submission for recycling of these materials.</p> <p>(c) All solid wastes arising on the site shall be recycled as far as possible. Materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility and in such a manner as is agreed with the Planning Authority. In any case no such wastes shall be stored on the site except within the confines of the buildings on site. Adequate on site arrangements shall be made to the satisfaction of the Planning Authority for the storage of recyclable materials prior to collection. The developer shall ensure that the site and its environs are maintained at all times in a clean and tidy condition. The applicant shall maintain a register of waste material disposed from the site and records shall be made available for inspection by the Local Authority at all reasonable times.</p> <p>(d) The developer shall provide within the boundary of the site designated vented waste (e) Prior to commencement of the development the Developer shall submit to the planning authority for agreement, full details of the waste management proposed for the development. Details shall include proposals on waste reduction, reuse, and segregation, recycling, and vented storage as well as who will manage the waste, dispose of it and present it for collection. The developer shall clearly identify vented bin storage area of appropriate capacity, clearly identifying on the drawing designated location for same with dimensions clearly visible. The developer should refer to the British standards BS 5906: 2005 in</p>	In the interest of orderly management and disposal of waste.

	<p>relation to waste management in buildings to ascertain capacity required for development.</p> <p>(e) The information provided in the Operational Waste Management Plan is insufficient. Prior to the commencement of the development, an updated Operational Waste Management Plan needs to be resubmitted to the Local Authority for agreement when the main contractor has been appointed or when changes have occurred to the previously submitted plans.</p>	
41	<p>(a) Working hours during site clearance and construction shall be restricted to 0800-1800 hours on Mondays to Fridays and to 0800-1600 hours on Saturdays. Activities outside these hours shall require the prior approval of the Planning Authority.</p> <p>(b) Bored piling as opposed to percussive piling shall be used during site clearance and construction.</p>	In the interests of residential amenity.
42	<p>(a) The Developer shall ensure that no appreciable negative environmental impacts occur because of the construction works associated with this development. The developer shall give particular attention to dust, noise, odour, litter, dirt on public roads, surface water runoff and spillage of fuel oils. Operations liable to produce dust shall be screened and dust suppression devices used where appropriate. Fuel oils and other chemicals shall be adequately bunded, with bunds having volumes of at least 110% of the volumes of fuel stored.</p> <p>(b) The developer shall take measures to ensure that construction works do not give rise to dirt or litter on the public road, and shall be responsible for the immediate removal from the public road of any dirt or litter caused by the construction works.</p> <p>(c) The developer shall ensure that any waste moved off-site during site clearance operations or construction works is removed by authorised waste contractors only. The material shall be taken only to sites authorised by a local authority or the Environmental Protection Agency.</p> <p>(d) Prior to commencement of development the developer shall</p>	In the interests of orderly management and disposal of waste.

	submit to the Planning Authority for agreement, details of proposals for dealing with excess soil arising from the excavation and construction works associated with this development.	
43	<p>a) All drainage shall be separated throughout. All paved and roofed areas shall discharge to the storm drainage system. All toilets, urinals, wash hand basins, sinks, showers, baths, dishwashers and washing machines shall discharge to the foul drainage system.</p> <p>b) Drainage layouts and details shall be in accordance with drainage layouts, drawings, details and calculations submitted as part of the Planning Submission and as modified by Further Information, subject to drainage conditions.</p> <p>c) All soakaways shall be designed in accordance with BRE Digest 365 or similar as approved by the Drainage Section of the Planning Authority. Soakaways are to be located a minimum of 5m away from buildings and 3m from property boundaries.</p>	In the interest of public health.
44	Following completion of the stormwater network, the developer shall submit a SuDS Assessment Report based on the as-constructed development. This report shall include drainage layouts, drawings, details, calculations and confirm the discharge rate from the development.	In the interest of public health.
45	Prior to commencement, the developer shall demonstrate that the permitted attenuation system makes adequate provision for access for inspection and maintenance (including desilting), is suitable for use in areas affected by groundwater and is suitably load-rated to withstand traffic loadings. Where a development is to be taken in charge, attenuation tanks must be reinforced concrete tanks.	In the interest of public health.
46	<p>Prior to commencement of the development, final details shall be provided with respect to the Management/ Taking in Charge of the proposed development.</p> <p>Where it is intended that portions of the development shall not to be Taken in Charge, the developer shall propose a management system for operation and maintenance of the</p>	In the interest of public health.

	<p>drainage system including the petrol interceptors and attenuation tanks within the site.</p> <p>Where it is intended that the development's drainage infrastructure is to be Taken in Charge, the following shall apply:</p> <p>a) All drainage laid in public areas shall be in accordance with the City Council Minimum Engineering Requirements and / or Uisce Éireann's Wastewater Code of Practice (as per prior agreement with the Drainage Section of Cork City Council).</p> <p>b) Detailed design and longitudinal sections shall be submitted to the Planning Authority.</p> <p>c) On completion of the development, 4Nr. sets of "As Constructed" drawings in agreed electronic format shall be provided to the Planning Authority.</p> <p>d) On completion of the development, CCTV shall be provided for all drainage (including attenuation tanks) to be Taken in Charge. Where necessary, remedial works shall be carried out as determined by the Planning Authority.</p> <p>e) On completion of the development, 4Nr. sets of the Safety File and Operation and Maintenance Manual in agreed electronic format shall be provided for the attenuation tanks, swales, filter drains, etc. and/or all other SuDS features.</p> <p>f) Wayleave agreements shall be entered into to allow Cork City Council access to the public sewers within the site for the purpose of maintenance. Wayleave drawings shall be submitted to and agreed in writing with the Planning Authority.</p>	
47	The developer shall submit an application for a new storm water connection to the Drainage Section of Cork City Council, and obtain written approval for same, prior to the making of any connection to the public storm water sewer.	In the interest of public health
48	a) The site shall be landscaped, and all earthworks carried out in accordance with the Landscape Plan	In the interest of visual and residential amenity and to ensure the satisfactory development of the

	<p>submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of the development.</p> <p>b) This landscaping scheme shall be implemented fully before any of the residential units are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the management company or CCC. Any plant materials that die or are removed within 3 years of planting shall be replaced in the first planting season thereafter.</p>	<p>public open space areas, and their continue use for this purpose</p>
49	<p>Prior to commencement of the development final details of the Natural Play areas are to be submitted to Parks & Recreation for written approval</p>	<p>In the interest of the provision of sustainable play areas.</p>
50	<p>Site clearance works, including removal of existing vegetation and buildings, are not permitted during the bird nesting season (1st March to 1st September). Where this is not possible, such works can only proceed if it has been verified in writing by a qualified ecologist that no nest is present. If a nest is present, then works can only proceed under licence from the National Parks and Wildlife Service. All records of breeding birds are to be submitted to the National Biodiversity Data Centre.</p>	<p>To protect the bird species, present on site.</p>
51	<p>The applicant shall commission a qualified ecologist who is an NPWS-licensed bat worker to survey the site for bats prior to commencement of site clearance works and, if there is bat usage of the existing vegetation or buildings of the site found, the applicant shall ensure that:</p> <p>a) a licenced bat worker is present on site prior to and during the removal of any existing trees planned for removal and</p> <p>b) all necessary licences for relocation of bats are obtained in advance from NPWS.</p>	<p>To protect the bat species found on site during the construction phase of the development.</p>
52	<p>A suitably qualified Ecological Clerk of Works (ECoW) to be present on-site for the duration of the construction phase.</p>	<p>To ensure that all targeted ecological mitigation measures within the biodiversity chapter of the EIAR are met.</p>
53	<p>Prior to commencement of the development an alien invasive species management plan shall be submitted to the Planning Authority setting out how on-site alien invasive species are to be removed, managed</p>	<p>To remove alien invasive species and to support objective 6.26 under the Cork City Development Plan 2022-2028</p>

	and monitored over the time period of the development, pre, during and post construction.	
54	Prior to the commencement of development, revised details and drawings including location, elevations and floorplans, shall be submitted to and agreed in writing with the Planning Authority. Details (including location and elevation plans, and maintenance) shall show which building(s) and elevation(s) shall incorporate a minimum of 20 swift bricks (located at minimum of 5m above ground). Full details of a caller system(s) playing the recording call of swifts to help establish a new swift breeding site (elevation(s), sound levels, duration / frequency and time periods to be agreed) shall be submitted to and agreed in writing by the Planning Authority. The swift bricks shall be installed under the guidance of a supervising ecologist, to the satisfaction of the Planning Authority.	To establish a new swift colony within the townland of Glanmire.
55	Prior to the commencement of development, detailed plans shall be submitted to and agreed in writing with the Planning Authority to show the quantity (minimum of 6), materials and location (dispersed) of bat roosts to be included within suitable trees, and maintenance details. Such roosts shall be installed under the supervision of a qualified bat ecologist and to follow guidance from Bat Conservation Trust on installation of bat boxes, to the satisfaction of the Planning Authority.	To protect the bat species on site and provide additional bat roost opportunities.
56	Prior to the commencement of development the following biodiversity protection and enhancement measures shall be provided for written agreement; a) details of the installation of log piles in suitably secluded margins within the site where they won't be disturbed. b) details of where 2 insect hotels will be installed within secluded areas within the development. Locations to be chosen by the Ecological Clerk of Works (ECOW).	To protect habitat for common frog and small mammals such as Hedgehog and Pygmy shrew and promote invertebrates.
57	Prior to the commencement of the development, a detailed Hedgerow management plan shall be developed by a suitably qualified ecologist to maximise the hedgerows for pollinators and other wildlife. To	To enhance the hedgerows within the development for wildlife including hedgehogs.

	create connectivity within the proposed development for hedgehogs by the ensuring gaps within fencing, railings, gates are permeable for hedgehogs within private dwellings. Detailed drawings on the connectivity within the development to be provided and reviewed by the Planning Authority.	
58	Appropriate public lighting shall be installed to protect nocturnal wildlife within appropriate areas of the permitted development and to comply with guidance note from Bat Conservation Trust & Institute of Lighting Engineers, 2023. Detailed report & drawings of the public lighting scheme to highlight the light spill, lux levels and the light and dark corridors throughout the site.	To reduce the impact of the proposed development on nocturnal species.
59	Prior to commencement of the development the developer shall provide an Arboricultural Impact Assessment for the works: a thorough, detailed, and realistic analysis and assessment of the likely impacts of the permitted development on the surveyed trees and hedges; along with a summary table of the tree population and quantification of impacts/losses etc. (total number surveyed and total numbers/percentage to be retained and felled respectively). All relevant information and justification for tree removals with services clearly detailed with realistic approach to their installation to be fully detailed.	To support the Tree Strategy to support objective 6.5 under the Cork City Development Plan 2022-2028
60	<p>Prior to commencement of the development the applicant shall retain the services of an Arborist. Their name, arboricultural qualifications and contact details shall be provided to the Planning Authority before the commencement of works.</p> <p>a) The applicant shall submit a Tree Constraints Plan: a scaled site plan (1:500@A1) showing the impacts of all surveyed trees in relation to the site layout of the permitted development.</p> <p>b) The applicant shall submit a Site Specific Tree Protection Plan: a scaled site plan (1:500@A1) of the permitted development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing</p>	In the interest of biodiversity and visual and sustainable development

	<p>alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment, and materials storage. Root Protection Areas (RPAs') of all trees and hedgerows to be clearly shown on this drawing</p> <p>c) The applicant shall provide a Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.</p> <p>d) The applicant shall submit a Site Specific Arboricultural Method Statement: clear and practically achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.</p> <p>e) In addition to the foregoing being provided the applicant shall provide a programme for subsequent tree surveys on 12 month cycles to be agreed in writing with the Planning Authority</p>	
61	<p>Prior to the commencement of the proposed development, the Developer shall pay or enter into an agreement with the Planning Authority to pay a contribution to Cork City Council in respect of the following classes of public infrastructure and facilities benefiting development in the City of Cork and that is provided or that is intended to be provided by or on behalf of Cork City Council, in accordance with the General Development Contributions Scheme ("the GDCCS scheme"):</p> <p>Class 1 - Roads, Transportation Infrastructure and Facilities Class 2 - Water and Drainage Infrastructure and Facilities excluding Water and Wastewater Class 3 - Parks, Recreation, Amenity and Community Facilities</p> <p>The present value of the contribution as determined under the GDCCS made by Cork City Council on the 13th February, 2023 is €1594387.98, which sum is subject to indexation in accordance with the Consumer Price Index prevailing at</p>	<p>To comply with the General Development Contribution Scheme 2023-2029, which was adopted by Cork City Council on 13th February, 2023, and in the interests of the proper planning and sustainable development of the area.</p>

	the date of payment and subject further to such exemptions or reductions as apply to the proposed development having regard to the provisions of Tables 5 and 6 of the GDC Scheme.	
62	<p>Prior to the commencement of the proposed development, the Developer shall pay or enter into an agreement with the Planning Authority to pay a contribution to Cork City Council in respect of the Cork Suburban Rail the Project specified in the Supplementary Development Contribution Scheme made by Cork City Council on the 13th February, 2023 ('the SDC Scheme') which project shall be carried out by the Rail Procurement Agency, or any other Organisation designated by the Government, pursuant to an agreement with Cork City Council and / or Cork County Council and which will, when carried out, benefit the proposed development.</p> <p>The present value of the contribution as determined under the SDC Scheme is €413383.77, which shall be subject to indexation in accordance with the Consumer Price Index prevailing at the date of payment and subject further to such exemptions or reductions as apply to the proposed development having regard to the provisions of Table 4 of the SDC Scheme and subject further as follows:</p> <p>Where no substantial works have been carried out or have not commenced within 10 years of the date of payment of the contribution, the Planning Authority shall refund the contribution in proportion to those works which have not been carried out together with any interest that may have accrued thereon for the duration it was held unexpended by the Planning Authority.</p>	To comply with the Supplementary Development Scheme 2023-2029 which was adopted by Cork City Council on 13th February, 2023 and in the interests of proper planning and sustainable development of the area.
63	<p>a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.</p> <p>b) Details of the management company contract, and drawings/ particulars describing the parts of the development for which the company would have responsibility,</p>	To provide for the satisfactory future maintenance of the development in the interest of residential amenity.



Federation of Early Childhood Providers

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VOICES FROM THE FRONTLINES: SERVICE
PROVIDERS IDENTIFY KEY CHALLENGES AND
OPPORTUNITIES FOR IRELAND'S ELC AND SAC
SECTOR

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EXECUTIVE SUMMARY

This report, developed by the Federation of Early Childhood Providers and based on first-hand information from the Early Years Learning (ELC) and School Age Childcare (SAC) services in Ireland, presents a comprehensive overview of the challenges and concerns facing these service providers. The report is divided into several sections, each exploring a different aspect of the sector.

It is important to note that various issues recur throughout the document and are dealt with in more than one section, indicative of the complex nature of the ELC and SAC sector in Ireland.

FUTURE OF EARLY YEARS SECTOR: INTENTIONS TO CLOSE IN JUNE 2023

A recent survey reveals that 7% of Early Learning and Care (ELC) and School Age Childcare (SAC) providers in Ireland plan to close in June 2023, with 68% unsure of their businesses' future. Key reasons include financial viability, staffing challenges, administrative burden, mental health and well-being, and lack of respect and appreciation. Immediate government intervention is required to address these challenges and ensure the sustainability of this vital sector.

CHALLENGES AND CONCERNS IN THE ELC AND SAC SECTOR IN IRELAND

Drawing directly from ELC and SAC services' experiences, this section highlights the main issues contributing to service closure threats, financial struggles, staffing difficulties, and overall dissatisfaction with the current state of the sector. Key findings include the staffing crisis, with 73% of respondents stating that it is impacting their services, and a significant disconnect between providers and the Department, with 98% of respondents feeling they are not engaged as partners.

CHALLENGES FACED BY SESSIONAL ELC AND SAC SERVICE PROVIDERS IN IRELAND

This section examines the feedback from sessional ELC and SAC service providers, who feel undervalued, overworked, and underpaid. It also discusses the impact of regulations on their ability to provide quality care, with insights gathered directly from the providers themselves.

FACTORS ENCOURAGING ELC AND SAC SERVICES IN IRELAND TO SIGN UP FOR CORE FUNDING

Informed by the concerns and suggestions of ELC and SAC providers, this section presents the factors affecting their decision, and intention, to sign up for Core Funding in the early years sector, covering aspects such as financial reasons, core funding, administrative burden, and control over businesses.

SUPPORTING CHILDREN WITH ADDITIONAL NEEDS IN ELC AND SAC SERVICES IN IRELAND

This section evaluates the implementation of the Access and Inclusion Model (AIM) within ELC and SAC services, based on their first-hand experiences. Key findings include 95% of services noting an increase in the number of children requiring support over the past three years and the need to potentially revise support systems in place for the ELC and SAC providers in Ireland.

THE FUTURE OF EARLY YEARS SECTOR IN IRELAND: ELC AND SAC PROVIDERS' INTENTIONS TO CLOSE IN JUNE 2023

INTRODUCTION

A recent survey of Early Learning and Care (ELC) and School Age Childcare (SAC) providers in Ireland has revealed a concerning trend regarding the future of these services. With 7% of providers intending to close in June 2023 and a further 68% unsure of their businesses' future, the impact on families and communities could be significant. This report investigates the key reasons behind these decisions through direct quotes from providers and highlights the need for immediate government intervention to ensure the sustainability of this vital sector.

MAIN FINDINGS

FINANCIAL VIABILITY

Many providers expressed financial concerns, with one stating that their service is "not economically viable." Another provider said, "ECCE only scheme capitation is not nearly sufficient to stay in operation," while another commented that they "had to borrow €7,000 to cover staff wages & holidays."

STAFFING CHALLENGES

Providers reported difficulties in hiring and retaining qualified staff, with one saying they "can't cope with no staff." Another provider lamented the "increasingly difficult[to] hire staff" and the hoops they need to jump through to hire short-term workers. A provider said they were "burnt out with the stress of staff out sick, on holiday - no cover."

ADMINISTRATIVE BURDEN

The excessive paperwork and administrative pressures have caused frustration among providers. One provider stated, "it's not about the kids when I'm there nowadays, it's about paperwork and red-tape." Many providers believe that the inspection process and paperwork requirements should be streamlined to ease the burden on their businesses.

MENTAL HEALTH AND WELL-BEING

The constant scrutiny, financial uncertainty, and administrative workload have taken a toll on providers' mental health and well-being. One provider said they were "overwhelmed with stress and financially struggling," while another mentioned they were "burnt out" and felt "no money, lots of bills."

LACK OF RESPECT AND APPRECIATION

A common theme among providers is a sense of being undervalued and underappreciated, with providers expressing feelings over being "undervalued" and stating that there is a "lack of full understanding of what we do for children."

RECOMMENDATIONS

REVIEW AND INCREASE CAPITATION LEVELS

The government should review and increase capitation levels to ensure the financial viability of ELC and SAC services. This would enable providers to cover their operational costs, pay staff competitive wages, and continue to offer quality care for children.

ADDRESS STAFFING CHALLENGES

The government should address the staffing challenges faced by providers, such as providing funding for relief staff and streamlining the process of hiring qualified professionals for short-term positions.

SIMPLIFY ADMINISTRATIVE PROCESSES

Efforts should be made to simplify and streamline administrative processes, including inspection and paperwork requirements. This would allow providers to focus on their core responsibility of caring for and educating children.

FOSTER RESPECT AND APPRECIATION

Greater efforts should be made to foster a culture of respect and appreciation for ELC and SAC providers, acknowledging their critical role in the development and well-being of Ireland's children.

CONCLUSION

The future of the early years sector in Ireland depends on the sustainability of ELC and SAC services. Immediate action is required from the government to address the financial, staffing, administrative, and mental health challenges faced by providers. Without such support, the consequences of service closures on families, communities, and the future of Ireland's children could be dire. By incorporating the voices of providers and addressing their concerns, the government can take the necessary steps to create a more sustainable and supportive environment for the early years sector.

CHALLENGES AND CONCERNS IN THE ELC AND SAC SECTOR IN IRELAND

INTRODUCTION

This section aims to provide a comprehensive overview of the challenges and concerns facing service providers in the early years learning and school age childcare sector in Ireland. Based on survey responses from service providers, this report identifies and analyses the main issues that contribute to service closure threats, financial struggles, staffing difficulties, and overall dissatisfaction with the current state of the sector.

The findings of the survey highlight a number of pressing issues facing the sector. While 86% of respondents have signed up for CORE funding, only 75% intend to do so in September 2023. This could potentially impact the accessibility and affordability of childcare services for many families. Additionally, with 49% of respondents prioritising full-time places this year and 40% discontinuing part-time places in September 2023, the availability of flexible childcare options is also diminishing.

One of the most concerning findings is the staffing crisis within the sector, with 73% of respondents stating that it is impacting their services.

It is apparent that there is a significant disconnect between ELC and SAC providers and the decision-making process for ELC and SAC, as 98% of respondents feel they are not engaged as partners in the sector. Moreover, the administrative burden on providers has increased considerably over the past five years, with 99% experiencing an increase and 94% indicating that the increase has been substantial. The resulting stress has negatively impacted the mental health of 92% of respondents.

MAIN ISSUES RAISED

STRESS AND BURNOUT

Many providers report experiencing high levels of stress and burnout due to the administrative burden, constant inspections, and the pressure of maintaining ratios. This has led to negative impacts on their mental health and family life, with some even experiencing physical health issues. Participants described the sector as "very stressful," "soul-destroying," and "at crisis point." Another respondent stated that the pressure of financial worries, staff shortages, and excessive paperwork has negatively affected their mental health.

LACK OF RECOGNITION AND RESPECT

The feedback from the service providers reveals a significant level of frustration with the government and the Department of Children and Youth Affairs. Providers feel undervalued and that their work is not respected. They feel that the government is focused on paperwork over children's needs and that this has led to a reduction in the quality of care. Self-employed wages are also reducing, making it difficult for providers to keep their businesses afloat. Staff absenteeism is a constant issue, and providers find it very challenging to manage. The feedback also indicates that there is discouragement from entering the sector due to these issues.

Providers feel undervalued and disrespected by the government, with many feeling that those working in the sector are being driven out. They express a desire for more recognition, better pay, and improved pension and holiday benefits, similar to those in the teaching profession. One respondent reported a lack of trust and respect towards them as educators and business owners, feeling that they are treated like children, especially when non-compliant with Tusla, Ireland's Child and Family Agency.

STAFFING CRISIS

A significant issue raised is the difficulty in attracting and retaining staff, with many leaving for better-paying roles in schools or other sectors. The lack of incentives and job security is a major concern for providers, who fear losing even more qualified staff to Special Needs Assistant (SNA) posts.

LOSING TRAINED STAFF TO OTHER SECTORS AND EMPLOYERS

Despite significant training costs being incurred by numerous services, there is widespread reports of losing staff to other sectors and employers, including Tusla, Better Start, Dept of Education, SNA positions, Training Colleges, etc. One service stated that "my own Preschool has lost two staff to both Dept of Ed and a training college over the past few weeks."

TRAINING AND PROFESSIONAL DEVELOPMENT

There is a perception that the sector is in need of professionalisation, with many providers feeling that their qualifications and training are not being recognised or respected. Additionally, the cost of obtaining a degree is often viewed as too high for the potential financial reward.

It should also be noted that, when asked to, the sector carried out a comprehensive and very significant upskilling initiative, generating a highly experienced, innovative and skilled workforce, including both business owners and those employed. When professional development within the sector is supported, there is, as has been demonstrated in the past, a clear progression route from room leader to business owner.

APPRENTICESHIP MODEL

In a recent separate survey, related to the above issues, 84% of services (434) stated that they would support an Apprenticeship model if it was introduced to the sector. This offers a potential option in terms of addressing the current staffing crisis.

QUALITY OF CARE FOR CHILDREN

The feedback from the service providers highlights significant concerns about the quality of care for children. The Aistear Framework Curriculum and Siolta cannot be delivered under current ratios, and children will lose out for the next 5 years or more. Providers feel that they are overregulated and answerable to too many agencies. Staff shortages and constant admin and paperwork are making it challenging to maintain the quality of care. Providers believe that the core funding model has kicked quality into the background, leading to a change in mood due to ERO and core funding. Providers are at breaking point financially, and quality is being forced to cut corners to keep businesses afloat.

FUNDING AND FINANCIAL VIABILITY

Providers report insufficient funding for the sector, particularly for AIM and ECCE. Core funding is not fit for purpose, and the lack of investment is making it difficult for services to remain viable. This has given rise to the likelihood of potential closures, due to the failure of the funding model and the fact that "one size does not fit all" when developing a funding model for the sector.

Providers also express concerns about the rising costs of running their businesses and paying staff. One participant claimed that "small services will disappear over the next decade" due to the financial struggles faced by small businesses in the sector.

OVERREGULATION AND ADMINISTRATIVE BURDEN

Providers feel overwhelmed by the amount of paperwork, inspections, and regulatory requirements placed on them. This has led to a shift in focus away from the children and their experiences, as providers are

increasingly consumed by administrative tasks. One respondent mentioned that the increased administrative burden has led to a lack of quality interactions with children and an overall decline in the quality of early years services. For example, the sector is subject to inspections from a wide number of different agencies, departments and organisations, giving rise to duplication, repetition and lack of clarity for the sector, e.g. Tusla, Pobal, Department of Education, HSE Environmental Officer, etc.

IMPACT ON SMALL SERVICES

It is evident that small services are struggling more than larger corporate providers. Many small providers feel that the government is favouring larger corporate services, forcing smaller businesses to close due to lack of funding and support. For example, "recent media coverage indicates some examples of services expanding, however these are all chains, an example of the funding model more suited to this business model."

TERMINOLOGY

Many within the sector believe that the terminology used by the Department has failed to acknowledge the role and professionalism of the sector. For example, in a separate study focusing on the use of the term 'education', 91% of respondents (667) stated that the term was extremely important, with 96% stating that Early Childhood Education and Care is a more appropriate title for their role than Early Learning and Care.

SUPPORT FOR CHILDREN WITH ADDITIONAL NEEDS

Providers report a growing number of children with additional needs requiring extra support. However, they feel that the current support systems, such as Better Start and AIM, are insufficient, and resources are not available to adequately support these children.

CONCLUSION

The ELC and SAC sector in Ireland is facing a multitude of challenges that impact the overall quality and sustainability of services. Key issues identified include stress and burnout, lack of recognition and respect, staffing crisis, funding and financial viability, overregulation and administrative burden, the impact on small services, training and professional development, support for children with additional needs, and pressure from parents and changing demands. Service providers express a strong desire for more recognition, respect, and support from the government and the wider society. To address these concerns and improve the overall quality of the sector, it is essential for policymakers and stakeholders to engage in open dialogue with service providers and take concrete steps towards addressing these challenges.

Recommendations for addressing these challenges include:

- Increasing funding and financial support for providers, particularly for small services and those catering to children with additional needs.
- Streamlining regulations and reducing the administrative burden on providers to allow them to focus on the quality of care and education for children.
- Implementing measures to attract and retain qualified staff, such as competitive wages, career incentives, and professional development opportunities.
- Recognising and respecting the qualifications, training, and expertise of ELC and SAC professionals.
- Strengthening support systems and resources for children with additional needs.

CHALLENGES FACED BY SESSIONAL ELC AND SAC SERVICE PROVIDERS IN IRELAND (SESSIONAL ONLY)

INTRODUCTION

Sessional services play a critical role in early childhood education and care in Ireland. However, recent feedback from service providers in this sector indicates a significant level of concern and frustration. The providers feel undervalued, overworked, and underpaid. They also express concerns about the quality of care for children and the impact of regulations on their ability to provide quality care. This report will examine the feedback received and identify the main issues highlighted by the service providers.

MAIN FINDINGS

FUNDING AND FINANCIAL CHALLENGES

One of the most significant issues facing ELC and SAC providers is the lack of funding and financial support. Providers report struggling to pay staff and themselves adequately, with one stating, "I pay my staff more than myself. I only can afford a wage once a month of €300." The lack of funding has forced some providers to consider downsizing or closing their services, as one provider said, "I am struggling and NOT viable or sustainable with the core funding. It can't be one for all. I am going to stay open one more year out of loyalty to my parents and in the hope the department will see how wrong they have got the new funding model for ECCE only services. I don't want to close."

STAFFING ISSUES

The ELC and SAC sector is experiencing a significant shortage of qualified staff, leading to difficulties in maintaining appropriate staffing ratios and providing adequate support for children with additional needs. Providers report a lack of applicants for open positions, with one provider stating, "We have advertised, but there is no one applying." The staffing crisis is also causing staff burnout, with one provider sharing a story of experienced staff members leaving after a "chaotic" session.

The sector is experiencing difficulties in attracting and retaining qualified staff. For example, providers have mentioned having only one applicant for a position, which they had to offer immediately due to desperation. This staffing shortage may result in the closure of ELC and SAC services in the coming years, as one provider admitted, "Lack of staff will, more than likely, see our service close in the next few years."

ADMINISTRATION WORKLOAD

Providers report feeling overwhelmed by the administrative workload required in the sector, with one provider stating, "Administration workload is immense." The excessive paperwork and documentation demands have led to some providers "drowning in paperwork," affecting their ability to focus on the quality of care and education for the children. This is exacerbated by the use of a 'portal' that is deemed "not fit for purpose" by many.

The administrative burden often leaves providers feeling overwhelmed and stressed, with little time for actual childcare and education.

INCLUSION AND SUPPORT FOR CHILDREN WITH ADDITIONAL NEEDS

Many providers welcome children with additional needs into their services but face challenges in providing adequate support. One provider shared their experience: "Needs are incredibly high and complex, and most are not assessed yet, so we are stabbing in the dark to provide the best care for their needs."

The lack of support from Better Start and long waiting lists for occupational therapy (OT) and speech and language therapy (SLT) exacerbate the situation. One provider expressed, "I feel as a provider I am now left trying to meet the needs of children when I do not have the skill base to do it."

RELIANCE ON GOVERNMENT FUNDING

The sessional model is the only model that is fully dependent on government funding, with no option to access parental fees or donations.

RESPECT AND RECOGNITION

A common theme among the providers is the lack of respect and recognition for their work as professionals. Many providers feel a lack of respect and recognition for their work, with one stating, "We are treated with what feels like contempt." Providers are seeking better communication, respect, and acknowledgment for their role in the lives of children and families.

RECOMMENDATIONS

Based on the findings, the following recommendations are proposed to address the concerns of service providers in the early years learning and school age childcare sector in Ireland:

- Increase funding and capitation rates to improve the financial sustainability of services and allow for higher staff wages.
- Implement targeted strategies to attract and retain qualified staff, such as providing better wages, working conditions, and professional development opportunities.
- Improve ELC's and SAC's access to support services, facilitating other professionals (e.g., Occupational Therapists, Speech and Language, Child Psychologists, etc.) coming into services for early intervention and support services, and re-evaluating the AIM support model.
- Streamline administrative processes and reduce paperwork requirements to alleviate the burden on service providers and allow them to focus on delivering quality care and education.
- Enhance communication and collaboration between the government and service providers, ensuring that policies and support mechanisms align with the realities and needs of the sector.
- Foster a culture of respect and recognition for service providers as professionals in the early years learning and childcare sector, addressing issues related to pay, working conditions, and overall acknowledgment of their contributions.

CONCLUSION

In conclusion, the concerns raised in the survey responses paint a picture of a sector under significant strain, with service providers facing financial, staffing, and administrative challenges that threaten the sustainability of their businesses. Without adequate support and policy changes, the possibility of services closing remains a genuine threat for the early years learning and school age childcare sector in Ireland.

FACTORS ENCOURAGING ELC AND SAC SERVICES IN IRELAND TO SIGN UP TO CORE FUNDING

INTRODUCTION

This section presents the concerns and suggestions of early learning centres and school-age childcare services in Ireland about signing up to Core Funding in the early years sector.

POTENTIAL CLOSURES

17% of respondents stated that they are seriously considering looking at closing their business in June. In terms of the survey itself, this represents 114 services, which is not only significant, but potentially detrimental when applied to the wider sector as a whole.

FINANCIAL REASONS

Many respondents mentioned that they had no choice but to sign up for Core Funding due to financial reasons. They expressed concerns about increased wages, inflation, and the inability to increase monthly fees without losing clients. Some respondents also reported having no money in their accounts, struggling to pay their staff, and facing Revenue bills they could not afford.

CORE FUNDING

Several respondents requested a substantial increase in ECCE funding or double the core funding to encourage them to sign up for Core Funding. Some respondents believed that fair funding should be provided for all sectors of childcare, and others mentioned the need for recognition of experience rather than just degree-led qualifications.

ADMINISTRATIVE BURDEN

Many respondents were concerned about the paperwork and scrutiny involved in signing up for Core Funding. They requested less arduous reporting, a reduction in the amount of paperwork, and a more streamlined application process. They also suggested having combining inspections, to avoid duplication, and improving the NCS system.

CONTROL OVER BUSINESSES

A common concern among respondents was the perceived loss of control over their businesses due to government involvement. They did not want the government to dictate their operations and preferred to maintain control over their private businesses. Some respondents mentioned that they were not interested in running the NCS and believed it should be managed by the government itself.

CONCLUSION

This section highlights the main concerns and suggestions of early learning centres and school-age childcare services in Ireland regarding signing up for Core Funding. Key issues include financial reasons, core funding, administrative burden, and control over private businesses. Addressing these concerns and providing a more supportive environment for these services could encourage them to sign up for Core Funding and improve the overall quality of early years provision in Ireland.

SUPPORTING CHILDREN WITH ADDITIONAL NEEDS IN ELC AND SAC SERVICES IN IRELAND: KEY CONCERNS AND CHALLENGES

INTRODUCTION

The Early Learning Centre (ELC) and School Age Childcare (SAC) sectors in Ireland have recently been surveyed to evaluate the implementation of the Access and Inclusion Model (AIM) within their services. The survey, which garnered responses from 326 ELC and SAC providers, revealed insights into the types of support being applied for and the efficacy of the support being provided.

Among the providers surveyed, 27% offered full-day care, 57% sessional, and 15% part-time and SAC services. It was found that 83.5% of them employed AIM staff, and 94% had applied for AIM for a child in their service. A significant majority, 97%, applied for Level 7 support, while 27% applied for Level 1-4 support, and the rest for Level 5 (7.5%) and Level 6 (3%). (86% of the applications were in line with the level of allocation provided.)

It should be noted that, even when successful in accessing AIM, the support is limited to 3 hours, impacting the provision of support in a full day care setting, regardless of the fact that the needs of the child are not limited to hours or type of service being used.

Upon receiving Level 7 support, 78% of the providers successfully employed a new staff member, but 22% faced challenges in doing so. The survey also highlighted that 77% of respondents believed that the child being supported benefited from the lower staff ratio, while 24% did not observe such benefits. Despite the level of support provided, 64% of the services claimed that the assistance from Better Start and the lower ratio was insufficient to support the child.

In a separate finding, an alarming 95% of services noted an increase in the number of children requiring support over the past three years. This data emphasises the need to evaluate and potentially revise the support systems in place for the ELC and SAC sectors in Ireland.

Among the service providers, 84% completed the LINC course, with 34% finding the skills learned very or extremely useful and 48% stating they were somewhat useful. The LINC course's effectiveness highlights the importance of ongoing professional development and training for those working in the ELC and SAC sectors.

SUMMARY OF FINDINGS

FUNDING AND RESOURCE ALLOCATION

One of the main concerns reported by service providers is the inadequacy of funding for children with additional needs. Providers feel that funding should be allocated per child, rather than being shared among several children.

"I feel if a child is granted level 7, it should be for that child only and not shared...with their own funding we would be in a position to employ another teacher."

STAFF TRAINING AND SKILLS

Service providers reported that staff often lack the necessary training and skills to support children with additional needs effectively. As a result, some providers believe that the Access and Inclusion Model (AIM) is not fulfilling its potential.

"My concern is that staff are not equipped or trained for the specific skills they need to support the children and therefore AIM is a waste as honestly children are just existing in the service for the 3 hours and gaining no benefit."

INCLUSION AND IMPACT ON OTHER CHILDREN

While providers strive to create an inclusive environment for all children, they also express concerns about the impact on other children in the group when resources and attention are diverted to support children with additional needs.

"Not all children with an AN can be part of an ECCE integrated program. The needs of ALL children in the group must be addressed."

COMPLEXITY OF NEEDS AND ASSESSMENT

Service providers face challenges in addressing the diverse and complex needs of children with additional needs. Delays in assessment and lack of access to professionals such as psychologists further exacerbate the situation.

"Needs are incredibly high and complex, and most are not assessed yet, so we are stabbing in the dark to provide the best care for their needs."

STAFFING RATIOS AND ONE-TO-ONE SUPPORT

Service providers stressed the importance of having lower staffing ratios and providing one-to-one support for children with additional needs. They also noted that AIM staff should be paid for longer hours to ensure the same level of care throughout the day.

"The ratio certainly needs to be lower where there is a child or children requiring extra support in the class and should be able to stay later in the day with the same level of care. So AIM staff need to be paid for longer hours."

ACCESS TO SERVICES AND EARLY INTERVENTION

Providers reported long waiting times for early intervention services and difficulties in accessing necessary supports, such as speech therapists, occupational therapists, and psychologists. One educator expressed the need for "direct access to professionals in the classroom," demonstrating the importance of a strong support network for early years settings.

"Children at the moment are not receiving early intervention or diagnosis, long waiting lists and not getting regular visits from early intervention teams, you can see the huge difference compared to years ago."

RESOURCES AND EQUIPMENT

Service providers highlighted the lack of funding for essential resources and equipment, such as sensory rooms and specialised materials, which are needed to support children with additional needs effectively. Funding for equipment can be applied for under AIM, however it has to be returned when the child for whom it was allocated goes to school.

"I am concerned by the increase of children year on year requiring support. My room does not always meet needs, there is no funding for extra equipment, sensorial/weighted material."

STAFF RECRUITMENT AND RETENTION

Service providers face challenges in recruiting and retaining AIM staff, which can negatively impact the support available for children with additional needs.

"I know from colleagues that it's almost impossible to recruit Aim staff."

IMPACT ON SERVICE PROVIDERS

Providers expressed concerns about the financial implications of supporting children with additional needs, as well as the potential for staff burnout due to increased workload and pressure.

"I purposefully don't apply for AIM support because it costs me too much to have them in place... And if I did this for 5 children, I'd be out of business!"

COLLABORATION AND DECISION-MAKING:

Providers reported that collaboration among stakeholders and timely decision-making by AIM specialists are often lacking, which further hinders the provision of adequate support for children with additional needs.

"Decisions taking too long to be made by AIM specialists."

CONCLUSION

This section highlights the concerns and challenges faced by ELC and SAC service providers in Ireland in supporting children with additional needs. The findings underscore the need for improvements in funding, staff training, resources, and access to services, as well as better collaboration among stakeholders.

IMPACT OF INSURANCE ON ELC AND SAC SERVICES

INTRODUCTION

We conducted an extensive survey within the Early Learning and Care (ELC) and School Age Childcare (SAC) sector in Ireland to investigate insurance costs. We collected responses from 430 providers, of which 60% offered sessional services, and 28% provided full-day care. The findings indicate that 74% of respondents experienced increased insurance costs since the previous year. Among these, 61% reported a 10-20% increase, 27% saw a 30-40% rise, and 22% faced a substantial surge of over 50%.

The primary concerns emphasised in the responses include elevated insurance premiums, pressure to join another organisation to obtain insurance discounts, limited insurance options, and inconsistent pricing. Through this report, we aim to shed light on these concerns, offering a detailed account of the issues faced by providers in the childcare sector and the impact it has on their operations.

MAJOR CONCERNS

INCREASED INSURANCE PREMIUMS

Many respondents have expressed their dissatisfaction with the rising insurance premiums. Some providers experienced increases as high as 80.75%, which significantly affected their business operations. Providers believe that these increased costs are unjustified, given that their services have not changed and they have not made any claims in the past.

One participant shared, "We are absolutely deflated with this hike 80.75% increase!! We need more insurers. We need help!" These increases have led to concerns regarding the sustainability of childcare services and the potential need to pass on costs to parents.

PRESSURE TO JOIN ANOTHER ORGANISATION FOR INSURANCE DISCOUNTS

Respondents have voiced their frustration with the pressure to join another organisation in order to avail of significant insurance discounts. Many feel that they are being forced to join the organisation solely for this purpose, as they do not see any additional benefits in becoming a member. Providers feel that this requirement is unfair and coercive, as they have no other option but to join to access affordable insurance rates.

LACK OF INSURANCE OPTIONS

The survey responses indicate that there is a widespread dissatisfaction with the lack of insurance options available for childcare providers. Providers believe that having only one insurance company for childcare insurance is unfair, leading to a monopoly that allows the company to dictate prices and conditions without competition. The respondents have called for the introduction of more insurance providers to increase competition and improve the affordability of insurance in the sector.

One respondent said, "We need another insurance company. We are held to ransom. Not fair." Some participants also highlighted the challenges they face when seeking insurance for both their childcare service and their dwelling.

INCONSISTENCIES IN PRICING

Respondents have also highlighted inconsistencies in insurance pricing for similar services. Providers have reported significant differences in quotes for services with similar characteristics, such as the number of children and the type of service provided. This lack of transparency in pricing has led to confusion and frustration among providers who believe that there should be more consistency and fairness in how insurance costs are determined.

One participant mentioned, "I think that the Insurance company is basing their pricing by geographical location, seems to me that providers in Dublin/Cork (cities) are paying much more." These discrepancies in pricing have led providers to feel that insurance companies are "guessing" what to charge, resulting in a lack of transparency and fairness in the sector.

ROLE OF GOVERNMENT

Several respondents called for government intervention to address the issues surrounding insurance in the ELC and SAC sector. Some providers suggested that discounts should be government-based rather than tied to membership of another organisation. Others urged the government to take action to halt price increases, especially for services with no claims history.

CONCLUSION

In conclusion, this section highlights the major concerns faced by childcare providers, including increased insurance premiums, pressure to join another organisation for insurance discounts, the lack of insurance options, and inconsistencies in pricing.

TAILORING SOLUTIONS: STRATEGIC RECOMMENDATIONS FROM FECP

With recent developments in the early years sector, including the implementation of the EROs, the simplification of the NCS, as well as the option of core funding, there has been a positive move towards attempting to establish a fair and equitable business environment for all early years services. However, while a number of these developments have been beneficial, one overall impact of their implementation has been to highlight the major discrepancies that exist between certain types of service models within the sector; directly impacting upon the viability and sustainability of a large number of early years providers.

DISCREPANCY BETWEEN EARLY YEARS SERVICES

The most glaring example of this is evident when analysing many mid-sized services that are owned and managed by a single owner/ manager; which is one of the most popular models of early years services throughout Ireland. In many of these cases, the apparent viability of the services is being achieved artificially, with the owner/ managers reducing their salaries where necessary to support increases in operational costs. As a result, while the term 'profitability' is often described to refer to the 'bottom line' in annual finances, the 'profit' being generated within many of these owner/ manager mid-sized facilities actually excludes the salary of the owner/ manager themselves. As a result, while the financial accounts of the service may indicate that the service is viable based upon annual accounts and returns, the model is completely unsustainable and, in reality, is financially unviable.

This would be of major concern if it were a recent issue, arising out of latest changes in the provision of early years services. However, the consequences are more imminent, due to the fact that this situation has been the case for years, clearly highlighted by various reports within the sector that date back to 2015; and are now exacerbated by recent developments in sectoral policy.

ADDRESSING THE ISSUE

In other social and business sectors, this issue would not be the concern of the state. Understandably, it would be regarded a matter of concern for the owner/ managers themselves, requiring changes to the business in terms of its operational income (fees and number of clients) and costs (primarily wages) to address viability.

However, this is not possible within the early years sector. In terms of operational income, the early years providers have little to no room to manoeuvre, with fees having been regulated by core funding (a prerequisite for the receipt of core funding), and the number of clients (children) limited to the ratios stated by the Childcare Act and Regulation. On the other hand, staff wages, which represent on average between 75%-90% of total operational costs, are controlled by the recent ERO. As a result, the usual release mechanisms used by businesses to adapt their operations to achieve viability have been removed, and the early years sectors are now dependant entirely upon the ability of the Core Funding, or similar programs, to provide a solution; which the FECP believe it cannot currently do without being adapted to better reflect the commercial realities facing early years providers.

SUBMISSION BY FECP

FECP accept the need for regulation, and this submission by FECP should never be regarded as an attempt to promote deregulation or any reduction of quality in the services being provided. Nevertheless, it is unrealistic to approach the early years sector in a similar manner to other social or business sectors. On the one hand the sector is heavily regulated, with controls that impact both income and costs, while, on the other, privately-owned services are expected to be able to adjust their business model to achieve viability and sustainability. These two positions are not compatible.

FECP are aware that the Core Funding initiative was introduced to address this market inefficiency, providing funding, subject to EU guidelines, to support the early years services and reflect the need for significant regulation within the sector. However, FECP are stating that not only does the Core Funding initiative fail to

adequately represent the diverse business models in the early years sector, this failure is likely to result in the closure of many mid-sized privately-run owner/manager services throughout Ireland.

To address this issue, it must be acknowledged that privately-owned services cannot be regarded as a single homogenous type of early years service. In reality, there are a number of different types of general models operating within the sector, that require different approaches regarding funding and pricing.

OWNER/ MANAGERS SALARY TO BE REFLECTED IN CORE FUNDING

Core Funding is based upon assumptions regarding the profitability of early years services, and the financial supports required to sustain viability. However, FECP are stating that the profitability assumptions never took into consideration the fact that owner/ managers of many small and mid-sized services have maintained the viability and sustainability of the business through the use of their own salaries and through the provision of out-of-hours support and non-contact unpaid hours to parents, families and children.

In many cases, as has been clearly demonstrated in previous Irish reports into the sector, owner/ managers have either not taken any salary, or reduced their salary significantly to achieve breakeven or a small profit. In truth, this historic practice, which has, and is, widespread, across the sector has sustained an 'artificial' breakeven point that, with increased standardisation and regulation regarding fees, ratios, qualifications and wages, cannot now be addressed within the business by the owner/ manager themselves.

As their options for adjusting the level of income and costs become even narrower, a relatively large number have now come to the conclusion that to continue operating in this manner would be detrimental to their own personal circumstances. As a result, many of the owner/ manager services operating this model will be closing over the next 1-2 years.

FRANCHISES VS OWNER/ MANAGER SERVICES

While FECP accept that it is not possible to adapt the Regulations, Core Funding, or other funding programmes, to meet the needs of all various models, one immediate consequence of the concerns raised above is now becoming evident in the provision of early years childcare services among privately-owned facilities.

As mentioned above, to date, many owner/managers of services have managed to keep their businesses operating by creating an artificial breakeven point; put simply they have either not taken any salary or have reduced their salaries significantly to keep the business afloat.

Which begs the question – what happens when the option of reducing or eliminating the owner/ manager's salary is not available? In that case, what options are available to the service to maintain financial viability and meet structured payments by the early years service?

An example of such a business model in the early years sector is the large franchise, whereby the service is provided on a private basis, but not with direct involvement by an owner/ manager. The 'artificial' release mechanism provided by the salary of the owner/ manager (regardless of it being detrimental to the viability of the business) is no longer available in this case and, with major overhead costs such as leasing, etc. being fixed and non-negotiable, the only other major option available is likely to involve staff costs, i.e. wages.

SUMMARY

In summary, while there have been significant benefits arising from recent developments within the early years sector, there are a number of legacy issues that have been neglected by the Core Funding program, with direct impacts upon the real viability of early years services. The immediate impact is certainly going to result in the closure of many owner/ manager services within the next 18 months, and the likely adoption of practices by other business models that are contrary to the provisions of the Childcare Act and regulations.

CONCLUSIONS

FUTURE OF EARLY YEARS SECTOR: INTENTIONS TO CLOSE IN JUNE 2023

The future of the early years sector in Ireland depends on the sustainability of ELC and SAC services. Immediate action is required from the government to address the financial, staffing, administrative, and mental health challenges faced by providers. Without such support, the consequences of service closures on families, communities, and the future of Ireland's children could be dire.

CHALLENGES AND CONCERNS IN THE ELC AND SAC SECTOR IN IRELAND

The ELC and SAC sector in Ireland is facing a multitude of challenges that impact the overall quality and sustainability of services. Key issues identified include stress and burnout, lack of recognition and respect, staffing crisis, funding and financial viability, overregulation and administrative burden, the impact on small services, training and professional development, support for children with additional needs, and pressure from parents and changing demands.

CHALLENGES FACED BY SESSIONAL ELC AND SAC SERVICE PROVIDERS IN IRELAND

The concerns raised in the survey responses paint a picture of a sector under significant strain, with service providers facing financial, staffing, and administrative challenges that threaten the sustainability of their businesses. Without adequate support and policy changes, the possibility of services closing remains a genuine threat for the early years learning and school age childcare sector in Ireland. Addressing these concerns is crucial for the continued sustainability and success of the sector.

FACTORS ENCOURAGING ELC AND SAC SERVICES IN IRELAND TO SIGN UP FOR CORE FUNDING

This section highlighted the main concerns and suggestions of early learning centres and school-age childcare services in Ireland regarding signing up for Core Funding. Key issues include financial reasons, core funding, administrative burden, and control over businesses. Addressing these concerns and providing a more supportive environment for these services could encourage them to sign up for the Core Funding and improve the overall quality of early years provision in Ireland.

SUPPORTING CHILDREN WITH ADDITIONAL NEEDS IN ELC AND SAC SERVICES IN IRELAND

The findings underscore the need for improvements in funding, staff training, resources, the expansion of AIM, and access to services, as well as better collaboration among stakeholders. Addressing these issues is essential for ensuring that all children, including those with additional needs, receive the support and care they require for their development and well-being.

IMPACT OF INSURANCE ON ELC AND SAC SERVICES

This section highlighted the major concerns faced by childcare providers, including increased insurance premiums, pressure to join another organisation for insurance discounts, the lack of insurance options, and inconsistencies in pricing.

TAILORING SOLUTIONS: STRATEGIC RECOMMENDATIONS FROM FECF

In summary, while there have been significant benefits arising from recent developments within the early years sector, there are a number of legacy issues that have been neglected by the Core Funding program, with direct impacts upon the real viability of early years services. The immediate impact is certainly going to result in the closure of many owner/ manager services within the next 18 months, and the likely adoption of practices by other business models that are contrary to the provisions of the Childcare Act and regulations.

SOLUTIONS

Based on the extensive research conducted by FETC, which involved reviewing more than 3,300 responses from various surveys, we present a concise summary of the immediate solutions being suggested.

€100 ECCE CAPITATION

To address the financial difficulties encountered by Early Learning and Childcare (ELC) and School Age Childcare (SAC) providers, we propose increasing the capitation for the Early Childhood Care and Education (ECCE) program to €100. This enhancement will ensure improved financial stability for providers, enabling them to concentrate on providing high-quality care and education while reducing the financial and personal strain that is very evident within the sector and threatens the future of a significant number of services.

FEE FREEZE LIFTED TO SUPPORT ERO

Lift the fee freeze within the sector, to support the ERO, enabling providers to revise their fees to accurately reflect the costs associated with operating their businesses; avoiding a 'one-size-fits-all' model and adjusting to the different types of services. This will help alleviate financial pressures and ensure that providers can continue to offer high-quality care.

APPRENTICESHIP MODEL INTRODUCED IMMEDIATELY TO MITIGATE STAFF CRISIS

Introduce an apprenticeship program to tackle the staffing crisis in the Early Learning and Childcare (ELC) and School-Age Childcare (SAC) sectors. This will provide a pipeline of skilled professionals entering the field, and reduce the strain on existing staff, ultimately improving the quality of care and education provided.

EXTENSION OF AIM ALLOCATION TO FULL DAY CARE HOURS

Expand the AIM allocation to cover full day care hours for children with additional needs, ensuring that these children receive the support they require for their development and well-being. Additionally, this approach lessens the pressure on childcare providers to accommodate the unique requirements of children needing extra support.

OPTIONAL EXTRAS TO BE REINSTATED

Reinstate optional extras for providers, allowing them to offer additional services and resources to families; enabling them to customise their offerings based on the specific needs of their communities. This approach ensures that all children receive care that can be tailored to their requirements.

INCREASE RATIO TO 3:22 AND FUND ACCORDINGLY

Change the legislation to increase the staff-to-child ratio from 2:22 to at least 3:22, and provide funding to support this change. This will help address staffing concerns and ensure that children receive more individualised attention, ultimately improving the quality of services provided by ELCs and SACs.

