

MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL
HELD ON MONDAY, 13th NOVEMBER, 2006

- PRESENT** An tArdmhéara, Comhairleoir M. Ahern in the chair and subsequently An Leas Ardmhéara Comhairleoir M. O' Connell.
- NORTH EAST** Comhairleoirí M. Quill, T. Brosnan, J. Kelleher, D. Murphy, A. Spillane.
- NORTH CENTRAL** Comhairleoirí M. Barry, C. Clancy, G. O'Flynn, D. Wallace, P. Gosch.
- NORTH WEST** Comhairleoirí D. McCarthy, C. Burke, T. Fitzgerald.
- SOUTH EAST** Comhairleoirí D. Clune, C. O' Leary, D. O' Flynn, T. Shannon, J. Corr.
- SOUTH CENTRAL** Comhairleoirí C. Lynch, S. Martin, T. O' Driscoll, D. Cregan.
- SOUTH WEST** Comhairleoirí J. Buttimer, F. Dennehy, M. Shields.
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- APOLOGIES** Comhairleoir B. Bermingham.
- ALSO PRESENT** Mr. J. Gavin, City Manager.
 Mr. J. Kenneally, Director of Services, Recreation, Amenity & Culture.
 Mr. S. Kearney, Director of Services, Housing & Community
 Mr. K. Terry, City Engineer/Director of Services, Planning and Development
 Mr. P. Moynihan, Senior Executive Officer, Housing & Community
 Ms. N. Mulcahy, A/Senior Executive Officer, Corporate Affairs.
 Ms. Elma McCarthy, Staff Officer, Corporate Affairs

An Leas-Ardmhéara recited the opening prayer.

1.(a) **VOTES OF SYMPATHY**

A vote of sympathy was passed unanimously with An Chomhairle standing in silence to:-

- The McSweeney Family on the death of Denis McSweeney
- The Murphy Family on the death of Ann Murphy
- The McDonald Family on the death of Ita McDonald
- The Nash Family on the death of Mary Walsh.

(b) VOTES OF CONGRATULATIONS

An Chomhairle extended a vote of congratulations to:

- Glen Rovers on winning Cork Premier County Minor Hurling Championship.
- Nemo Rangers in winning the County Football Championships and qualifying for the Final of the Munster Club Senior Football Championships.
- Brian Lennox on his contribution to Cork City Football Club
- St. Vincent's Hurling and Football Club, Glanmire on the skills displayed in intermediate premier county football final.
- Deval Patrick being the new Governor of Massachusettes
- Comhairleoir M. Barry on his recent marriage.

(c) BEST WISHES

An Chomhairle extended a vote of best wishes to:

- Dan Wallace TD for a speedy recovery from his recent illness.
- Staff of the Examiner/Evening Echo on moving to new premises.

2. MINUTES

The Minutes of the Ordinary Meeting of An Chomhairle held on 23rd October, 2006 were considered and approved.

3. Question time – Questions submitted enclosed.

3.1 PONDING ON CURRAGH ROAD

In response to the following question submitted by Comhairleoir S. Martin, a written reply was circulated as outlined below:-

What was the result of the investigation carried out in June 2005 in relation to ponding on Curragh Road?

We have investigated ponding on this road a number of times and have cleaned out gullies as found necessary. During very heavy rain the existing sewerage system can become overloaded and short-term ponding may occur in the future. At present the gullies and drainage system are functioning adequately.

3.2 WEIGHT LIMITS ON BLARNEY STREET

In response to the following question submitted by Comhairleoir D. McCarthy, a written reply was circulated as outlined below:-

Will the Manager please inform me as to the up-to-date situation regarding the international signage relating to weight limits to be installed on Blarney Street as per my motion to this effect some months ago as instances of foreign truck drivers getting stuck and having to reverse back to the Grotto to continue their journey thus causing extreme danger to residents are being reported to me on a daily basis?

Cork City Council is still waiting for the design approval from the NRA and Department of Transport for new heavy goods vehicles signs.

In the meantime, we will discuss with the Gardai a proposal to replace the existing "Road Unsuitable for Heavy Vehicles" sign at Blarney Road/Grotto/Calvary with a current statutory or regulatory sign, which is legally enforceable. As the Gardai will be responsible for the enforcement of this sign their agreement for the provision of the sign is essential.

3.3 **REDEVELOPMENT OF DOUGLAS POOL**

In response to the following question submitted by Comhairleoir J. Buttimer, a written reply was circulated as outlined below:-

To ask the Manager in relation to the redevelopment of Douglas Pool:

- (a) To outline to Council the up-to-date position in regard to the redevelopment of Douglas Swimming Pool.
- (b) Has the Department of Sport given any information in regard to funding grant aid?
- (c) When does the Manager hope to be in a position to start the work?

The cost of a new leisure facility at Douglas will be in the region of € 10m, Churchfield Leisure Centre costing € 9.6m when completed in 2005, and attracting a grant of € 4.2m from the Department of Arts Sport and Tourism.

Following the Council meeting held on 27th February 2006, wherein a decision on the future of Douglas Pool was made, a letter was sent to the Department of Arts, Sport and Tourism on the 28th February outlining the Council's decision and requesting grant aid towards the redevelopment of Douglas Pool. To date, no reply has issued from the Department.

3.4 **STORM DRAIN – 1 TO 27 UPPER LOTABEG ROAD, MAYFIELD**

In response to the following question submitted by Comhairleoir J. Kelleher, a written reply was circulated as outlined below:-

Will the Manager inform Council if he is satisfied with the workings of the Storm Drain running behind house numbers 1 to 27 Upper Lotabeg Road, Mayfield,

which has been causing problems for a number of residents in those houses on a regular basis in recent years?

The storm drain to the rear of houses 1 to 27 Upper Lotabeg Road, Mayfield is a private common drain and not the responsibility of Cork City Council Drainage. In response to a complaint, the main sewers, both foul and storm, serving these houses, were inspected and found to be clear.

3.5 **LAKE LAWN/KNOCKREA LAWN**

In response to the following question submitted by Comhairleoir T. Shannon, a written reply was circulated as outlined below:-

To ask the Manager - to outline the most up to date position regarding contact between Cork City Council and the Department of Finance with regard to:

1. The lands at Lake Lawn, Well Road, Douglas, Cork.
2. The lands at Knockrea Lawn, Ballinlough Road, Cork.

Correspondence issued to the Chief State Solicitor's Office on 4th October 2006, with a further reminder letter sent on 16th October 2006. A response issued from the Chief State Solicitor's office on 8th November 2006, which has confirmed that the Minister for Finance has already granted a Right of Way to Stephen O'Sullivan and Maria O'Sullivan over part of the strip of ground in question. The Chief State Solicitors Office is in correspondence with Solicitors for John Kelly, Paddy McSweeney and Others regarding this matter.

As of September 2006, these lands have been registered in Cork City Council's ownership. The City Council is therefore no longer in contact with the Department of Finance regarding these lands.

3.6 **REFURBISHMENT OF COLLEGE ROAD**

In response to the following question submitted by Comhairleoir C. Burke, a written reply was circulated as outlined below:-

Would the City Manager outline to Council when it is proposed to commence the refurbishment of College Road as per the plans approved by Cork City Council which said work includes traffic calming measures and the widening of the footpaths.

We are in the process of inviting tenders for this work and we plan to have a contractor appointed before the end of the year. It is planned to commence the work early in 2007.

3.7 VAT – PUBLIC SERVICES

In response to the following question submitted by Comhairleoir M. Barry, a written reply was circulated as outlined below:-

Can the Manager please inform Council as to:

- (a) the current position regarding the European Commission's request of July 25 last to the Irish Government to amend Irish law to provide for VAT to be charged on public services including local authority waste provision (accompanied as it was with a threat to take the Irish State to the European Court of Justice if the request was not complied with within two months)
 - (b) what he sees as the key data that will inform any decision to set a Cork City Council refuse charge rate for 2007?
- (a) The question of charging VAT on any services is a matter for national government and Cork City Council has received no communication to date on this matter.
- (b) The main items that will inform decisions in relation to the 2007 charges are
- increased cost to the City Council in respect of the treatment of increasing volumes of recyclable material
 - increased costs to the City Council in respect of labour and plant in the collection of both dry recyclables and mixed waste
 - anticipated costs in respect of landfill disposal which are in turn related to the requirement that the landfill be operated and remediated in accordance with EPA requirements
 - the loss of potential income through waivers.

3.8 WATER TOWER AND RESERVOIR IN KNOCKNAHEENY/KNOCKNACULLEN

In response to the following question submitted by Comhairleoir T. Fitzgerald, a written reply was circulated as outlined below:-

Can the Manager inform me:

- (a) What plans are in place to make the Water Tower an attractive feature of the City?
- (b) Who are the owners of the masts that are currently placed on the Tower?
- (c) Is there a fee/charges for placing these masts on the Tower?
- (d) How long will the masts remain there?
- (e) What plans are to refurbish the reservoir?

- a. What plans are in place for the grounds within the palisade fencing of the water tower and the reservoir?
- b. And if there are no plans, will the Manager prepare a plan for this area with a view to sourcing funding at local and national level.

There are three pieces of telecommunication equipment on the watertower roof. This equipment is related to radio and radio communications and not to mobile phones. The City Council's Property Section is currently in communication with the relevant operators on a number of matters including a review of the fees levied for the use of the tower.

There are no plans at this point in time to remove the equipment but this is subject to the Council concluding satisfactory agreements with the operators.

The Council will prepare plans for improving the appearance of the tower. These plans will include improvements to the boundary fence and lighting of the tower. Rental income arising from telecommunication equipment can be used to part fund the proposed improvements.

3.9 **REGISTER OF ELECTORS**

In response to the following question submitted by Comhairleoir C. Lynch, a written reply was circulated as outlined below:-

To ask the City Manager how many names are presently on the electoral register for Cork City, and if this figure has increased or reduced, in light of the recent work carried out by the Council in trying to establish a more accurate register?

There are 82,152 electors on the Draft Register of Electors 2007/2008 which was published on the 1st November 2006 .This is a reduction of 5,606 electors on the 2006/2007 final Register. Electoral Division changes are outlined hereunder;

| | Draft Register of Electors 2007/2008 | | |
|------------------------------|---|------------------|----------------------|
| Electoral Division(s) | Additions | Deletions | Total changes |
| 1 NE | 19 | 104 | 123 |
| 2 NE | 193 | 318 | 511 |
| 3 NE | 142 | 230 | 372 |
| 4 NE | 245 | 304 | 549 |
| 5 NE | 91 | 409 | 500 |
| 6 NE | 121 | 114 | 235 |
| 7 NE | 91 | 135 | 226 |
| 8 NE | 127 | 182 | 309 |
| 9 NE | 151 | 182 | 333 |
| 10 NE | 233 | 221 | 454 |

| | | | |
|-------|-----|-----|-----|
| 11 NC | 73 | 49 | 122 |
| 12 NC | 101 | 133 | 234 |
| 13 NC | 70 | 104 | 174 |
| 14 NC | 28 | 46 | 74 |
| 15 NC | 35 | 90 | 125 |
| 16 NC | 167 | 171 | 338 |
| 17 NC | 48 | 49 | 97 |
| 18 NC | 54 | 66 | 120 |
| 19 NC | 38 | 70 | 108 |
| 20 NC | 70 | 96 | 166 |
| 21 NC | 42 | 56 | 98 |
| 22 NC | 110 | 167 | 277 |
| 23 NC | 92 | 103 | 195 |
| 24 NC | 65 | 92 | 157 |
| 25 NC | 42 | 81 | 123 |
| 26 NC | 362 | 457 | 819 |
| 27 NW | 51 | 74 | 125 |
| 28 NW | 99 | 152 | 251 |
| 29 NW | 251 | 398 | 649 |
| 30 NW | 76 | 96 | 172 |
| 31 NW | 35 | 153 | 188 |
| 32 NW | 29 | 114 | 143 |
| 33 NW | 315 | 428 | 743 |
| 34 NW | 35 | 146 | 181 |
| 35 NW | 232 | 405 | 637 |
| 36 NW | 70 | 93 | 163 |
| 37 SE | 70 | 72 | 142 |
| 38 SE | 70 | 118 | 188 |
| 39 SE | 64 | 108 | 172 |
| 40 SE | 69 | 108 | 177 |
| 41 SE | 89 | 281 | 370 |
| 42 SE | 115 | 100 | 215 |
| 43 SE | 93 | 110 | 203 |
| 44 SE | 391 | 416 | 807 |
| 45 SE | 385 | 437 | 822 |
| 46 SE | 234 | 426 | 660 |
| 47 SE | 46 | 82 | 128 |
| 48 SE | 76 | 127 | 203 |
| 49 SE | 275 | 298 | 573 |
| 50 SC | 36 | 60 | 96 |
| 51 SC | 54 | 63 | 117 |
| 52 SC | 110 | 310 | 420 |
| 53 SC | 40 | 187 | 227 |
| 54 SC | 84 | 397 | 481 |
| 55 SC | 75 | 257 | 332 |
| 56 SC | 146 | 214 | 360 |
| 57 SC | 59 | 67 | 126 |
| 58 SC | 47 | 117 | 164 |

| | | | |
|--------------|-------------|--------------|--------------|
| 59 SC | 117 | 560 | 677 |
| 60 SC | 114 | 266 | 380 |
| 61 SC | 122 | 310 | 432 |
| 62 SC | 47 | 101 | 148 |
| 63 SC | 53 | 142 | 195 |
| 64 SC | 76 | 166 | 242 |
| 65 SC | 59 | 67 | 126 |
| 66 SC | 31 | 40 | 71 |
| 67SW | 126 | 217 | 343 |
| 68 SW | 306 | 515 | 821 |
| 69 SW | 109 | 229 | 338 |
| 70 SW | 286 | 418 | 704 |
| 71 SW | 41 | 62 | 103 |
| 72 SW | 47 | 85 | 132 |
| 73 SW | 143 | 243 | 386 |
| 74 SW | 114 | 164 | 278 |
| TOTAL | 8422 | 14028 | 22450 |

The Draft Register of Electors 2007/2008 is currently available for inspection at all Garda Stations, libraries, post offices and the Franchise Office. People can also check online if they are on the Draft Register through the homepage of the Cork City Council Website.

The edited Register is also available for purchase at the Franchise Office. If a person is not on the Draft Register they can contact the Franchise Section up to the 25th November, 2006 for inclusion in the Final Register 2007/2008.

3.10 **TRAFFIC WARDENS, LITTER WARDENS, PLANNING ENFORCEMENT OFFICERS**

In response to the following question submitted by Comhairleoir T. Brosnan, a written reply was circulated as outlined below:-

Can the Manager please confirm the number of full-time Traffic Wardens, Litter Wardens and Planning Enforcement Officers?

We currently have the following staff employed on a full-time basis in the sections referred to:

| | |
|---|----|
| Traffic Wardens (Including Supervisors) | 18 |
| Litter Wardens | 4 |
| Planning Enforcement | 4 |

In addition it should be noted that a further 14 staff from within the Environment section have been appointed as authorised officers for enforcement purposes under The Litter Pollution Acts.

3.11 **EXPENDITURE – JACK LYNCH TUNNEL**

In response to the following question submitted by Comhairleoir B. Bermingham, a written reply was circulated as outlined below:-

Request the Manager to let Council know the total expenditure of the Jack Lynch Tunnel on maintenance from date of opening. How is the amount justified? €2m for 2007 seems excessive?

On average for the past number of years the total maintenance cost per annum for the Jack Lynch Tunnel is between €1.5m and €2m. This covers both improvement and maintenance costs to the Tunnel. It includes 4 Annual Maintenance Cycles and Inspection Closures which take place at 3 monthly intervals at a cost of approximately €300,000 each. The remainder covers staff wages, energy costs and maintenance costs for running all the tunnel services which includes lighting, fans, pumps, electricity, telephone, CCTV etc.

The maintenance of the Jack Lynch Tunnel is funded 100% by the National Roads Authority.

4. **CITY BOUNDARY EXTENSION**

An Chomhairle considered the Report of the City Manager dated 8th November 2006 on the City Boundary Extension. On the proposal of Comhairleoir J. Corr seconded by Comhairleoir M. Quill An Chomhairle directed that the report be forwarded to Cork County Council with a request that the County Council would agree in principle to facilitate a city boundary extension and towards this end that the County Council would engage with the City Council to discuss and seek agreement on a city boundary extension.

5. **BUDGET 2007**

An Chomhairle agreed that the Budget Meeting would be held on 18th December 2006 to discuss Budget 2007.

6. **CIVIC RECEPTIONS**

An Chomhairle approved the hosting of the following Civic Receptions:-

- (a) School of Business Studies, C.I.T.
- (b) Bishopstown Intermediate and Under 21 Cork County Championship Teams
- (c) Prof. Áine Hyland

Items deferred from the meeting of An Chomhairle held on 23rd October 2006.

7.1. **ARDERIN WAY**

An Chomhairle approved the report of the Director of Services dated 12th October, 2006 on the following motion which was referred to the Committee by An Chomhairle:-

‘That Cork City Council carry out immediate landscaping of the embankment to the south of Nos. 25 – 36 Arderin Way, The Glen.’

(Proposer: Cllr. T. Brosnan 06/338)

The Report of the Director of Services stated that a clean up of the steep embankment at Arderin Way will be carried out within the next two weeks.

Items deferred from the meetings of An Chomhairle held on the 9th and 23rd October, 2006.

8. **ROADS AND TRANSPORTATION FUNCTIONAL COMMITTEE – 2ND OCTOBER 2006**

8.1 **PARKING PERMITS – PLACING NAMES ON ELECTORAL REGISTER**

An Chomhairle approved the report of Assistant City Manager, dated 28th September, 2006, on the following motion which was referred to the Committee by An Chomhairle.

‘That the requirement for a person seeking a parking permit to place his/her name on the electoral register for the area in question be removed. This requirement is a major reason why the register is very inaccurate in areas close to the City Centre.’

(Proposer: Cllr. T. O’ Driscoll 06/397)

The Report of the Assistant City Manager stated that the requirements for obtaining a residents parking permit are now being reviewed by the traffic division and the issue raised in this motion will be given due consideration during the review process. When the review is completed a further report will issue to members for their consideration.

9. **PLANNING AND DEVELOPMENT STRATEGIC POLICY COMMITTEE – 6th NOVEMBER 2006**

9.1 **PROPOSED DEVELOPMENT PLAN VARIATION FOR NORTH BLACKPOOL (SUNBEAM)**

On the proposal of Comhairleoir D. Wallace, seconded by Comhairleoir D. McCarthy An Chomhairle agreed to defer decision on the proposed Development

Plan Variation for North Blackpool (Sunbeam) to the next meeting of An Chomhairle.

9.2 **MINISTERIAL RECOMMENDATIONS ON ADDITIONS TO THE RECORD OF PROTECTED STRUCTURES – PROGRAMME FOR IMPLEMENTATION**

An Chomhairle approved the ministerial recommendations on additions to the Record of Protected Structures – Programme for Implementation and the report of the Director of Services dated 2nd November 2006 thereon.

9.3 **PROPOSED VARIATION TO DEVELOPMENT PLAN TO PROTECT VIEWS AND PROSPECTS OF SIGNIFICANCE IN THE CITY**

An Chomhairle considered the report of the Director of Services Planning and Development and City Engineer dated 1st November 2006 on the proposed variation of City Development Plan to protect views and prospects of significance in the City.

On the proposal of Comhairleoir M. Quill seconded by Comhairleoir C. Burke An Chomhairle unanimously approved the report and agreed to adopt the following resolution.

“RESOLVED pursuant to Section 13 (2) of the Planning and Development Act 2000, that the consultation process in relation to Proposed Variation of City Development Plan 2004 to protect views and prospects of significance in the City be commenced.”

9.4 **LOCAL AREA DEVELOPMENT PLAN FOR TURNERS CROSS**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council prepare a local area development plan for Turners Cross and that it would consult with relevant bodies and organisations in the parish in order to formulate an integrated plan for its future development.’

(Proposer: Cllr. S. Martin 06/164)

It was agreed to refer this item back to the Planning and Development Strategic Policy Committee for further consideration.

9.5 **LOCAL AREA DEVELOPMENT PLAN BALLYPHEHANE**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council prepare a local area development plan for Ballyphehane and that it would consult with relevant bodies and organisations in the parish in order to formulate an integrated plan for its future development.’

(Proposer: Cllr. S. Martin 06/166)

It was agreed to refer this item back to the Planning and Development Strategic Policy Committee for further consideration.

9.6 **LOCAL AREA DEVELOPMENT PLAN FOR SOUTH PARISH**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council prepare a local area development plan for South Parish and that it would consult with relevant bodies and organisations in the parish in order to formulate an integrated plan for its future development.’

(Proposer: Cllr. S. Martin 06/165)

It was agreed to refer this item back to Planning and Development Strategic Policy Committee for further consideration.

9.7 **LOCAL AREA DEVELOPMENT PLAN BARRACK STREET**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council prepare a local area development plan for Barrack Street and that it would consult with relevant bodies and organisations in the parish in order to formulate an integrated plan for its future development.’

(Proposer: Cllr. S. Martin 06/167)

It was agreed to refer this item back to Planning and Development Strategic Policy Committee for further consideration.

9.8 **DEVELOPMENT PLAN FOR THE GREATER LOUGH AREA**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council will draw up a development plan for The Greater Lough Area which would include the following aspects;

- Long-term Planning and Sustainable Development
- Infrastructural and Social Needs
- Protection of the Natural Environment
- Traffic and Parking Management
- Public Lighting
- Protection of the local existing environment from unsuitable high density development’

(Proposer: Cllr. C. Lynch 06/490)

It was agreed to refer this item back to Planning and Development Strategic Policy Committee for further consideration.

9.9 **LOCAL AREA DEVELOPMENT PLAN FOR TOGHER/ GLASHEEN AREA**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

‘In view of the many recent planning applications in the Togher/ Glasheen area, that Cork City Council would consider formulating a local area development plan for the Togher/ Glasheen areas. And that whenever possible Cork City Council would liaise with Cork County Council in formulating an area plan either through communication with the Cork County planner or through the Joint City/County Committee.’

(Proposer: Cllr. F. Dennehy 06/495)

It was agreed to refer this item back to Planning and Development Strategic Policy Committee for further consideration.

9.10 **LOCAL AREA DEVELOPMENT PLAN - MIDDLE PARISH**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council prepare a local area development plan for the Middle Parish and that it would consult with relevant bodies and organisations in the parish in order to formulate an integrated plan for its future development.’

(Proposer: Cllr. S. Martin 06/168)

It was agreed to refer this item back to Planning and Development Strategic Policy Committee for further consideration.

9.11 **MIDDLE PARISH, LOCAL AREA PLAN**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council would prepare a local area plan for the part of the Middle Parish to the west of North Main Street.’

(Proposer: Cllr. T. O’ Driscoll 06/473)

It was agreed to refer this item back to Planning and Development Strategic Policy Committee for further consideration.

CONTINUATION OF MEETING

An Chomhairle agreed to continue the meeting beyond 8 p.m. and agreed unanimously that the meeting would finish at 9 p.m.

9.12 **THE GROVE, ORCHARD ROAD**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motions referred to the Committee by An Chomhairle:

‘To facilitate residents who are the rightful owners of their area, I propose that Cork City Council abandon plans to locate a river walk through the Grove, Orchard Road, an estate that is in effect a Cul de Sac”.

(Proposer: Cllr. D. McCarthy 06/434)

9.13 **GREEN AMENITY AREA IN THE GROVE, ORCHARD ROAD**

‘In accordance with the wishes of the residents of the above estate and in the interest of Community Health Planning, that the proposed walkway and cycleway currently in the Cork City Development Plan 2004 – 2009 be altered to insure that the proposed amenity walk would not encroach in any way on the green amenity area in The Grove. (Fig 3.8 Bishopstown and Wilton Area Action Plan)

That the existing trees which are part of The Grove Estate and form a boundary between The Grove and the many Victoria Cross apartments blocks, both existing and proposed, would not be destroyed or damaged in any way to facilitate such a walkway and that the relevant portion of the proposed walkway be constructed on the northern side of the Curraheen river.

Under section 3.2.33 of The Draft Bishopstown and Wilton Area Action Plan and in the interest of proper planning and maintaining the value and ethos of the homes in The Grove, that the proposed vehicular access through the green amenity area and bridge over the Curraheen River be deleted from The Plan.’

(Proposers: Cllr. T. Fitzgerald, Cllr. M. Shields, Cllr. F. Dennehy, Cllr. T. Shannon 06/441)

Comhairleoir D. McCarthy proposed and Comhairleoir F. Dennehy seconded that the report of the Director of Services dated 2nd November 2006 be rejected.

A vote was called for where there appeared as follows:

FOR: (0)

AGAINST: Comhairleoirí M. Quill, T. Brosnan, D. Murphy, A. Spillane, M. Barry, C. Clancy, D. Wallace, P. Gosch, D. McCarthy, C. Burke, M. O’ Connell, T. Fitzgerald, D. Clune, C. O’ Leary, D. O’ Flynn, T. Shannon, J. Corr, C. Lynch, S. Martin, T. O’ Driscoll, D. Cregan., J. Buttimer, F. Dennehy, and M. Shields.(24)

An Léas Ard-mhéara declared the report rejected and the motions approved.

9.14 **CRAWFORD COLLEGE OF ART & DESIGN**

An Chomhairle approved the Report of the Director of Services dated 2nd November 2006 on the following motion which was referred to the Committee by An Chomhairle:

‘That Cork City Council would include the building, which is home to the Crawford College of Art and Design on the City Councils list of protected structures / buildings’

(Proposer: Cllr. J. Buttimer 06/489)

The Report of the Director of Services dated stated that this building, which dates from circa 1910, is considered to be of Regional Importance in the National Inventory of Architectural Heritage (NIAH), which classifies it as having architectural, artistic and sociological importance. It has also been recommended for inclusion in the Record of Protected Structures (RPS) by the Minister for the Environment, Heritage and Local Government, as one of approximately 1500 additional buildings recommended for inclusion located in or near the city centre. A programme is being put in place to incorporate these buildings in the RPS over the next 2 years (see separate report) and this building can be included in the next group of buildings to be made Proposed Protected Structures in the near future if Council so wishes.

9.15 **AMENDMENT TO CORK CITY DEVELOPMENT PLAN**

(a) That there be an amendment to the Cork City Development Plan to the effect that residential/family style properties be safeguarded or ring fenced and the concept of purchasing residential houses knocking them and allowing multi-storey development in their place be immediately stopped. This is being driven by pure greed and is having a medium to long term detrimental effect on the living environment as we have come to know it.

(b) That Council takes a stance in relation to the selling of existing petrol stations where owners are simply cashing in on sites with no regard to providing services to the public at large.'

(Proposer: Cllr. S. Martin 06/169)

It was agreed to refer this item back to Planning and Development Strategic Policy Committee.

9.16 **UPGRADING OF THE WILTON SHOPPING CENTRE**

An Chomhairle considered the Report of the Director of Services dated 2nd November 2006 on the following motion referred to the Committee by An Chomhairle:

'That Cork City Council would consider, with the approval of the Members, a development brief for the upgrading of The Wilton Shopping Centre Site and that arrangements are made for that purpose as soon as possible.'

(Proposer: Cllr. M. Shields 06/496)

It was agreed to refer the report back to the Planning and Development Strategic Policy Committee for further consideration.

10. **HOUSING AND COMMUNITY FUNCTIONAL COMMITTEE – 6TH NOVEMBER 2006**

10.1 **PROPOSED DEVELOPMENT AT THE GLEN, GLEN AVENUE**

An Chomhairle considered the report of the Director of Services dated 2nd November, 2006 in relation to the proposed development at The Glen, Glen Avenue (Glen Regeneration, Phase II)

It was agreed to refer the report to the next meeting of An Chomhairle for further consideration.

10.2 **PROPOSED DEVELOPMENT AT FAIRFIELD HOUSE, OFF FAIRFIELD ROAD, FARRANREE, CORK**

An Chomhairle considered the report of the Director of Services dated 2nd November, 2006 in relation to the proposed development at Fairfield House, Off Fairfield Road, Farranree, Cork.

It was agreed to refer the report to the next meeting of An Chomhairle for further consideration.

10.3 **DISPOSALS**

An Chomhairle approved the following Disposals:

PROPERTY DISPOSAL

- (a) Disposal of property at “Glendalough”, 6, Grenville Place, Cork to Cork Simon Community by way of lease subject to a rent of €250 per annum.
- (b) Disposal of Warehouse at Albert Quay to Crimson Investments Limited c/o Ronan, Daly, Jermyn, Solicitors, 12, South Mall, Cork for the sum of €8,500,000.

SHARED OWNERSHIP

- (a) Fee simple interest in dwellinghouse and premises situated at and known as No. 9, Harringtons Avenue, Dillons Cross, Cork held by Cork City Council under Lease dated 17th April 2000 to Ann Dorgan for the sum of €36,375.71.
- (b) Fee simple interest in dwellinghouse and premises situated at and known as No. 59, Bakers Road, Gurranabraher, Cork held by Cork City Council under Lease dated 15th December 1995 to Charlotte Barry for the sum of €42,905.51.
- (c) Fee simple interest in dwellinghouse and premises situated at and known as No. 7, Lower Grattan Hill, Lower Glanmire Road, Cork under Lease dated 22nd January 2001 to Veronica O’Regan for the sum of €86,534.88.

DERELICT SITES

To consider report by City Manager dated 2nd November 2006 regarding derelict property at Crosses Green (Site at the Mill Business Centre), Cork.

FEE SIMPLE

- (a) Disposal of Freehold interest in premises known as “Wiltina” Iona Park, Mayfield, Cork to the said Christina McSweeney for the sum of €76.18 together with costs in the sum of €460.00.
- (b) Disposal of Freehold interest in premises known as “Lizbeth”, 14, Colmcille Avenue, (Iona Park), Mayfield Cork to the said Elizabeth Carroll for the sum of €76.18 together with costs in the sum of €460.00.

- (c) Disposal of Fee Simple interest in premises known as 5E, Baker's Road, Gurrabraher Road, Cork to Joan Walsh c/o Michael Powell, Solicitors, No. 5, Lapps Quay, Cork for the sum of €2,000.00 together with costs of €1,500.00.
- (d) Disposal of Freehold interest in premises known as 6, Kinsale Cottages, Evergreen Road, Cork to Cornelius (otherwise known as Neil) O'Donoghue c/o Martin Harvey & Co., Solicitors, Parliament House, 9/10, Georges Quay, Cork for the sum of €25,000 plus costs of €1,500.00.

11. **CORRESPONDENCE**

An Chomhairle noted correspondence

12. **CONFERENCES**

Attendance at the following conference was approved:-

12.1 **LAMA WINTER CONFERENCE**

An Chomhairle approved the attendance of Comhairleoir M. Shields at the Lama Winter Conference held at Arklow Bay Hotel, Wicklow on the 10th – 11th November 2006.

12.1 **BUSINESS IMPROVEMENT DISTRICTS (BID'S) – AN OPPORTUNITY TO REJUVENATE YOUR TOWN OR CITY**

An Chomhairle approved the attendance of Comhairleoir T. Fitzgerald at the Business Improvement Districts (BID'S) – An Opportunity to Rejuvenate Your Town or City Conference held at Mount Wolseley Hotel, Tullow, Co. Carlow on the 20th October 2006.

12.2 **THE ROLE OF THE LOCAL GOVERNMENT IN COMBATING ANTI-SOCIAL BEHAVIOUR**

An Chomhairle approved the attendance of Comhairleoirí D. Murphy, B. Bermingham, T. Fitzgerald and J. Buttimer at the Role of the Local Government in Combating Anti-Social Behaviour Conference held at the Carraig Hotel, Main Street, Carrick-on-Suir, Co. Tipperary on the 27th and 28th October, 2006.

12.3 **ASSOCIATION OF IRISH FESTIVAL EVENTS ANNUAL CONFERENCE 2006**

An Chomhairle approved the attendance of Comhairleoirí J. Kelleher and D. Murphy at the Association of Irish Festival Events Annual Conference 2006 held at The Falls Hotel, Ennistymon, Co. Clare on the 9th – 11th November, 2006.

12.4 **NATIONAL TOURISM CONFERENCE – PROMOTING CO-OPERATIVE TOURISM MARKETING**

An Chomhairle approved the attendance of Comhairleoir J. Kelleher, P. Gosch, D. Murphy, M. Shields and M. O’ Connell at the National Tourism Conference – Promoting Co-Operative Tourism Marketing Conference 2006 to be held at Falls Hotel, Ennistymon, Co. Clare on the 24th – 25th November, 2006.

12.5 **THE RESPECT AGENDA – A STEP FORWARD IN IMPLEMENTING ANTI-SOCIAL BEHAVIOUR MEASURES**

An Chomhairle approved the attendance of Comhairleoir M. O’ Connell and J. Buttimer at the Respect Agenda – A Step Forward In Implementing Anti-Social Behaviour Measures Conference 2006 to be held at the Wellington Park Hotel, Belfast on the 12th December, 2006.

13. **MOTIONS**

To consider the following motions, due notice of which has been given:-

13.1 **URBAN RENEWAL PROGRAMME – BARRACK STREET/DOUGLAS STREET**

‘That Cork City Council develops an urban renewal programme which would undertake extensive refurbishment of Barrack Street/Douglas Street areas.’

(Proposer: Cllr. S. Martin 06/170)

Planning & Development Functional Committee

13.2 **FUNDING: RE-LAUNCH, DISCOVER CORK – SCHOOLS OF CORK CITY**

‘That Cork City Council provide the necessary funding to re-launch the Discover Cork: Schools History Project 2007 (City Edition) and work in tandem with Kieran McCarthy to ensure the delivery of this project to the schools of Cork City.’

(Proposer: Cllr. S. Martin 06/328)

Corporate Policy Group

13.3 **EXTRA ALL WEATHER PITCHES – SAM ALLEN SPORTS COMPLEX**

‘Due to the huge demand from residents of my Ward, I propose that extra all weather pitches be made available in the Sam Allen sports complex’.

(Proposer: Cllr. D. McCarthy 06/449)

Recreation, Amenity & Culture Functional Committee

13.4 **PEDESTRIAN CROSSING – KNOCKFREE AVENUE**

‘I propose that a pedestrian crossing be put in place in Knockfree Avenue outside the Sam Allen sports complex’.

(Proposer: Cllr. D. McCarthy 06/ 450)

Roads and Transportation Functional Committee

13.5 **UPGRADE FOOTPATHS – RICHMOND HILL**

‘That Cork City Council would upgrade the footpaths on Richmond Hill.’

(Proposer: Cllr. C. Clancy 06/460)

Roads and Transportation Functional Committee

13.6 **FOOTPATHS AT S.H.A.R.E., CNOC MHUIRE**

‘That Cork City Council would examine the footpaths and Amenity area at S.H.A.R.E. Cnoc Mhuire, Fair Street and put in place plans to upgrade and improve landscape of area for residents.’

(Proposer: Cllr. C. Clancy 06/477)

Roads and Transportation Functional Committee

13.7 **ROADS AND FOOTPATHS IN ONSLOW GARDENS**

‘That Cork City Council consider as a priority, examining the roads and footpaths in Onslow Gardens, with a view to resurfacing the roads where they are in a very poor condition.’

(Proposer: Cllr. T. Fitzgerald 06/481)

Roads and Transportation Functional Committee

13.8 **RESURFACE THE ROAD AND INCLUDE THE FOOTPATH FROM FAIRHILL UPPER AND LOWER KILLEENS ROADS**

[‘That the Roads Division of Cork City Council liaise with Cork County Council with a view to resurfacing the road and include footpaths on both sides of the road](#)

where necessary from Na Piarasigh GAA Pavilion on Fairhill Upper to the Roundabout and include the Roundabout at Lower Killeen's Road bordering Fair Hill Drive, Larchfield Close and Parklands Drive so that it is included in the Roads Programme of both Council's.'

(Proposer: Cllr. T. Fitzgerald 06/483)

Roads and Transportation Functional Committee

13.9 **LINK ROAD FROM BALLINCOLLIG BYPASS TO MODEL FARM ROAD AND C.I.T.**

'In order to deal with the high volume of traffic (in particular the huge amount of traffic generated by Cork Institute of Technology staff and students) using estate roads in Bishopstown and in particular Melbourne Road and Uam Var Estate. I am requesting that as a matter of priority Cork City Council and Cork County Council jointly seek the necessary Government funding combined with a capital contribution from both authorities towards the overall cost of the proposed link road from Ballincollig Bypass to Model Farm Road with a link road to CIT.'

(Proposer: Cllr. M. Shields 06/497)

Roads and Transportation Functional Committee

13.10 **TORY TOP PARK, BALLYPHEHANE**

'That the footpaths in Tory Top Park be upgraded in view of the increasing use of the park by residents of Ballyphehane, Turners Cross and surrounding districts.'

(Proposer: Cllr. T. O' Driscoll 06/499)

Roads and Transportation Functional Committee

13.11 **LOCAL AREA PLAN – THE LOUGH**

'That Cork City Council prepare a local area plan for The Lough and surrounding districts.'

(Proposer: Cllr. T. O' Driscoll 06/500)

Planning & Development Functional Committee

13.12 **PEDESTRIAN CROSSING – MIDDLE GLANMIRE ROAD**

‘That a signalled pedestrian crossing be placed on the Middle Glanmire Road (as near to St Luke’s Cross as possible.)’

(Proposer: Cllr. D. Murphy 06/501)

Roads and Transportation Functional Committee

13.13 **TRAFFIC CALMING MEASURES – EDWARD WALSH ROAD**

‘That Cork City Council will put in place traffic calming measures on Edward Walsh Road as part of its 2007 Road Works Programme. At present the road is being used by a high volume of motorists, often at high speeds, as a short cut between Pouladuff Road and Togher Road.

(Proposer: Cllr. C. Lynch 06/507)

Roads and Transportation Functional Committee

13.14 **COLLECTION OF CANS & BOTTLES**

‘That the City Council will arrange, separate to standard street sweeping duties, for the collection of cans and bottles wherever they are dumped, as failure to do so leads to dangerous situations with broken glass and a tendency for others to add to any such material left uncollected in various green areas and estates around the city.

(Proposer: Cllr. F. Dennehy 06/510)

Environment Functional Committee

13.15 **DONSCOURT, BISHOPSTOWN – RESURFACING PROGRAMME 2007**

‘That Donscourt, Bishopstown, be included in the resurfacing programme for 2007 so as to bring it up to a safe and acceptable standard of public roadway.’

(Proposer: Cllr. F. Dennehy 06/511)

Roads and Transportation Functional Committee

13.16 **RENTING OF AFFORDABLE HOUSING**

‘That Cork City Council would put in place measures to ensure that people who are awarded houses under the affordable housing scheme have to give an undertaking that they will reside in the property and not lease it out or put it in the rental market where substantial money can be made by renting out houses

particularly in Shanakiel which is a very affluent area and would attract a very high rental income. Also that Cork City Council would expand on the financial institution that they currently have agreements with to provide mortgages to potential buyers under the scheme which would also include Credit Unions.

(Proposer: Cllr. M. O'Connell 06/513)

Housing & Community Functional Committee

13.17 **COMMUNITY/HEALTH CENTRE FAIRHILL**

'That Cork City Council would examine the viability of providing a Community/Health Centre for the Fairhill Area. The residents of the area have been campaigning for many years for a Community Centre for the area. Fairhill is the most expanded community in the North Side of the city with no community facilities of its own. This should be seriously addressed in conjunction with the proposed development of a new park in Bridevalley Park.

(Proposer: Cllr. M. O'Connell 06/514)

Recreation, Amenity & Culture Functional Committee

13.18 **WORKS ON THE MARDYKE**

'That Cork City Council would carry out the following works on the Mardyke: -

- A. New Drainage System to deal with the run off water on the road.
- B. Renewal of the footpaths on the Mardyke.
- C. Resurfacing of the roadway.
- D. Traffic calming measures to reduce the speed of traffic on the roadway.

(Proposer: Cllr. C. Burke 06/515)

Roads and Transportation Functional Committee

13.19 **BY-LAWS – GENERATORS & AMPLIFICATION**

'That Cork City Council would introduce the appropriate by-laws to control the use of generators and amplification equipment which are used by persons who are singing or playing on the streets within the city centre area.

(Proposer: Cllr. C. Burke 06/516)

Corporate Policy Group

13.20 **SURVEY – KNOCKHAHEENY AREA**

‘Cork City Council resolves to survey the Knocknaheeny area with a view to assessing the effectiveness or otherwise of signage in enabling emergency services to locate particular streets and furthermore resolves to make any improvements necessary.’

(Proposer: Cllr. M. Barry 06/518)

Roads and Transportation Functional Committee

13.21 **2007 ESTIMATE OF EXPENSES – TIVOLI ESTATE**

‘That Cork City Council make provision in the 2007 Estimates of Expenses for the resurfacing of Tivoli Estate and that such work be carried out after the upgrade of mains in the area.

(Proposer: Cllr. T. Brosnan 06/521)

Roads and Transportation Functional Committee

13.22 **STAGE PAYMENTS**

‘That Cork City Council requests Minister Noel Ahern T.D. to inform the Southern Law Association of the agreement that stage payments should end from January 1st 2007.

(Proposer: Cllr. T. Brosnan 06/522)

Deferred to the next meeting of An Chomhairle

13.23 **ROAD SAFETY – PEARSE ROAD**

‘That Cork City Council will put in place pedestrian measures that will assist students to cross the Road safely during school times at Maria Assumption Convent on Pearse Road.’

(Proposer: Cllr. C. Lynch 06/523)

Roads and Transportation Functional Committee

13.24 **REPORTS – STATE LABORATORY, DUBLIN**

‘Cork City Council expresses its concern at the amount of time people are being kept waiting for reports from the State laboratory in Dublin and is especially

concerned at the stress this is causing people already suffering from the trauma of the death of a relative or loved one.’

(Proposed: Cllr. M. Barry 06/524)

Deferred to the next meeting of An Chomhairle

13.25 **ABSENCE OF ESTATES FROM BISHOPSTOWN/WILTON AREA PLAN**

‘That Cork City Council given the absence of Sothbury Road, Sandymount Estate, Summerstown Estate, Wilton Lawn and Green Park in the Bishopstown/Wilton Area Plan would give special attention to the estate with a view to enhancement of public realm, paths and roads along with parks landscape and estate signs.

(Proposer: Cllr. J. Buttimer 06/525)

Roads and Transportation Functional Committee

13.26 **GLENDALE GROVE – ROAD RESURFACING PROGRAMME**

‘That Cork City Council would include Glendale Grove in the road resurfacing programme.

(Proposer: Cllr. J. Buttimer 06/526)

Roads and Transportation Functional Committee

The remainder of items on the agenda were deferred to the next meeting of An Chomhairle.