

MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL
HELD ON MONDAY, 24th APRIL, 2006

- PRESENT** An tArdmhéara, Comhairleoir D. Clune in the chair.
- NORTH EAST** Comhairleoirí 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, M. O' Connell, T. Fitzgerald.
- SOUTH EAST** Comhairleoirí D. Coughlan, C. O' Leary, T. Shannon, J. Corr.
- SOUTH CENTRAL** Comhairleoirí C. O'Connell, C. Lynch, S. Martin, T. O' Driscoll, D. Cregan.
- SOUTH WEST** Comhairleoirí J. Buttimer, F. Dennehy, M. Shields, B. Bermingham, M. Ahern.
- APOLOGIES** Comhairleoirí M. Quill, J. O'Brien.
- ALSO PRESENT** Mr. J. Gavin, City Manager.
Mr. J. Kennelly, Director of Services, Recreation Amenity & Culture
Mr. D. O'Mahony, Director of Services, Corporate Affairs
Mr. T. Healy, Head of Finance
Mr. F. Allison, Senior Executive Officer, Corporate Affairs.
Ms. J. Gazely, Senior Staff Officer, Corporate Affairs.
Ms. E. McCarthy, Staff Officer, Corporate Affairs

An tArdmhéara recited the opening prayer.

1. **VOTES OF CONGRATULATIONS**

An Chomhairle extended a vote of congratulations to:

- The Munster Rugby Team on winning the Semi Final of the Heineken Cup.
- The Members, County Manager & Staff of Cork County Council on the refurbishment of their new Council Offices.
- The Cork U21 Football Team on winning the Munster Championship.
- The Lord Mayor, City Manager and City Council Staff on the successful 1916 Cumann na mBan commemoration held on Easter Monday 17th April 2006.

2. **MINUTES**

- a) The Minutes of the Ordinary Meeting of An Chomhairle held on 10th April, 2006 were considered and approved.

3. **QUESTION TIME**

3.1 **MONUMENT TO THOSE KILLED IN THE BOER WAR**

In response to question submitted by Comhairleoir S. Martin, a written reply was circulated which stated that the monument to those killed in the Boer War will be surveyed with a view to detailing the refurbishment work now required. Once this is done consideration will be given to completing the work in 2006.

3.2 **DWELLINGS WHICH HAVE BEEN CONDEMNED SINCE 2002**

In response to question submitted by Comhairleoir C. O’Leary, a written reply was circulated which stated that:-

(1) Since 01/01/02 Cork City Council has issued no Closing Order under the provisions of the Housing Acts 1966 – 2004.

(2) Not applicable

(3) Not applicable

(4) None

(5) None

3.3 **BREAKDOWN OF THE NUMBER OF QUESTIONS SUBMITTED FOR REPLY AT COUNCIL MEETINGS**

In response to question submitted by Comhairleoir M. Barry, a written reply was circulated which stated that the number of questions submitted by each member since June 2004 was:-

COUNCILLOR	NUMBER OF QUESTIONS
Councillor Michael Ahern	5
Councillor Mick Barry	29
Councillor Brian Bermingham	14
Councillor Tim Brosnan	32
Councillor Colm Burke	14
Councillor Jerry Buttimer	37
Councillor Catherine Clancy	18
Councillor Deirdre Clune	10

Councillor Jim Corr	1
Councillor Donal Counihan	4
Councillor Denis Cregan	0
Councillor Fergal Dennehy	5
Councillor Tony Fitzgerald	9
Councillor Patricia Gosch	9
Councillor John Kelleher	15
Councillor Ciarán Lynch	24
Councillor Sean Martin	26
Councillor Dave McCarthy	11
Councillor Dara Murphy	6
Councillor Jonathan O'Brien	11
Councillor Con O'Connell	10
Councillor Michael O'Connell	19
Councillor Tom O'Driscoll	17
Councillor Denis O'Flynn	1
Councillor Gary O'Flynn	5
Councillor Chris O'Leary	9
Councillor Mairín Quill	9
Councillor Terry Shannon	6
Councillor Mary Shields	10
Councillor Annette Spillane	7
Councillor Damian Wallace	8

3.4 **REMOVAL OF GRAFFITI**

In response to question submitted by Comhairleoir J. Buttimer, a written reply was circulated which stated that the defacement of structures by graffiti is an offence under the Litter Pollution Acts 1997 and 2003. Where the perpetrators can be identified, a Notice to remove the graffiti can be served on them, otherwise on the owner of the property. Where the terms of the Notice are not complied with, a Litter Fine can be issued. A number of such Notices and Fines have been issued as appropriate.

In the case of structures owned by Cork City Council the graffiti is removed by the relevant Directorate.

3.5 **MOURNE AVENUE**

In response to question submitted by Comhairleoir T. Brosnan, a written reply was circulated which stated that the windows at the above locations will be replaced under the Planned Maintenance Programme in 2006.

3.6 **POPHAMS PARK IN FARRANREE**

In response to question submitted by Comhairleoir D. McCarthy, a written reply was circulated which stated that work is expected to be completed in the next few weeks on installation of playground, multi user games area (mini soccer/ basketball court), footpaths etc at Pophams Park. The park will be open to the public in mid May.

3.7 **WATER RATES FOR 2005.**

In response to question submitted by Comhairleoir C. Burke, a written reply was circulated which stated that the Government's Water Services Pricing Policy requires that all non-domestic properties be metered by the end of 2006. Cork City Council is currently implementing a meter installation programme to comply with this requirement.

During this period of transition some customers will have paid their non-metered charge when the meter is installed and will begin to receive quarterly bills. In these cases any credit arising from the fixed charge payment will be transferred to the new metered account.

In the case of some multi-occupancy premises the metered bill is invoiced to the property owner rather than individual occupant and any credit will be refunded to the individual non-metered account holders.

This latter situation has resulted in a small number of overpayments by customers which will be refunded as soon as practical.

3.8 **DISC PARKING IN BALLYPHEHANE**

In response to question submitted by Comhairleoir C. Lynch, a written reply was circulated which stated that:-

1. & 2 The current Disk Parking Zone (DPZ) extension scheme will be implemented in discreet stages, due to the large amount of resources required in implementing the controls. It is anticipated that the proposed extension will be completed over the period 2006 - 2007. The procedures involved include:

- Consultation with local residents and the Gardaí
- Drawing up of parking schedules
- Installing the signage and road marking controls on the ground.
- Enforcing the parking controls in the new areas.

The areas listed in questions 1 & 2 are in the current DPZ extension scheme and it is anticipated that the parking controls will be installed in these areas in late 2006/early 2007.

3. A 2 hour permitted time of parking is usually recommended to local residents. This is short enough to deter commuters or “outsiders, while facilitating those with genuine reasons to be in the area. The actual permitted time will be agreed with the local residents in each area, subject to a consistency among adjacent areas in order to avoid confusion.
4. New proposals to improve facilities for:
 - Relatives and friends visiting areas within the DPZ
 - Trades or other workers providing services in the DPZ
 - Owners/workers in commercial businesses whose premises have now become enveloped within the DPZ
 are being investigated by the Roads & Transportation SPC. The investigations and assessments include examining measures and procedures in other local authorities, which are used to deal with these issues. It is anticipated that final proposals from the SPC will be put forward to Council for approval later on this year.

3.9 **HOUSES IN SHANAKIEL**

In response to question submitted by Comhairleoir M. O’Connell, a written reply was circulated which stated that

- (a) March 2007.
- (b) 3 bedroom town house/duplex approximately €230,000.00.
2 bedroom apartment approximately €170,000.00.
- (c) Copy of Points System approved by Council attached.
- (d) No specific units will be designated for people with disabilities.

<u>Criteria</u>	<u>Points</u>	<u>Maximum</u>
<u>1</u> Does the House Type meet the accomadation needs	25	25
<u>2</u> First Time Buyer?	20	20
<u>3</u> Ownership of Land/ Dwellings in the Development Area	25	25
<u>4</u> Rent + Savings for past 2 years as % of net household income		
< 10 %	5	
11% - 20%	10	
21% - 30%	15	
31% - 40%	20	
> 41%	25	25

5 Borrowings as a percentage of Annual Disposable Income

> 51%	0	
41% -	4	
50%		
31% -	8	
40%		
21% -	12	
30%		
11% -	16	
20%		
< 10%	20	20

6 Period on Affordable Housing Waiting List

1 Year or less	5	
1 - 2	10	
Years		
2 Years plus	15	15

7 Years resident in Functional Area

Not Resident	5	
1 - 2	10	
Years		
2 - 3	15	
Years		
3 - 4	20	
Years		
4 Years plus	25	25

8 Distance of Affordable House from Employment

Up to 10 Miles	25	
> 10 Miles	0	25

Maximum **180**

3.10 **DELAY IN THE TRANSFER OF TITLE OF LAND OWNERSHIP OF CHERRY LAWN, CHURCH ROAD, BLACKROCK TO CORK CITY COUNCIL**

In response to question submitted by Comhairleoir T. Shannon, a written reply was circulated which stated that the affordable houses numbered 29 to 42 inclusive Cherry Lawn, Church Road, Blackrock, Cork were erected on property acquired by Cork City Council in 2004.

The title was complex and a number of queries were raised by the Land Registry all of which were dealt with by Cork City Council. Notice of Completion of Cork

City Council's registration as owner of the property was not completed until the 10th of April, 2006.

Filed plans showing Cork City Council's ownership have not yet issued, but same are expected shortly. As soon as the filed plans are received, all of the documentation to effect the transfers of the individual affordable houses can be completed and issued to the purchasers solicitors.

It is not proposed to issue any refunds in respect of weekly rents paid by the individual occupiers which amounts to €100 per week and are substantially less than market rental values.

4. **ANNUAL MEETING 2006**

An Chomhairle approved the recommendation from the Party Whips Meeting held on the 6th March 2006 that the Annual Meeting 2006 would be held on the last Monday of June – 26th June 2006.

5. **DRAFT ANNUAL REPORT 2005**

An Chomhairle approved the Draft Annual Report 2005. An Chomhairle also recommended that all corrections should be made prior to publication of the Annual Report 2005.

6. **HOUSING & COMMUNITY STRATEGIC POLICY COMMITTEE – 7th APRIL, 2006**

6.1 **REVIEW OF HOMELESSNESS: AN INTEGRATED STRATEGY FOR CORK 2005-2007**

An Chomhairle approved the report of the Report of the Director of Services dated 31st March 2006 on the Review of Homelessness: An Integrated Strategy for Cork 2005-2007.

6.2 **MOTIONS**

APPLICATION FEE FOR AFFORDABLE HOUSING

An Chomhairle considered the report of the Director of Services dated 31st March 2006 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council would reduce the fee for applying for the city's affordable housing lists from 65 euro to 35 euro.’

(Proposer: Cllr. M. Barry 06/48)

A vote was called for where there appeared as follows:

IN FAVOUR OF DIRECTORS REPORT: Comhairleoirí T. Brosnan, J. Kelleher, D. Murphy, C. Clancy, G. O' Flynn, D. Wallace, P. Gosch, D. McCarthy, C. Burke, M. O' Connell, T. Fitzgerald, D. Clune, D. Counihan, T. Shannon, J. Corr, C. Lynch, S. Martin, T. O' Driscoll, D. Cregan, F. Dennehy, M. Shields, B. Bermingham, M. Ahern. – (23)

AGAINST THE DIRECTORS REPORT: Comhairleoirí A. Spillane, M. Barry, C. O' Leary, C. O'Connell, J. Buttimer. – (5)

An tArd-Mhéara declared the vote carried and the report of the Director of Services dated 31st March 2006 approved.

The report of the Director of Services stated that the €65 fee is a one off payment that entitles applicants to be notified of and to express interest in **all future** Cork City Council Affordable Housing Schemes. The fee is not considered to be excessive and covers general costs related to the administration of the scheme.

6.3 **COMPENSATION TO TENANTS FOR IMPROVEMENTS THEY MAKE TO CITY COUNCIL HOUSES**

An Chomhairle approved the report of the Director of Services dated 31st March 2006 on the following motion which was referred to the Committee by An Chomhairle.

‘That this Council in recognition to its tenants, who over time, substantially enhanced their rented dwelling with new doors, windows, flooring etc, should henceforth if leaving that property be compensated for such improvements. The new tenant benefiting along with Cork City Council in quickly reletting the house without the necessity in spending large sums in improving the house.’

(Proposer: Cllr. B. Bermingham 06/92)

7. **CORPORATE POLICY GROUP – 18th APRIL 2006**

7.1 **FINANCIAL STATEMENT TO 31ST MARCH 2006**

An Chomhairle approved the Financial Statement to 31st March 2006.

7.2 **HIRING OF CONTRACTORS**

An Chomhairle agreed to defer consideration of the report of the City Manager on the following motion to the next meeting of An Chomhairle.

‘That the elected members of Cork City Council, pursuant to section 130 of the Local Government Act 2001, hereby determine that the policy of the Council in relation to the hiring of Contractors for the provision of services to or on behalf of the Council is as set out in the Schedule to this resolution.’

SCHEDULE

- A. The general standards required of a Contractor in providing services to or on behalf of the Council have governance implications for the Council. Non-performance by a Contractor, or performance by a Contractor at less than acceptable delivery or behaviour standards, or both, has implications for the Council itself. For its own protection, the Council must have the means both to take action in such circumstances and to be seen to be capable of taking such action when required.
- B. Therefore, in the interests of good governance, when hiring a Contractor the Council shall include the following provisions in its contracts.
 - (1) The Council shall explicitly reserve the means to terminate a Contractor’s contract on grounds of either non-performance or of less than acceptable standards of performance or behaviour by the Contractor. The Council shall make explicit the level of performance and behaviour required of a Contractor and the Contractor’s management and staff in the provision of services under each particular contract.
 - (2) Each Contractor shall be obliged to make an annual ‘Governance Assurance Report’ to the Council, signed by the Chief Executive of the contracting company and dealing, at the least, with the following matters:
 - (a) adherence to the full and complete terms of the contract.
 - (b) health and safety legislation - provision of copies of compliance documentation and policies.
 - (c) Fire Authority Regulations - Contractor’s certificate of compliance.
 - (d) environmental protection - Contractor’s certification in relation to any impact, together with full disclosure of any complaints received or investigations carried out during the year and details of any remedial action taken.
 - (e) fiscal obligations - provision by the Contractor of Revenue Commissioners’ certification of full tax compliance in the year under report,

- (f) necessary insurance - the Contractor shall inform the Council of the appropriate insurance cover carried by the Contractor,
 - (g) Contractor's certification of full compliance with employment legislation obligations, together with notification of any complaints received or investigations carried out during the year under report and details of remedial action taken,
 - (h) Contractor's certification in relation to the application of good standards in human resource management practice.
- C. The Council shall provide an Annual Report to the elected members and to its employee trade unions on compliance by Contractors with the requirements of paragraph B.
- D. The Council is not confined to the reporting requirements measures set out above and, following experience and/or advice, may extend the content of governance reporting measures, as required.
- E. In appropriate cases, the Council shall have an additional term in its contracts with Contractors, providing for a random 'spot check' obligation. In such a case, a Contractor would be obliged to facilitate and co-operate with the Council if it wishes to check on the accuracy of any or all of the governance assurance reporting measures. The Council shall consider appointing a competent independent party to carry out and report back on such spot checks.
- F. While it is not appropriate that the Council be expected or requested to police the employee relationships of its Contractors, it is nonetheless responsible that the Council explicitly provide in its contracts that -
- (1) the Contractor will abide by the code of practice scheduled to the Industrial Relations Act 1990 (Code of Practice on Grievance and Disciplinary Procedures) (Declaration) Order 2000 (SI 146 of 2000) in regard to grievance and disciplinary procedures,
 - (2) the employees of the Contractor will have the same right of access to the Labour Relations Commission conciliation service, the Labour Court and the Rights Commissioners service, as appropriate, as do the Council's own employees, and
 - (3) the Contractor will commit to giving the determinations and/or recommendations of these bodies their due regard under Irish Law and in accordance with best industrial relations practice.'

(Proposer: Cllr. C. Lynch 05/451)

7.3 **ABOLITION OF GROUND RENTS**

An Chomhairle approved the following motion which was referred to the Corporate Policy Group by An Chomhairle.

‘That this Council agrees that all ground rents be abolished forthwith.’

(Proposer: Cllr. C. O’Connell 06/148)

7.4 **REVIEW PRACTICE OF ERECTING PLAQUES**

An Chomhairle approved the following motion which was referred to the Corporate Policy Group by An Chomhairle.

‘That Cork City Council review its practice of erecting plaques as Corporation/City Council are now quite unsightly and are not so much a testament to achievement as they are a display of self importance.’

(Proposer: Cllr. T. Brosnan 06/158)

8. **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. **RECREATION, AMENITY & CULTURE FUNCTIONAL COMMITTEE – 18th APRIL, 2006**

9.1 **QUARTERLY REPORT ON LEISURE AND LIBRARY FACILITIES**

An Chomhairle approved the Quarterly Report of the Director of Services on Leisure and Library Facilities.

9.2 **PART 8 REPORT ON KILMORE ROAD**

An Chomhairle considered the proposed enhancement works at Kilmore Road and the report of the Director of Services dated 13th April 2006, prepared under Part VIII of the Planning & Development Act 2000.

An Chomhairle approved the Report of the Director of Services dated 13th April 2006.

The report of the Director of Services stated that the area of open space on Kilmore Road west of the Reservoir consists of a number of playing pitches. In recent years, the open space has come under threat from anti-social behaviour with joyriding and burnt out cars, regularly making the space unusable. The

Council has attempted to protect the land with the erection of single bar railing in the past but this has not alleviated the problem, with the fencing constantly being vandalised. In the last two years, in an attempt to retain the pitches which are used by local clubs, the Council installed concrete pipes on the perimeter along Kilmore Road to prevent any vehicular access. However, the pipes are very unsightly and detract from the visual amenity of the area.

Plans have been prepared to erect a low plinth wall with railings along this 300 metre section of roadway, together with a 2m side footpath adjacent to the plinth. The provision of railings will be a considerable visual improvement to the area and will allow the pitches to be brought back into use.

The proposal was advertised in accordance with Part 8 (Article 81) of the Local Government (Planning & Development) Regulations 2001 on the 23rd December 2005 with one submission being received by closing date of 14th February. The submission from Cllr. Terry Fitzgerald requested provision of a footpath and parking facilities for those using the pitches. The plans allow for provision of a footpath whilst the road is considered sufficiently wide to allow for car parking.

The proposal is in accordance with the proper planning and development of the area, it enhancing the existing open space.

The cost of the works is €450K approximately with Knocknacullen Ltd. who are presently constructing houses on adjacent lands agreeing to pay half of this cost, as they are anxious to enhance the entrance to their scheme. Work will be completed in the next month or so.

9.3 **PART 8 REPORT ON ST. MICHAEL'S CEMETERY**

An Chomhairle considered the proposed development of a new car park at St. Michael's Cemetery and the report of the Director of Services dated 13th April 2006, prepared under Part VIII of the Planning & Development Act 2000.

An Chomhairle approved the Report of the Director of Services dated 13th April 2006.

The report of the Director of Services stated that there is no car park at St. Michael's Cemetery at present. Plans have been prepared to construct a car park at the existing entrance to the cemetery on the old Ballinure Road which will rectify the problem, alleviating difficulties for local residents caused by cars parking on the roadway.

The proposal was advertised in accordance with Part 8 (Article 81) of the Local Government (Planning & Development) Regulations 2001 in the Irish Examiner on the 13th February 2006. No submissions were received by closing date of 28th March 2006.

The proposal is in accordance with proper planning and development of the area as it alleviates parking on the public road and adjoining housing estates. The works are costed at €150K approx., and scheduled to commence within the next few weeks.

9.4 **REPORT ON CORK SCREEN COMMISSION**

An Chomhairle approved the Report of the Director of Services dated 12th April 2006, on the establishment of a Joint Screen Commission between Cork City Council and Cork County Council.

The Report of the Director of Services stated that Cork City Council and Cork County Council are proposing the establishment of a joint Screen Commission.

9.5 **EXTINGUISHMENT OF RIGHT OF WAY AT PARKOWEN**

An Chomhairle approved the report of the Director of Services dated 12th April 2006, on the proposed extinguishment of right of way at Parkowen.

On the proposal of Comhairleoir S. Martin and seconded by Comhairleoir J. Corr, An Chomhairle approved the adoption of the following resolution:-

RESOLVED THAT “the public Right of Way over the pedestrian laneway from Douglas Street to Parkowen running in a westerly direction for approximately 10 metres shall be extinguished forthwith. City Manager to prepare and arrange for immediate execution by Cork City Council the required Form of Order”.

9.6 **THE LOUGH**

An Chomhairle approved the report of the Director of Services dated 18th April 2006, on the following motion which was referred to the Committee by An Chomhairle.

“That this Council doing excellent work in enhancing the Lough as a wildlife area will examine the safety of the wildlife and ways and means to ensure that they are not injured”.

(Proposer: Cllr. B. Bermingham 06/71)

The Report of the Director of Services stated that the majority of wildfowl at the Lough congregate in the southern tip adjacent to Glendalough Road. Fishing is now prohibited in this area to avoid conflict and injury to the wildfowl.

In recent months, sections of the path along the northern tip have been widened to encourage fishermen to use this area and, therefore, minimize any risk of injury to wildfowl. Draft bye-laws are also presently being prepared to regulate fishing

practices. A Parks employee is based permanently at The Lough and part of his duties is the care and protection of the wildfowl.

9.7 **SPORTING CLUBS**

An Chomhairle approved the report of the Director of Services dated 13th April 2006, on the following motion which was referred to the Committee by An Chomhairle. An Chomhairle also agreed to establish a sports committee and agreed to refer membership of the committee to the Party Whips for consideration.

‘That this Council notes with concern reports that some Sporting Clubs are questioning their financial viability and considers it timely to investigate the basis of such reports which if true Council will consider where all possible sources of financial assistance can be sourced and assist the clubs to ensure they remain within the City and the benefit these clubs are giving to the people of Cork will be maintained and strengthened into the future.’

(Proposer: Cllr. B. Bermingham 06/72)

The Report of the Director of Services stated that in recent years, the quality of sporting facilities be it playing pitches, sporting centres or associated changing facilities has dramatically improved throughout the city. The Sports Capital Programme operated by the Department of Arts, Sport and Tourism each year, which gives grants to clubs and sporting bodies who wish to upgrade their facilities has been the primary factor in this process.

The City Council recognises the value of sport, it has provided 64 playing pitches throughout the City, and is currently developing additional pitches at Mahon and at Carrigrohane. The Recreation, Amenity & Culture staff regularly assist and advise clubs in relation to grant applications and improvement works to facilities. The Council in its Development Plan, under Policy NHR 12 has an objective to protect the existing supply of sporting facilities, there being a general presumption against the loss of sports pitches.

An area of concern to most clubs is the level of volunteerism. Voluntary organisations, whether they be sporting clubs or community groups etc., are finding it difficult to attract and retain volunteers to assist in activities.

9.8 **CHILDREN’S PLAY AREA ON SKEHARD ROAD**

An Chomhairle considered the report of the Director of Services dated 12th April, 2006 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council would draw up plans and secure funding nationally to install a childrens play area in the park on Skehard Road.’

(Proposer: Cllr. T. Shannon 06/99)

An Chomhairle agreed to refer the motion back to Committee for further consideration.

9.9 **THREE RIVERS AND WALKWAYS**

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

‘That this Council will put in place a schedule of planned yearly maintenance on the three rivers and their walkways in Bishopstown. The Glasheen, Two-Pot, and Curraheen Rivers to include lighting the walkways, cleaning/ elimination of graffiti on walls, wildlife facilitation and protection, ranger supervision and whatever it takes to bring these fantastic amenities to a state that residents and visitors are proud to enjoy. Henceforth the state and work on these rivers will be reported to the functional committee.’

(Proposer: Cllr. B. Bermingham 06/151)

The Report of the Director of Services stated that the maintenance of the Glasheen, Two-Pot and Curraheen Rivers is a shared function between the Parks and Drainage Departments. The existing maintenance schedule involves keeping the river channels clear of obstruction and maintaining the embankment vegetation to protect and encourage a wide variety of riverside flora and fauna. It is appreciated that some improvement works are desirable on various sections of the three rivers, however, there are no finances in this year’s estimates to undertake this work.

A detailed costed plan on improvement works for Murphy’s Farm is scheduled to be completed by September 2006 and this will include proposals for the treatment of the Two-Pot and Curaheen Rivers.

9.10 **PARK ON CONNAUGHT AVENUE**

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

“That Cork City Council draw up plans in consultation with the ward councillors and the Connaught Avenue Resident Association to re-furbish and regenerate the park on Connaught Avenue.”

(Proposer: Cllr. S. Martin 06/07)

The Report of the Director of Services stated that draft proposals to refurbish the green area at Connaught Avenue will be prepared during June/July 2006 in Consultation with Ward Councillors and the Connaught Avenue Residents Association.

9.11 **PARKOWEN**

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

“That Cork City Council bring forward plans to develop Park Owen and endeavour to make this a state of the Art facility for the local community”.

(Proposer: Cllr. S. Martin 06/35)

The Report of the Director of Services stated that a series of meetings will be arranged during May/June with Ward Councillors and relevant Council Dept’s to discuss plans for Park Owen Amenity Area and the treatment of adjoining private lands.

9.12 **TREES ON PEARSE ROAD**

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

“That Cork City Council will replace the trees that were recently removed on Pearse Road.”

(Proposer: Cllr. C. Lynch 06/100)

The Report of the Director of Services stated that plans are in hand to replace the above trees during the planting season commencing October 2006.

9.13 **RAILINGS – NUAFARMS FIELD**

An Chomhairle considered the report of the Director of Services dated 12th April 2006 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council erect a railing around Nuafarms Field Killala Gardens, Knocknaheeny.’

(Proposer: Cllr. D. McCarthy 06/11)

An Chomhairle agreed to refer the motion back to Committee for further consideration.

10. **CORRESPONDENCE**

An Chomhairle noted correspondence.

11. **CONFERENCES**

An Chomhairle approved the attendance at the following Conferences:-

11.1 **LAMA CONFERENCE – LOCAL GOVERNMENT – DELIVERING THE FUTURE NOW**

An Chomhairle approved the attendance of Comhairleoirí T. O’Driscoll, M. O’Connell and D. McCarthy at the LAMA Conference on the 20th – 21st April, 2006 in the Newpark Hotel, Kilkenny.

11.2 **THE 15TH ANNUAL KERRY ENVIRONMENTAL RECOGNITION CONFERENCE**

An Chomhairle approved the attendance of Comhairleoirí M. O’Connell, J. Kelleher and J. Buttimer at the 15th Annual Kerry Environmental Recognition Conference on the 26/29th April 2006 in the Golf Hotel, Ballybunion, Co. Kerry.

11.3 **ENHANCING AN ENTERPRISING CULTURE – THE ROLE OF LOCAL AUTHORITIES**

An Chomhairle approved the attendance of Comhairleoir M. O’Connell at the Enhancing an Enterprising Culture – The Role of Local Authorities on the 25/26th May 2006 in the Glór Irish Music Centre, Ennis, Co. Clare

11.4 **SECOND ANNUAL WESTPORT CONFERENCE**

An Chomhairle approved the attendance of Comhairleoir M. O’Connell at the Second Annual Westport Conference on the 18/19 May 2006 in the Westport, Co. Mayo.

11.5 **THE LAW OF DEFAMATION (LIBEL & SLANDER) AS IT AFFECTS COUNCILLORS**

An Chomhairle approved the attendance of Comhairleoir T. O’Driscoll at the Law of Defamation (Libel & Slander) as it affects Councillors Conference on the 8th April 2006 in the Earl of Desmond Hotel, Tralee, Co. Kerry.

11.6 **TRAINING PROGRAMME FOR ELECTED MEMBERS OF STRATEGIC POLICY COMMITTEES**

An Chomhairle approved the attendance of Comhairleoir C. Clancy at the Training Programme for Elected Members of Strategic Policy Committees Conference on the 12th May 2006 in the Corrib Great Southern Hotel, Galway.

11.7 **LOCAL PARTNERSHIPS... ARE THEY STILL THE WAY FORWARD**

An Chomhairle approved the attendance of Comhairleoirí B. Bermingham, P. Gosch and J. Buttimer at the Local Partnerships..... are they still the way forward Conference on the 18th/20th May 2006 in The Hibernian Hotel, Mallow, Co. Cork.

11.8 **EXERCISING YOUR MENTAL HEALTH – THE ROLE OF ELECTED MEMBERS IN PROMOTING HEALTH AND WELL BEING THROUGH PHYSICAL ACTIVITY**

An Chomhairle approved the attendance of Comhairleoir J. Buttimer at “Exercising your Mental Health” - The Role of Elected Members in Promoting Health and Well Being through physical activity Conference on the 25/26 May 2006 in The Gleneagle Hotel, Killarney, Co. Kerry.

11.9 **IMPORTANCE OF ARTS IN URBAN REGENERATION**

An Chomhairle approved the attendance of Comhairleoir J. Buttimer at the Importance of Arts in Urban Regeneration Conference on the 11/12 May 2006 in the Kerry Literary & Cultural Centre, Listowel, Co. Kerry.

11.10 **THE POST BLG COUNCILLOR**

An Chomhairle approved the attendance of Comhairleoir J. Buttimer at The Post BLG Councillor Conference on the 26/27 May 2006 in the Bellingham Castle Hotel, Castlebellingham, Co. Louth.

12. **MOTIONS WHICH WERE DEFERRED FROM MEETING OF AN CHOMHAIRLE HELD ON 10TH APRIL, 2006:-**

12.1 **CORK AIRPORT**

An Chomhairle considered the following motion which was deferred from the last meeting of An Chomhairle.

‘That Cork City Council deplores the recent statement by Minister Martin Cullen in relation to Cork Airport, that no funding will be approved to service the potential debt that will be levied on Cork Airport, and that Council is now requesting that An Taoiseach Bertie Ahern intervene personally to resolve a situation that could hinder any further development at Cork Airport and instruct Dublin Airport Authority to either service the proposed debt at Cork Airport or to enter into a leasing agreement with the Airport Authority at a nominal fee that would allow Cork Airport to continue to develop in the years ahead.’

(Proposer: Cllr. M. O’Connell 06/144)

Comhairleoir D. Wallace proposed and Comhairleoir M. O’Connell seconded, that the motion be amended to read as follows:-

‘That Cork City Council regrets the recent statement by Minister Martin Cullen in relation to Cork Airport, that no funding will be approved to service the potential debt that will be levied on Cork Airport, and that Council is now requesting that An Taoiseach Bertie Ahern intervene personally to resolve a situation that could hinder any further development at Cork Airport and instruct Dublin Airport Authority to either service the proposed debt at Cork Airport or to enter into a leasing agreement with the Airport Authority at a nominal fee that would allow Cork Airport to continue to develop in the years ahead.’

Comhairleoir M. Barry proposed and Comhairleoir C. O’Leary seconded that the motion be amended to read as follows:-

‘That Cork City Council regrets the recent statement by Minister Martin Cullen in relation to Cork Airport, that no funding will be approved to service the potential debt that will be levied on Cork Airport, and that Council is now requesting that An Taoiseach Bertie Ahern intervene personally to resolve a situation that could hinder any further development at Cork Airport.’

A vote was called for where there appeared as follows:-

In Favour of Comhairleoir M. Barry's Amendment: Comhairleoirí A. Spillane, M. Barry. – (2)

Against Comhairleoir M. Barry's Amendment: Comhairleoirí T. Brosnan, C. Clancy, D. Wallace, D. McCarthy, M. O'Connell, T. Fitzgerald, D. Clune, C. O'Leary, T. Shannon, J. Corr, C. Lynch, S. Martin, T. O'Driscoll, D. Cregan, F. Dennehy, M. Shields. – (16)

An tArd-Mhéara declared Comhairleoir M. Barry's amendment defeated and Comhairleoir D. Wallace's amendment approved. .

12.2 **AMEND COUNCIL STANDING ORDERS**

Comhairleoir M. Barry proposed and Comhairleoir C. O'Leary seconded the following motion:-

'That Council would amend its own Standing Orders so that item 11 (Order of Business), part (g) (Question Time), section (i) would be changed from "each member to be allowed ask one question per meeting" to "each member to be allowed ask two questions per meeting" and that 11(g)(iv) would be changed from "only the questioner to be allowed ask one supplementary question" to "only the questioner to be allowed ask a maximum of one supplementary question even where two questions have been submitted".'

(Proposer: Cllr. M. Barry 06/153)

Deferred to the next meeting of An Chomhairle

12.3 **FINANCE FOR CENTRAL HEATING FOR TENANTS**

'That City Council calls on the Government to provide finance to enable the City Council install central heating for tenants who do not already have it.'

(Proposer: Cllr. T. Brosnan 06/188)

Deferred to the next meeting of An Chomhairle

12.4 **ELIMINATE THE PRACTICE OF CONSUMERS BEING FORCED TO PAY STAGE PAYMENTS**

‘That Cork City Council calls on the government to introduce legislation to eliminate the practice of consumers being forced to pay stage payments for houses in housing estates across the country.’

(Proposer: Cllr. J. Buttimer 06/194)

Deferred to the next meeting of An Chomhairle

13. **MOTIONS**

An Chomhairle referred the following motions to the relevant Committees:-

13.1 **ARD NA RÍ**

‘That Ard na Rí be included in the 2007 Estate Resurfacing Programme.’

(Proposer: Cllr. S. Martin 06/110)

Roads & Transportation Functional Committee

13.2 **BONAVENTURE PLACE**

‘That the cul de sac side of Bonaventure Place be included in the 2007 Estate Road Resurfacing Programme.’

(Proposer: Cllr. S. Martin 06/111)

Roads & Transportation Functional Committee

13.3 **RESURFACING OF FOOTPATHS IN MEELICK PARK**

‘That Cork City Council’s Road Department would resurface the footpaths fronting No. 7 – No. 9 Meelick Park as they are in a very poor condition.’

(Proposer: Cllr. C. Clancy 06/142)

Roads & Transportation Functional Committee

13.4 **AREA PLAN FOR SUNDAY’S WELL & SHANAKIEL AREA**

‘That Cork City would prepare a Local Area Plan for the Sunday’s Well and Shanakiel area in view of the fact that the number of residential units will multiply in the area over the next 3 years.’

(Proposer: Cllr. C. Burke (06/196))

Planning & Development Strategic Policy Committee

13.5 **DEVELOP A POLICY TO TACKLE LANDLORDS WHO ARE NOT PARTICIPATING IN WASTE COLLECTION**

‘That Cork City Council develop a policy to tackle landlords who are not participating in any Public or Private waste collection system, and put in place procedures to identify and bring rogue landlords to task.’

(Proposer: Cllr. S. Martin & Cllr. T. Shannon (06/198))

Environment Strategic Policy Committee

13.6 **CONDEMN ALL PUBLIC REPRESENTATIVES WHO ARE AND WHO HAVE BEEN INVOLVED IN WIDE SCALE CORRUPTION**

‘That Cork City Council condemns all public representatives who are and have been involved in wide scale corruption and scandals, through shady land and planning deals, taking monies for votes on such issue’s, which the tribunal are currently proceeding with, and that all political parties expel such public representatives.’

(Proposer: Cllr. C. O’Leary (06/199))

Referred to the next meeting of An Chomhairle

13.7 **CLOSE LANE BETWEEN LOUGHMAHON ROAD AND LOUGHMAHON CLOSE**

‘That Cork City Council will close the lane between Loughmahon Road, Loughmahon Close, because of ongoing anti-social behaviour.’

(Proposer: Cllr. C. O’Leary (06/200))

Roads & Transportation Functional Committee

13.8 **PROVISION OF THE BACCALAUREATE SECOND LEVEL QUALIFICATION IN CORK**

‘That Cork City Council opens discussions with local schools about the provision in the Cork region of the international baccalaureate second level qualification.

This course is for “international” students (mostly the children of people who find themselves frequently moving countries due to their jobs). It allows their children have continuity in their education. It would of course also benefit Irish people who are working abroad and intend to come home. The course is available in 83 countries and over 800 schools. Due to the high number of international companies in Cork I believe there is already a market for this provision within one of our schools. More importantly as this course is only available on a partial basis in one school in Dublin I believe it would be a very beneficial incentive in attracting further international investment to our City and region.

(Proposer: Cllr. D. Murphy (06/202))

Referred to the next meeting of An Chomhairle

13.9 **TRAFFIC CALMING MEASURES BE PLACED ON BOTANIC ROAD**

‘That this Council agrees that traffic calming measures (ramps) be placed as a matter of urgency on Botanic Road which is due to be resurfaced.’

(Proposer: Cllr. C. O’Connell (06/203))

Roads & Transportation Functional Committee

13.10 **PAINT THE TRAFFIC ISLAND AT THE JUNCTION OF HARBOUR VIEW ROAD**

‘That Cork City Council paint the traffic island at the junction of Harbour View Road and Hollyhill Lane as it is almost invisible to motorists at the moment.’

(Proposer: Cllr. D. McCarthy (06/204))

Roads & Transportation Functional Committee

13.11 **DISCONTINUE THE CURRENT CLAMPING REGIME**

‘That following the increase in fines on car owners recently introduced by Minister Martin Cullen TD, this Council instructs its officials to discontinue the current clamping regime.’

(Proposer: Cllr. T. Brosnan (06/206))

Roads & Transportation Strategic Policy Committee

13.12 **AN END FOR REQUIRING STAGE PAYMENTS FROM HOUSE PURCHASERS**

‘That Cork City Council calls on both the Taoiseach and the Law Society to bring about an end to the anti consumer practice of builders in Cork requiring and getting stage payments from house purchasers. Both Taoiseach and the Law Society could bring about change quite simply had they a mind to so do.’

(Proposer: Cllr. T. Brosnan (06/207))

Referred to the next meeting of An Chomhairle

13.13 **TO PUT IN PLACE A NOTICE WHEN ENGAGING IN WORKS**

‘That Cork City Council would put in place as a matter of courtesy and good practice a written and verbal public notice to residents when engaging in works involving repair and closure of roads, paths, and turning water off.’

(Proposer: Cllr. J. Buttimer (06/208))

Roads & Transportation Functional Committee

13.14 **AUDIT OF THE PUBLIC LIGHTING IN THE ESTATE ROADS IN UAM VAR**

‘That Cork City Council would carry out an audit of the public lighting in the estate roads in Uam Var and as a matter of urgency would install public lighting in areas currently lacking.’

(Proposer: Cllr. J. Buttimer (06/209))

Roads & Transportation Functional Committee

13.15 **EXTENSION TO THE CITY BOUNDARY**

‘That Cork City Council would write to the Minister to seek an extension to the City boundary.’

(Proposer: Cllr. D. McCarthy (06/210))

Corporate Policy Group

13.16 **PUT PROPER ROAD MARKINGS IN PLACE ON THE TORY TOP ROAD**

‘That Cork City Council will ensure that proper road markings are put in place on the section of Tory Top Road between Connolly Road and the Curragh Road Junction. This is still outstanding following earlier resurfacing work carried out on the road.’

(Proposer: Cllr. C. Lynch (06/211))

Roads & Transportation Functional Committee

13.17 **REVIEW THE CIVIC LIST**

‘That Cork City Council will carry out a review of its Civic List. Cork over many years has nurtured both artistic and sporting achievement. More recently it has also become a diverse and cosmopolitan place in which to live. It should therefore set about establishing a Civic List which would reflect the many and various aspects that exist within our city.’

(Proposer: Cllr. C. Lynch (06/212))

Corporate Policy Group

13.18 **CORK SWANSEA FERRIES LTD.**

‘That Council expresses its opposition to the practice of Cork Swansea Ferries Ltd of operating ships which fly a flag of convenience and calls on the company to answer the serious charges put to it by the International Transport Workers’ Federation that crew on board the Superferry are being paid less than the national minimum wage.’

(Proposer: Cllr. M. Barry (06/213))

Referred to the next meeting of An Chomhairle

13.19 **REPAIRS TO THE RAILINGS AT NO. 1 CHURCHFIELD WAY UPPER**

‘That Cork City Council carry out repairs to the railings at No. 1 Churchfield Way Upper which were damaged recently and are in a very dangerous condition.’

(Proposer: Cllr. M. O’Connell (06/214))

Housing & Community Functional Committee

13.20 **DISC PARKING TO BE EXTENDED IN BLARNEY STREET**

‘That disc parking is extended in Blarney Street from Baker’s Road to Blarney Road.’

(Proposer: Cllr. M. O’Connell (06/215))

Roads & Transportation Functional Committee

13.21 **LACK OF PLACES IN NATIONAL SCHOOLS FOR CHILDREN WITH LANGUAGE IMPAIRMENTS**

‘That Council expresses its concern at the lack of places for children affected by verbal dyspraxia and specific language impairment in language classes attached to national schools for the new school year 2006/2007.’

(Proposer: Cllr. M. Barry (06/216))

Referred to the next meeting of An Chomhairle

13.22 **BIRCH PLACE, TOGHER TO BE CONSIDERED FOR RESURFACING**

‘That Birch Place, Togher be considered for resurfacing as the road is currently in a very bad state of disrepair.’

(Proposer: Cllr. F. Dennehy (06/217))

Roads & Transportation Functional Committee

13.23 **SECURITY AT FITZGERALD PARK**

‘Whilst acknowledging one of the most well kept and presented parks in Ireland, I request that Cork City Council increase the weekend security at Fitzgearld Park to ensure the safety of all users of the park and in doing so enforce laws prohibiting consumption of alcohol in public places thus ensuring that the park is more family friendly. I would also request that a bicycle parking zone would be located in closer proximity to the security hut rather than at the rear of the museum.’

(Proposer: Cllr. F. Dennehy 06/218)

Recreation, Amenity & Culture Functional Committee

13.24 **FENCING BETWEEN CHAPEL GATE AND KEMPTON PARK, BALLYVOLANE**

‘That Cork City Council would examine the fencing between Chapel Gate and Kempton Park, Ballyvolane with a view to upgrading it to a standard that does not lend it to accumulating rubbish.’

(Proposer: Cllr. C. Clancy 06/219)

Recreation, Amenity & Culture Functional Committee

13.25 **DISABLED PARKING PERMITS**

‘That Cork City Council along with the relevant bodies, conduct an audit of the disabled parking permits in circulation with a view to establishing

- (a) How many permits are currently in circulation
- (b) How many are valid
- (c) To whom are they allocated to
- (d) Revoking all permits and re-issuing new permits with permit numbers and annual expiry dates.’

(Proposer: Cllr. T. Shannon 06/222)

Roads & Transportation Functional Committee

13.26 **EXTEND CITY BOUNDARIES**

‘Having regard to the prediction contained in the Indecon International Consultants Report on the funding of Local Government in Ireland that there will be a requirement by 2010 for additional current expenditure of the order of €1,000 to €2,000 million per annum compared to 2004 expenditures if levels of service provision are to be maintained; and having regard to an unlikely decision by any Government to increase, through a new local tax, the share of Local Authority expenditure that is funded locally.

Cork City Council deems it to be of the utmost importance that the boundaries of Cork City be extended in order to increase substantially the City’s rate base and enable it to play its essential role as the engine of growth for Metropolitan Cork (as set out in CASP) and also pursue the objection set out for the City in the National Spatial Strategy ie. a Hub City playing an active role in the ongoing drive to act as a counter magnet to the full of the Greater Dublin Area for investment and job creation. Cork City Council believes that drawn out negotiations with the neighbouring Local Authority will continue to be laborious and unproductive and that the City should now invoke Section 56 (part 8) of the Local Government Act 2001 and request the Minister for the Environment and Local Government to establish a commission to decide the most appropriate areas of jurisdiction for both Local Authorities so that Local Government can lead and successfully plan for appropriate employment creation community development, joined up public service delivery and the city can support the required higher order aspects of social and cultural life for the region.’

(Proposer: Cllr. J. Corr 06/224)

Corporate Policy Group

13.27 **PARK AND RIDE FACILITY AT TINKERS CROSS**

‘That we the five Local Public Representatives of the North East Ward request the City Manager to

1. Consider fully the valid arguments against the current proposal to locate a Park and Ride facility at Tinkers Cross, Mayfield.
2. To acknowledge that the said site is both unsuitable and unacceptable.
3. Arising out of this to seek out a suitable and acceptable alternative site to service the agreed need for Park and Ride facility for the North East side of the City.
4. Agree to develop the green space at Tinkers Cross for Recreational Purposes.’

(Proposers: Cllr. M. Quill, Cllr. T. Brosnan, Cllr. J. Kelleher, Cllr. A. Spillane, Cllr. D. Murphy 06/225)

Roads & Transportation Functional Committee

13.28 **LIGHTING AT BALLYHOOLEY ROAD**

‘That the old and inadequate lighting at the entrance to Oakpark on the Ballyhooley Road be urgently upgraded as it’s causing serious problems for the residents.’

(Proposers: Cllr. D. Murphy, Cllr. M. Quill, Cllr. T. Brosnan, Cllr. J. Kelleher, Cllr. A. Spillane 06/226)

Roads & Transportation Functional Committee

14. **TENDERS**

The following tenders were opened:

- 9 no. tenders for the design of layout and supply of library fittings at Bishopstown Library.

This concluded the business of the meeting.

ARDMHÉARA
CATHAOIRLEACH