

**MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL**  
**HELD ON MONDAY, 22<sup>nd</sup> MAY 2006**

- PRESENT** An tArdmhéara, Comhairleoir D. Clune in the chair.
- NORTH EAST** Comhairleoirí T. Brosnan, D. Murphy, A. Spillane.
- NORTH CENTRAL** Comhairleoirí M. Barry, C. Clancy, G. O' Flynn, D. Wallace, P. Gosch.
- NORTH WEST** Comhairleoirí J. O' Brien, D. McCarthy, C. Burke, M. O' Connell, T. Fitzgerald.
- SOUTH EAST** Comhairleoirí D. Counihan, C. O' Leary, D. O' Flynn, 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. Kelleher.
- ALSO PRESENT**
- Mr. Joe Gavin, City Manager.
  - Mr. Jim O'Donovan, Director of Services, Community & Enterprise.
  - Mr. Kevin Terry, Director of Services and City Engineer.
  - Mr. Damien O'Mahony, A/Senior Exec. Officer, Housing & Community.
  - Ms. N. Mulcahy, A/Senior Executive Officer, Corporate Affairs.
  - Ms. Elma McCarthy, Staff Officer, Corporate Affairs

An tArdmhéara recited the opening prayer.

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

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

- O' Leary family on the death of Michael O' Leary
- Bradley family on death of Christine Bradley
- O' Riordan family on the death of Michael O' Riordan
- Murphy family on the death of Christy Murphy
- Riordan family on the death of Val Riordan
- O' Connor family on the death of Tim O' Connor.
- McIlkenny family on the death of Richard McIlkenny
- Ryder family on the death of Jim Ryder.

1. (b) **VOTES OF CONGRATULATIONS**

An Chomhairle extended a vote of congratulations to:

- Lord Mayor, City Manager and staff, Gardai in organising the Cork Homecoming for the Munster Rugby Team at short notice.
- Munster Rugby Team for their achievements in winning the ‘Heineken Cup’ 2005/2006.
- Garda Commissioner and his staff in Dublin for their work in peacefully resolving the Afghan situation. Comhairleoir M. Barry requested his objection to this vote of congratulations be recorded.
- Brian Kennedy in his achievements for Ireland being placed tenth in the Eurovision Song Contest 2006.

1.(c) **CIVIC RECEPTION**

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

- The Munster Rugby Team ‘Heineken Cup’ winners 2005/06.
- The Whites’s Cross Junior Football Team & Mayfield Junior Hurling Team, Winners of the McSwiney & MacCurtain Cups 2005.

2. **MINUTES**

The Minutes of the Ordinary Meeting of An Chomhairle held on 8<sup>th</sup> May 2006 were considered and approved with the following amendments:

**ITEM 3.7**

Details of all Planning Permissions Granted since 2000 – Following a supplementary question from Comhairleoir M. Barry, the City Manager agreed to provide figures requested at one meeting, once same are compiled.

**ITEM 6.8**

Extinguishment of the Public Right of Way at 28 Boyces Street, Blarney Street, Cork – Comhairleoir P. Gosch requested that the existing stepped laneway known as Morris’s Lane would be gated at specific times.

3. **QUESTION TIME**

3.1 **CARMELITE PLACE – DERELICT SITE**

In response to the question submitted by Comhairleoir D. McCarthy a reply was given which stated that the above development is the subject of a planning application by the owner. Further information has been sought by the planning authority with a due date of

the 21<sup>st</sup> June 2006. It is understood the developer wishes to develop the property as soon as he receives planning approval. Under these circumstances the matter will be kept under review.

### 3.2 **LAND FOR LOCAL AUTHORITY HOUSING**

In response to a question submitted by Comhairleoir S. Martin a reply was given which stated that

(a) A total of 33.26 hectares designated for housing remains in City Council ownership within the City boundary.

(b) The following is a ward breakdown of the lands in question :

<b>Ward</b>	<b>Site Area (ha)</b>
North West	5.252
North Central	22
North East	2.228
South East	1.41
South West	2.37

### 3.3 **HOUSING SCHEME – BOHERBOY ROAD**

In response to a question submitted by Comhairleoir M. Quill a response was given which stated that:

(a) Cork City Council have recently engaged the services of O'Mahony, Pike Architects with a view to preparing a planning application for submission to Cork County Council.

(b) The proposed scheme will be a mixed tenure development consisting of private, affordable and social housing.

It is envisaged that a planning application will be lodged with Cork County Council by August and depending on the outcome of the planning process, work should commence on site in early 2007.

### 3.4 **DOMESTIC REFUSE – CHARLEMONT TERRACE**

In response to the question submitted by Comhairleoir J. Kelleher a reply was given which stated that the refuse referred to has been removed and disposed of. A search of the contents did not provide information that would enable legal action under the Litter pollution Acts 1997 to 2003 to be taken.

The Litter Warden Service is, however, carrying out an ongoing programme of action in this general area on a continuing basis.

### 3.5 **INSTALLATION OF CENTRAL HEATING IN RENTED ACCOMMODATION**

In response to a question submitted by Comhairleoir C. O' Connell a reply was given which stated that:

1. €700,000 will be required as the City Council's contribution to Central Heating in the current year.
2. The estimated cost is € 3.5m.
3. The Government will contribute € 2.8m

### 3.6 **OVERCROWDING – HOUSING LIST**

In response to a question submitted by Comhairleoir M. Barry a reply was given which stated that members will be aware that under the Housing Act, 1966, a house shall be deemed to be overcrowded when the number of persons ordinarily sleeping in the house and the number of rooms therein either:-

(a) are such that any two of those persons, being persons of ten years of age or more of opposite sexes and not being persons living together as husband and wife, must sleep in the same room, or

(b) are such that the free air space in any room used as a sleeping apartment, for any person is less than four hundred cubic feet (the height of the room, if it exceeds eight feet, being taken to the eight feet, for the purposes of calculating free air space)

In accordance with this definition, therefore, the number of eligible applicants on the Council's social housing lists currently grouped in the category "overcrowded" is 348. Following analysis of the 348 eligible applicants, there are a total of 877 people living in overcrowded accommodation. This suggests an average family size of 2.5 people per household and as such overcrowding would not arise. However, the majority of overcrowding cases emanate from applicants living in parental accommodation. The possibility of utilising private rented accommodation to alleviate this could be pursued by applicants as a viable option until an appropriate vacancy arises from within Cork City Council's housing stock.

Of the 877 people living in overcrowded accommodation, a total of 429 are children under 18 years of age. The table below sets out the numbers of children within the different age groups.

<b>AGE</b>	<b>NO. OF CHILDREN</b>
0-5 years	262
6-10 years	89
11-18 years	78

### 3.7 **REGISTER OF ELECTORS**

In response to the question submitted by Comhairleoir M. O' Connell, a reply was given which stated that all information received on the accuracy of the Register of Electors is noted, then checked and verified by Cork City Council staff. Once verified, any amendments, additions, deletions etc. will be updated on the Draft Register of Electors 2007/2008.

The Franchise Section continually endeavours to ensure the accuracy of the Register of Electors by use of

- Publicity Post
- Liaising with other sections of Cork City Council
- Liaising with other L.A's
- Employment of Enumerators
- Publicity Campaigns
- Information from the Death Event Publications Service is also being used to update the current register.

A major review of the Register of Electors will be undertaken by the Franchise Office in June. Additional resources will be provided for additional field staff, administration and an increased publicity campaign:

Information received regarding the accuracy of the Register is welcomed and accepted.

### 3.8 **KINSALE ROAD FLYOVER**

In response to a question submitted by Comhairleoir C. Lynch a reply was given which stated that it is expected that the contract for the Kinsale Road Flyover will be completed before the end of this year.

### 3.9 **REDEVELOPMENT OF THE GRAND PARADE**

In response to the question submitted by Comhairleoir J. Buttimer a response was given which stated that the Grand Parade Street Renewal Contract comprises the construction of a new urban streetscape across the entire Grand Parade. This will include:

- › Creating a new pedestrian space on both sides of Grand Parade
- › Constructing the proposed pedestrian area in granite paving
- › Renewing the carriageway surface
- › Renewing all underground services
- › Putting in place a new public lighting scheme

The expect date of completion is December 2007

### 3.10 **LOCAL AREA PLAN – ST. LUKES**

In response to a question submitted by Comhairleoir T. Brosnan a reply was given which stated that a plan is currently being jointly prepared by the Planning and Development Directorate (Planning Policy) and the Roads and Transportation Directorate (Traffic Division) for St. Luke's Cross.

The plan is an action plan, which will take into account the designation of the St. Luke's Cross/Wellington Rd. area as an Area of Special Character, and the location of St. Luke's Cross on a Green Route.

Current proposals being examined includes the extension of the public realm at the St. Luke's Cross junction. This would involve extending certain existing footpaths near the junction, and ensuring that the materials used are to standard which takes account of the ASC status of the area. In addition, the proposals for St. Luke's Cross will take account of the need to balance car parking requirements with measures to prevent severe traffic congestion. A new public lighting scheme will also be provided at St. Luke's Cross.

In terms of a timeframe for the completion of plan preparation, the Planning Authority anticipates that the plan will be complete by middle of Summer 2006.

### 3.11 **PROLIFERATION OF ADVERTISING SIGNS ON MALLOW/COMMONS ROAD**

In response to a questions submitted by Comhairleoir D. Wallace a reply was give which stated that this matter relates to unauthorised signs on the Mallow /Commons Road & the Old Mallow Road adjacent to the Blackpool Shopping Centre.

Two planning enforcement files have been opened on the 2 locations & have been investigated by the Planning Enforcment Section. The investigation included both desk top investigation & on site inspection & ownership investigation.

The current status on the 2 Efiles are as set out hereunder:

- E 5884 -- On Coleman Bros. land at Commons Road. Following the issuing of a Warning Letter the signs have been removed & the enforcement file is closed. The signs were not erected by Coleman's or with their approval.
- E 5883 -- On Iarnród Eireann lands at Old Mallow Road. A Warning Letter has been issued against Iarnród Eireann & they are investigating the matter. The enforcement file will be reviewed in a months time & the members will be advised accordingly.

## 4. **MARKETING CORK**

An Chomhairle approved the report of the City Manager dated 18<sup>th</sup> May 2006 on Marketing Cork.

5. **CEOL EXHIBITION**

An Chomhairle approved the report of the City Manager dated 18<sup>th</sup> May 2006 on the Ceol Exhibition.

6. **PART VIII – BLACKROCK CASTLE**

On the proposal of Comhairleoir T. Shannon seconded by Comhairleoir J. Corr An Chomhairle approved the report of the City Manager dated 18<sup>th</sup> May 2006 on Part VIII, proposed development of Amenity & Car Parking Facility adjacent to Blackrock Castle, Castle Road, Blackrock.

7. **HUGUENOT CEMETERY, CAREY’S LANE**

An Chomhairle noted the report of the City Manager dated 18<sup>th</sup> May 2006 on the Huguenot Cemetery, Carey’s Lane.

8. **SCHEDULE OF MEETINGS**

An Chomhairle approved the amended Schedule of Meetings for July to December 2006.

9. **COMMUNITY DEVELOPMENT GRANTS 2006**

An Chomhairle approved the Community Development Grants 2006 as circulated at the meeting.

10. **CORPORATE POLICY GROUP**

10.1 **FINANCIAL STATEMENT TO 30<sup>TH</sup> APRIL 2006**

The Corporate Policy Group approved the Financial Statement to 30<sup>th</sup> April 2006.

10.2 **MOTIONS**

10.2.1 **REVIEW THE CIVIC LIST**

An Chomhairle approved the report of the City Manager on the following motion which was referred to the Corporate Policy Group by An Chomhairle.

‘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)

The report of the City Manager stated that Cork City Council's Civic Invite List is structured under several headings to represent the Civic Life of the City i.e. Members of Cork City Council, Management of Cork City Council, Former Lords Mayor, Politicians, Church, Media, Public Bodies, Freemen of the City and Strategic Policy Committee Sectoral Interest Representatives. The Civic List is updated according to changes in organisations and personnel and is always under review.

#### 10.2.2 **EXTENSION TO THE CITY BOUNDARY**

An Chomhairle approved the report of the City Manager on the following motions which were referred to the group by An Chomhairle.

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

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

‘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 i.e. 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)

The report of the City Manager stated that a report on a possible boundary extension is currently being prepared. It will address the issue within the parameters of the Local Government Acts 1999 and 2001. The Minister makes the final decision “in the interests of effective and convenient local government”



(S.31 (1) a of the 1999 Act. The report will have regard to the objectives of Cork City Council as set out in its Corporate Plan 2004-2009 in defining “effective and convenient local government”.

The report will also be influenced by the views of Council Members expressed when this matter was considered in Council. I anticipate that the report will be ready by mid-July. It will be brought to Council and Members can then decide whether it is appropriate to refer it to the Joint Committee Cork City Council and Cork County Council for consideration.

#### 10.2.4 **RATE REBATE SYSTEM**

An Chomhairle approved the report of the City Manager on the following motion which was referred to the Corporate Policy Group by An Chomhairle.

‘That Cork City Council will give consideration to putting in place a rate rebate system for the temporary use of retail units in the City Centre in relation to charitable and artistic events.

This proposed system would come into effect, when a retail unit is temporarily not in use, in examples such as:

- Due to a change of ownership or change of lease holder.
- When a building is due to undergo development and is awaiting either planning permission or a schedule for works to begin.
- And whereby the premises are being used on a short basis to host either a charitable organisation or an artistic event.’

(Proposer: Cllr. C. Lynch 06/246)

The report of the City Manager stated that in determining whether rates should be paid on a given property cognisance must be taken of the nature of the decision made by the Valuation Office when first valuing the property. As a rule a property is valued on its capacity to be used commercially and not the purpose to which it will subsequently be put.

Once the property is valued the Council is legally obliged to levy and collect rates based on the valuation in force. Under the Valuation Act 2001 certain charitable organisations can apply to the Valuation Office for exemption from rates. There are stringent conditions to be met in order to achieve exemption which are outlined in the Act and these can be made available to interested parties before exemption is sought. The Valuation Office will determine eligibility for exemption on application.

The 2001 Act also provides that:

Any art gallery, museum, library, park or national monument which is open to the public and which is not established for the purpose of making a private profit or any property established for the advancement of literature or the fine arts and used exclusively for that

purpose and not for private profit may be deemed to be not rateable. The Valuation Office will again determine eligibility on application. In the case of vacancy a 50% refund of rates paid is available in respect of any property which was vacant on the date that the rate was made, subject to certain conditions covered in the question under reply. This refund is calculated to cover the actual period of vacancy. No other provision exists to cover vacancy.

The law governing rates is very specific and would not allow for the establishment of a rates rebate system. However if an organisation is involved in an artistic or charitable event and this is a short term activity which would not warrant an appeal to the Valuation Office a case can be made to the Collector of Municipal Rate who can recommend a write off of rates to the City Manager in certain circumstances if it is deemed appropriate.

11. **ENVIRONMENT STRATEGIC POLICY COMMITTEE – 15<sup>th</sup> MAY, 2006**

11.1 **LITTER MANAGEMENT 2005**

An Chomhairle approved the report of the A/Director of Services on Litter Management for the year to 31<sup>st</sup> December 2005.

12. **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.

13. **ENVIRONMENT FUNCTIONAL COMMITTEE – 15<sup>th</sup> MAY, 2006**

13.1 **SANITARY AND OTHER SCHEMES**

An Chomhairle approved the report of the A/Director of Services on Sanitary and Other Schemes for the year to the 30<sup>th</sup> April 2006.

13.2 **ENVIRONMENTAL MATTERS**

An Chomhairle approved the report of the A/Director of Services on Environmental Matters for the year to 30<sup>th</sup> April 2006.

13.3 **LITTER MANAGEMENT**

An Chomhairle approved the report of A/Director of Services on Litter Management for year ended 31<sup>st</sup> December 2005.

13.4 **METERING OF NON DOMESTIC PREMISES**

An Chomhairle noted the report of the A/Director of Services on present position in relation to metering of non domestic premises for water supply which is required under EU legislation. The report indicated that the metering programme was well underway and

the vast majority of city premises would be metered in the current year. A new meter reading and billing system is also being implemented.

13.5 **MOTION**

An Chomhairle approved the following motion which was referred to the Committee by An Chomhairle. Comhairleoir S. Martin requested that his objection to this motion be recorded.

‘That Cork City Council seeks that national legislation is brought into being that would ensure the transport of hazardous substances be carried by means other than on road, when such options represent a safer option.’

(Proposer Cllr. C. O’ Leary 06/249)

14. **PLANNING & DEVELOPMENT FUNCTIONAL COMMITTEE –  
15<sup>th</sup> MAY 2006**

14.1 **TWINNING COMMITTEE**

**TWINNING GRANTS 2006**

An Chomhairle approved the schedule of Twinning Grants for 2006.

14.2 **PLANNING AND DEVELOPMENT MATERIAL CONTRAVENTIONS TO THE  
CORK CITY DEVELOPMENT PLAN 2004**

An Chomhairle approved the report of the Director of Service Planning and Development Dated 11<sup>th</sup> May 2006, on the material contravention to the Cork City Development Plan 2004 & unanimously agreed on the proposal of Comhairleoir J. Buttimer seconded by Comhairleoir D. Wallace to resolve under the provisions of section 34 (6) (a) (iv) of the Planning & Development Act 2000 ‘that the Cork City Development Plan 2004, adopted on the 8<sup>th</sup> December 2003, be materially contravened in respect of the following:

“Permission for development of its freehold site of circa 0.76 hectares at Deerpark Road, Cork for the construction thereon of: 1. Ten residential units providing independent and Supported accommodation for adults with a learning disability who are engaged in open or sheltered employment in the vicinity. The development will consist of: (a) Two pairs of two storey 6 bedroom houses, one pair of single storey 4 bedroom houses and a two storey apartment building containing two 1 bedroom apartments and two 2 bedroom apartments, i.e. residential accommodation for a total of 38 persons, and (b) Ancillary site works, including new entrance off the existing entrance road at Rossbarra, together with internal roads, parking areas, footpaths, landscaping, below ground services and street lighting. (TP05/30402)”.

### 14.3 **HOUSING ESTATES**

An Chomhairle approved the report dated 11<sup>th</sup> May 2006 of the Director of Services, Planning & Development & City Engineer on Housing Estates (January – April 2006).

### 14.4 **PLANNING STATISTICS**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 11<sup>th</sup> May, 2006 on the number of planning applications determined and deferred from 1<sup>st</sup> January, 2006 to 30<sup>th</sup> April, 2006.

### 14.5 **ENFORCEMENT STATISTICS**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 11<sup>th</sup> May, 2006 on Planning Enforcement Statistics for period 1<sup>st</sup> January, 2006 – 30<sup>th</sup> April, 2006.

### 14.6 **MOTIONS**

#### 14.6.1 **BOND SECURED ON PRIVATE DEVELOPMENTS**

An Chomhairle approved the report of the Director of Services Planning & Development and City Engineer on the following motion which was referred to the Committee by An Chomhairle:

‘That Cork City Council Planning Department index link the Bond secured on Private Developments’.

(Proposer: Cllr. C. Clancy 06/52)

The report of the Director of Services, Planning and Development and City Engineer stated that the requirement for a Developer to lodge a Bond or such other security as may be accepted by the Planning Authority, in the sum to be determined by Cork City Council, is included as a condition of planning permission.

The condition requires that the bond or security shall provide for adjustment on a monthly basis, in accordance with the Consumer Price Index (CPI) of the Central Statistics Office, of the amount of the Bond as approved by Cork City Council.

I ask the Committee to accept this report and to recommend it to Council for approval.

#### 14.6.2 **CHAPEL GATE/KEMPTON, BALLYVOLANE**

An Chomhairle approved the report of the Director of Services Planning & Development and City Engineer on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council Planning Department take in charge Chapel Gate/Kempton, Ballyvolane’.

(Proposer: Cllr. C. Clancy 06/53)

The report of the Director of Services stated that at present there is a Surety Bond in place with a value of €38,092.14 (plus indexation linked to the Consumer Price Index), with a current expiry date of 30<sup>th</sup> May 2006.

There have been ongoing negotiations by relevant officials from the relevant City Council Directorates with O’Mahony Developments Ltd., in order to have the outstanding remedial works completed to our satisfaction, prior to the taking the estate in charge.

If these negotiations are not successfully concluded to our satisfaction by the 31<sup>st</sup> May 2006, the Planning Authority will initiate planning enforcement proceedings, within the statutory time frames set out in Part VIII of the Planning & Development Act 2000, in respect of non-compliance with the relevant planning conditions. Proceedings for ‘putting a claim’ on the Bond will also be initiated.

I ask the Committee to accept this report and to recommend it to Council for approval.

#### 14.6.3 **UNAUTHORISED DESTRUCTION OF TREES**

An Chomhairle approved the report of the Director of Services Planning Development and City Engineer on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council carry out a review of development to the south of South Ridge, Silversprings with a view to establishing if there has been any unauthorised destruction of trees by the Developer and can officials please confirm the results of the review’.

(Proposer: Cllr. T. Brosnan 06/159)

The report of the Director of Services stated that Planning Reference No. 03/27715 in respect of a residential development at Silversprings as amended by An Bord Pleanála decision Pl 28.206607 contains a specific condition in relation to landscaping. In order to achieve compliance with this condition consultations have taken place with our Executive Horticulturist and I can confirm that compliance has been achieved in full.

I will ask the Parks and Amenities Section to continue to monitor the development.

## 14.7 **MOTION**

An Chomhairle approved the report of the Director of Services and City Engineer, City Manager on the following motion which was circulated for consideration:

“That Cork City Council Planning officers carry out a review of building / construction activity in the various sites opposite (south of), The Orchards, Middle Glanmire Road with a view to establishing if all planning regulations are being observed.”

(Proposer: Cllr.T.Brosnan 06/34)

The report of the Director of Services stated that an inspection of the Planning Register and a field check confirmed that the only construction activity occurring within the area specified by Cllr. Brosnan relates to Parkville House, Middle Glanmire Road, Montenotte.

Planning history and construction activity on the site can be summarised as follows:

- **TP 00/23873:** Conditional permission granted on 15 March 2002 for extension to basement and change of use of same to childcare centre.
- **TP 02/26596:** Conditional permission granted on 9 September 2003 for a change of use of an existing two storey semi-detached building with basement under (formerly CIF Headquarters and Parkville House) from mixed domestic and office use to educational use only, and extension to the basement crèche.
- **TP 06/30671:** A planning application for a change of use to private secondary school has been lodged and is currently under consideration with a decision due by the 25<sup>th</sup>. May 2006.

On the 5<sup>th</sup> December 2005, the developer lodged a commencement notice with Building Control, stating the developer’s intention to commence works on 19<sup>th</sup> December 2005, in respect of permission TP 02/26596.

Based on a review of the relevant planning files and on-site inspection of the subject site, the Planning Enforcement has determined:

- The subject construction activity relates to permission TP 02/26596, i.e. the conversion of the former C.I.F. offices and Parkville House to accommodate a crèche at basement level and an educational facility at ground and first floor level.
- The construction activity to date is substantively in accordance with the permitted drawings and specifications.
- A technical breach of some conditions attached to the planning permission has occurred, as development commenced before agreement was formally reached with the Planning Authority in relation to site signage, landscaping, waste management, and water connections.

Given these findings, an enforcement file (ref: E 5904) has been opened & a Warning Letter has been served on the developer, in relation to non-compliance with the pre-conditions that require agreement prior to the commencement of development.

15. **CORRESPONDENCE**

An Chomhairle noted correspondence.

16. **CONFERENCES**

An Chomhairle approved the attendance at the following Conferences:-

16.1 **THE 15<sup>TH</sup> ANNUAL KERRY ENVIRONMENTAL RECOGNITION CONFERENCE**

An Chomhairle approved the attendance of Comhairleoir T. O'Driscoll at the 15th Annual Kerry Environmental Recognition Conference on the 26/29<sup>th</sup> April 2006 in the Golf Hotel, Ballybunion, Co. Kerry.

16.2 **HOUSING SERVICES – LOCAL GOVERNMENT**

An Chomhairle approved the attendance of Comhairleoir M. Ahern at Housing Services – Local Government Conference on the 28/29<sup>th</sup> April 2006 in the Shannon Key West Hotel, The River Edge, Rooskey, Co. Leitrim.

16.3 **THE FUTURE OF LOCAL AUTHORITIES – SERVICE PROVIDERS OR REGULATORS?**

An Chomhairle approved the attendance of Comhairleoirí J. Corr and D. Cregan at the Future of Local Authorities – Service Providers or Regulators Conference on the 18/19<sup>th</sup> May 2006 in the Knockranny House Hotel, Westport, Co. Mayo.

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

An Chomhairle approved the attendance of Comhairleoir D. McCarthy at the Local Partnerships..... are they still the way forward Conference on the 18<sup>th</sup>/20<sup>th</sup> May 2006 in The Hibernian Hotel, Mallow, Co. Cork.

16.5 **DELIVERING COMMUNITY AND LOCAL DEVELOPMENT**

An Chomhairle approved the attendance of Comhairleoir G. O'Flynn at the Delivering Community and Local Development Conference on the 26<sup>th</sup> May 2006 in Killashee House Hotel, Naas, Co. Kildare.

16.6 **SOCIAL INCLUSION AND EQUALITY A FAIRER ECONOMY AND SOCIETY**

An Chomhairle approved the attendance of Comhairleoir G. O’Flynn at the Social Inclusion and Equality a Fairer Economy and Society Conference on the 8<sup>th</sup> June 2006 in the White House Hotel, Ballinlough, Co. Roscommon.

16.7 **ENHANCING AN ENTERPRISE CULTURE – THE ROLE OF LOCAL AUTHORITIES**

An Chomhairle approved the attendance of Comhairleoir D. Cregan at the Enhancing an Enterprise Culture – The Role of Local Authorities conference on the 25<sup>th</sup>/26<sup>th</sup> May 2006 in Glor Irish Music Centre, Ennis, Co. Clare.

16.8 **WHOS OWNS IRISH HEALTHCARE?**

An Chomhairle approved the attendance of Comhairleoir C. Lynch at the Who Owns Irish Healthcare conference on the 18<sup>th</sup> to 20<sup>th</sup> May 2006 at the Auburn Lodge Hotel, Ennis, Co. Clare.

17. **MOTIONS**

**To consider the following motions which were referred from meeting of An Chomhairle held on 8<sup>th</sup> May, 2006:-**

17.1 **MERCY/ SOUTH INFIRMARY/ VICTORIA HOSPITALS – NEW HOSPITAL**

An Chomhairle approved the following motion:

‘That Cork City Council would consult with the management of the Mercy Hospital and South Infirmary/ Victoria Hospital with a view to identifying a site which would be suitable for a new hospital for the Cork region.’

(Proposer: Cllr. C. Burke 06/231)

17.2 **EUROPEAN REFUGEE FUNDING**

An Chomhairle approved the following motion:

‘Council expresses its astonishment at the decision to stop European Refugee funding for NASC.’

(Proposer: Cllr. M. Barry 06/238)



17.3 **STATUTORY FORM OF INQUIRY INTO THE SCANDAL OF ORGAN RETENTION**

An Chomhairle approved the following motion:

‘Council calls for the establishment of a statutory form of inquiry into the scandal of organ retention.’

(Proposer: Cllr. M. Barry 06/239)

17.4 **ELECTORAL COMMISSION**

An Chomhairle approved the following motion:

‘That Cork City Council calls on the Minister for the Environment Dick Roche TD to establish an Electoral Commission immediately, to correct the current inaccuracies in the system, which would be independent of Government, and would have responsibility for compiling the electoral register with the assistance of the local authorities.’

(Proposer: Cllr. C. O’ Leary 06/248)

**To consider the following motion which was deferred from meeting of An Chomhairle held on 8<sup>th</sup> May, 2006:-**

18. **CORK SWANSEA FERRIES LTD.**

An Comhairle reconsidered the following motion and correspondence received thereon.

‘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))

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

**FOR:** Comhairleoirí A. Spillane, M. Barry, C. Clancy, C. O’ Leary, D. O’ Flynn. (5)

**AGAINST:** Comhairleoirí D. Wallace, P. Gosch, T. Fitzgerald, D. Clune, D. Counihan, T. Shannon, J. Corr, S. Martin, J. Buttimer, M. Shields. (10)

An tArd-Mhéara declared Comhairleoir M. Barry’s motion defeated.

19. **MOTIONS**

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

19.1 **DESMOND SQUARE**

‘That Desmond Square be included in the 2007 Estate Road Resurfacing Programme.’

(Proposer: Cllr. S. Martin 06/114)

**Roads & Transportation Functional Committee**

19.2 **UPPER PATRICKS ROAD**

‘That Upper Patrick Rd. be included in the 2007 Road Resurfacing Programme.’

(Proposer: Cllr. S. Martin 06/115)

**Roads & Transportation Functional Committee**

19.3 **FOOTPATH AT HOLLYMOUNT EST.**

‘That Cork City Council provide a footpath between Hollymount Est. and Hollymount.’

(Proposer: Cllr. D. McCarthy 06/229)

**Roads & Transportation Functional Committee**

19.4 **TRAFFIC LIGHTS BALLYVOLANE/ NORTH RING ROAD**

‘That Cork City Council Roads/ Traffic Department would prioritise the putting in place of the Traffic lights at the junctions of Ballyvolane Rd/ North Ring Road (near Firestation) to allow drivers coming from Ballyvolane exit in safety.’

(Proposer: Cllr. C. Clancy 06/232)

**Roads & Transportation Functional Committee**

19.5 **AMENITY AREA IN SUNVIEW FAIRHILL**

‘ That Cork City Council landscape the amenity area fronting the homes in Sunview Fairhill and include the area in the 2006 weed control programme.’

(Proposer: Cllr. C. Clancy 06/233)

**Recreation, Amenity & Culture Functional Committee**

19.6 **NUFARM SC KNOCKNAHEENY**

‘I propose that when the Cork City Council vacates the section of grounds they now occupy at Nufarm SC Knocknaheeny, that City Council would;

- Erect a wall and railing around the ground
- Provide state of the art dressing rooms
- Provide an all weather pitch for this club that caters for up to 300 children between the ages of 6-16 years of age.’

(Proposer: Cllr. D. McCarthy 06/234)

**Recreation, Amenity & Culture Functional Committee**

19.7 **PUBLIC LIGHT IN THE LOUGH**

‘That Cork City Council put money in next years Estimates to carry out a major upgrading of public light in the Lough as this is a city walk amenity.’

(Proposers: Cllr. S. Martin, Cllr. C. Lynch, Cllr. T. O’Driscoll 06/236)

**Roads & Transportation Functional Committee**

19.8 **STOP SIGN AT THE END OF ST. JOSEPHS LAWN**

‘That a stop sign be put at the end of St. Joseph’s Lawn going into Brookfield to make motorists aware of the dangers.’

(Proposer: Cllr. F. Dennehy 06/254)

**Roads & Transportation Functional Committee**

19.9 **TARA LAWN/ COURT INCLUDED IN ROAD SURFACING PROGRAMME**

‘That Tara Lawn/Court be included in the road surfacing programme.’

(Proposer: Cllr. F. Dennehy 06/255)

**Roads & Transportation Functional Committee**

19.10 **GLENTHORN ROAD, DUBLIN HILL**

‘That the strip of land at the end of the cul-de-sac at Glenthorn Road, Dublin Hill, be taken into the ownership of Cork City Council so that the area can be maintained properly to avoid a nuisance to nearby residents.’

(Proposer: Cllr. P. Gosch 06/256)

**Recreation, Amenity & Culture Functional Committee**

19.11 **REPAIR THE ROAD ON FAIR HILL UPPER**

‘That Cork City Council repair the road on Fair Hill Upper and upgrade the footpaths from the Junction of Mt. Agnes Road to Lower Killeens with a particular focus on the section near Na Piarasaigh GAA Pavilion and the entry to Larchfield and Parklands Drive and leading down to the Blackstone Bridge.’

(Proposer: Cllr. T. Fitzgerald 06/257)

**Roads & Transportation Functional Committee**

19.12 **REPAIR THE FOOTPATH ON BLARNEY ROAD**

‘That urgent repairs are made to the footpath on Blarney Road from Hollyhill Lane to Hollymount Estate northwards bordering Hillcrest Estate and Laurel Ridge which would also include the removing of weeds and reinforcing sections of the wall where necessary.’

(Proposer: Cllr. T. Fitzgerald 06/258)

**Roads & Transportation Functional Committee**

19.13 **“NO CYCLING ON FOOTPATHS” SIGNS**

‘Bearing in mind the dangers for pedestrians, that “No Cycling on Foot-paths” signs be erected at various locations, and that more cycle lanes be provided for cyclists.’

(Proposer: Cllr. J. Kelleher 06/261)

**Roads & Transportation Functional Committee**

19.14 **GLENCOO GARDENS, BOREENMANNA ROAD**

‘That the road in Glencoo Gardens, Boreenmanna Road would be repaired as a matter of urgency as it is in very poor condition and would be included in the Estimates for 2007.’

(Proposer: Cllr. D. O’Flynn 06/265)

**Roads & Transportation Functional Committee**

19.15 **PEDESTRIAN CROSSING IN SKEHARD ROAD**

‘That a pedestrian crossing would be put in place as a matter of extreme urgency in Skehard Road (close by St. Michael’s cemetery) so that children & adults can cross in safety to the new amenities located at Loughmahon Park.’

(Proposer: Cllr. D. O’Flynn 06/266)

**Roads & Transportation Functional Committee**

19.16 **DIRECT LABOUR SECTION OF CITY COUNCIL**

‘That this Council agrees that a special joint meeting of the Housing Functional and SPC Committees be held with a view to reviewing the direct labour section of Cork City Council. This system always guaranteed a cheaper and better build house along with providing local jobs.’

(Proposer: Cllr. C. O’Connell 06/268)

**Housing Functional Committee**

19.17 **BALLYPHEHANE GAA CLUB**

‘That this Council provide the full funding for the fencing planned for the Ballyphehane GAA Club at The Green, Tramore Road.’

(Proposer: Cllr. C. O’Connell 06/280)

**Recreation, Amenity & Culture Functional Committee**

19.18 **PLAQUES AND IRON LAMPS ON PATRICKS BRIDGE**

‘That Council directs that maintenance work be done as soon as possible on the stone plaques and iron lamps on Patrick’s Bridge.’

(Proposer: Cllr. M. Barry 06/283)

**Roads & Transportation Functional Committee**

19.19 **OLD GRATTAN ST. CARPARK**

‘Council resolves that the old Grattan St. carpark no longer used as a depot or as a site for dumping calls on Council management to give a clear indication of what positive use it intends to make of this space, the benefits that will accrue to the local community and the timescale for introducing these changes.’

(Proposer: Cllr. M. Barry 06/284)

**Planning and Development Functional Committee**

19.20 **NEW PARK IN FARRANREE**

‘That Cork City Council would consider naming the new park in Farranree after Jack Lynch who served the area as T.D. for many years and as this is the first purpose built recreation park in Farranree it would be a lasting tribute to a man who served not only his City well but also his Country as Taoiseach.’

(Proposer: Cllr. M. O’Connell 06/285)

**Recreation, Amenity & Culture Functional Committee**

19.21 **OPEN DAY IN CORK CITY COUNCIL**

‘That Cork City Council would have an open day along the same lines as the European day held in the Dail recently whereby standing orders could be suspended to allow a Government Minister to take questions from members similar to Managers questions with the option of a supplementary and a debate around this issue raised.’

(Proposer: Cllr. M. O’Connell 06/286)

**Corporate Policy Group**

19.22 **GREENHILLS COURT, SOUTH DOUGLAS ROAD**

‘That Cork City Council would carry out much needed remedial work in Greenhills Court South Douglas Road. This work should include.

1. Complete footpath renewal.
2. Re-surfacing of road carriageway in the various cul-de-sac’s.
3. Cleaning of drains and installation of additional storm drains.
4. Upgrading of the public lighting system.
5. Removal of some green areas to enable greater parking spaces for residents.

6. Pruning of trees.
7. Drawing up of an action plan for the future development of the park area between housing and the landfill site.

(Proposer: Cllr. T. Shannon 06/287)

**Roads & Transportation Functional Committee**

19.23 **CORK SWANSEA SUPERFERRY**

‘That Cork City Council calls on the International Transport Federation and Cork Swansea Ferries to avail of the services of The Labour Relations Commission to conduct an independent audit into the current pay and working conditions of the crew members of the Cork Swansea Superferry.’

(Proposer: Cllr. J. Kelleher 06/290)

**Deferred to the next meeting of An Chomhairle**

18.24 **ST. LUKES VILLAGE**

‘That recognising the fact that St. Lukes is one of the last remaining villages within the borough boundary, Cork City Council would move without delay to develop an action plan for the area with a view to conserving and enhancing the village characters of this unique historic part of our city.’

(Proposer: Cllr. M. Quill 06/291)

**Planning & Development Strategic Policy Committee**

19.25 **TRAFFIC CALMING MEASURES ON GLEN AVENUE**

‘That Cork City Council install traffic calming measures on Glen Avenue in order to improve safety for residents exiting Glenview Park.’

(Proposer: Cllr. T. Brosnan 06/292)

**Roads & Transportation Functional Committee**

19.26 **THE GLEN REGENERATION PROGRAMME**

‘That Cork City Council complete all remaining works under Phase 1 of the Glen Regeneration Programme especially in the eastern section of Comeragh Park where the road surface in particular and entrances to some homes need immediate attention.’

(Proposer: Cllr. T. Brosnan 06/293)

**Housing Functional Committee**

19.27 **CATCH AND RELEASE FISHING ONLY AT THE LOUGH**

‘That Cork City Council will enact a by-law to ensure that only ‘Catch and Release’ fishing is allowed at The Lough.’

(Proposer: Cllr. C. Lynch 06/294)

**Recreation, Amenity & Culture Functional Committee**

19.28 **REPLACE FOOTPATH ON LR. KENT ROAD**

‘That works be carried out as part of the 2007 Roads Work programme to replace the existing footpath on Lr. Kent Road. The current poor state of the footpath presents both a danger to pedestrians and a possible liability to Cork City Council.

In addition, this work would allow local residents to avail of the Council’s ‘footpath dishing scheme’, thereby facilitating greater access for residents to park their cars on their own property.’

(Proposer: Cllr. C. Lynch 06/295)

**Roads & Transportation Functional Committee**

19.29 **NUMBER 3 BUS SERVICE**

‘That Cork City Council calls on Bus Eireann to provide an adequate and satisfactory No. 3 bus service to the Blackpool/ Farranree area as the present service has remained unsatisfactory, despite representations and delegations to Bus Eireann on the matter.’

(Proposer: Cllr. P. Gosch 06/296)

**Deferred to the next meeting of An Chomhairle**



19.30 **ONE DAY REFUSE AMNESTY**

‘That Cork City Council will introduce a one day “Refuse Amnesty” at the landfill site on Kinsale road to assist in the cleaning up the City and the suburbs.’

(Proposer: Cllr. J. Buttimer and T. Fitzgerald 06/297)

**Environment Functional Committee**

19.31 **REVIEW OF THE STREET CLEANING SYSTEM**

‘That Cork City Council will carry out a review of the street cleaning system in suburbia affected by car parking and introduce a plan to clean all roads and estates in suburbia.’

(Proposer: Cllr. J. Buttimer 06/298)

**Environment Functional Committee**

**ARDMHÉARA  
CATHAOIRLEACH**