

MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL
HELD ON MONDAY 14th JUNE 2010

- PRESENT** An tArdmhéara Comhairleoir D. Murphy in the Chair.
- NORTH EAST** Comhairleoirí J. Kelleher, T. Brosnan, T. Tynan.
- NORTH CENTRAL** Comhairleoirí M. Barry, C. Clancy, P. Gosch, K. O'Flynn, T. Gould.
- NORTH WEST** Comhairleoirí J. O'Brien, M. O'Connell, T. Fitzgerald.
- SOUTH EAST** Comhairleoirí D. Cahill, L. McGonigle, D. O'Flynn, T. Shannon, C. O'Leary, K. McCarthy, J. Corr.
- SOUTH CENTRAL** Comhairleoirí L. Kingston, E. O'Halloran, S. Martin, M. Finn, F. Kerins.
- SOUTH WEST** Comhairleoirí J. Buttimer, M. Shields, M. Ahern, G. Gibbons.
- ALSO PRESENT** Mr. J. Gavin, City Manager.
Mr. T. Healy, Head of Finance.
Mr. T. Duggan, City Architect.
Mr. P. Ledwidge, Director of Services, Docklands.
Ms. V. O'Sullivan, Director of Services, Recreation Amenity & Culture.
Mr. D. O'Mahony, Director of Services, Corporate Affairs.
Mr. J. Ward, Senior Executive Planner, Planning & Development.
Mr. P. Moynihan, Meetings Administrator, Corporate Affairs.
Mr. C. Dorgan, Senior Staff Officer, Corporate Affairs.

An t-Ardmhéara recited the opening prayer.

1. SUSPENSION OF STANDING ORDERS

On the proposal of Comhairleoir J. Corr, seconded by Comhairleoir S. Martin, An Chomhairle agreed to suspend Standing Orders and to consider the business of An Chomhairle as set out in the Agenda.

1.1. VOTES OF SYMPATHY

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

- Quinlivan Family on the death of Mr. Patrick Quinlivan.
- Long Family on the death of Mr. Dermot Long.
- Keane Family on the death of Mr. Timmy Keane.
- Whelan Family on the death of Mr. Dermot Whelan.
- Desmond Family on the death of Mr. Cyril Desmond.

1.2 **VOTES OF CONGRATULATIONS**

An Chomhairle extended a vote of congratulations to the following:-

- Meitheal Mara & the Ocean to the City Organisers.
- Archaeological Survey Unit on the completion of the 5th volume of the Cork Archaeological Survey.
- Bishop Buckley & organisers of the Corpus Christi Procession.
- John McCarthy & the Mad Pride Day Organisers.
- Cork City Marathon organisers.
- Organisers of the World Street Performance Championship.
- Irish Boxing Team on their performance at the European Amateur Championship in Moscow.
- Alan Healy, Evening Echo reporter on his recent marriage to Lisa.
- Fintan Lane on his participation in recent aid convoy to Gaza.

2. **MINUTES**

The minutes of Ordinary Meeting of An Chomhairle held on 24th May 2010, were considered and approved.

3. **QUESTIONS**

3.1 **CAR OCCUPANCY PERCENTAGES PER MONTH IN 2009 IN PAUL STREET AND KYRL'S QUAY MULTI STOREY CAR PARKS**

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

To ask the Manager what were the average car occupancy percentages per month in 2009 in Paul Street and Kyrl's Quay multi storey car parks?

Given the huge fluctuations in parking demand trends across different times of the day, week, and year, the average occupancy does not fully represents the entire range of parking behaviours. It should also be noted that the two car parks in question have different operating hours and capacity.

On this basis, the tables below illustrate both the highest and average occupancy percentages for each month:

Paul Street Car Park (740 spaces)			North Main Street Car Park (400 spaces)		
Opening Hours	Monday to Saturday	07:30 to midnight	Opening Hours	Monday to Saturday	07:30 to midnight
	Sunday	11:30 to midnight		Sunday	Closed
2009	Highest Occupancy	Average Occupancy	2009	Highest Occupancy	Average Occupancy
January	99%	73%	January	100%	68%
February	97%	73%	February	100%	67%
March	99%	74%	March	100%	68%
April	99%	79%	April	93%	69%

May	93%	74%	May	96%	69%
June	95%	77%	June	77%	64%
July	89%	78%	July	82%	67%
August	96%	78%	August	100%	76%
September	95%	77%	September	100%	66%
October	99%	85%	October	100%	74%
November	100%	84%	November	100%	67%
December	100%	94%	December	100%	96%

It should be noted that the lower than expected average occupancy rate in North Main Street car park in November coincides with flooding in the city.

3.2 **BIN COLLECTION AT THE ORCHARDS, GLASHEEN ROAD.**

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

Why are the mainly elderly residents of The Orchards, Glasheen Road obliged to wheel their heavy refuse bins up to Glasheen Road for collection by Cork City Council refuse trucks? I am reliably informed that the private collectors have no problem driving their trucks into The Orchards and collecting the bins at residents gates.

Cork City Council's waste collection vehicles are unable to gain access to The Orchards, Glasheen Road due to vehicles parked at both side of The Orchards which is a cul de sac.

If any elderly resident has a particular difficulty in bringing their wheelbin to the collection point at the junction of The Orchards and Glasheen Road they should contact the Waste Operations Section of the Environment Department who will examine their circumstances.

3.3 **BLACKROCK ROAD CLEANSING**

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

To ask the City Manager if he will outline the City Council's cleansing and litter control policy for the Blackrock Road and in particular the stretch from Church Road to Blackrock Village?

The Blackrock Road between Church Road to Blackrock Village is cleaned every Wednesday by mechanical sweeper. When available a manual sweeper accompanies the mechanical sweeper. Also the flying squad pick up truck has been dispatched to this area on request.

3.4 **CLASSROOMS AT TANK FIELD, BAILE NA MBOCHT**

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

In relation to a recent Notification of Decision to Grant conditional permission Ref TP 10/34310 to construct temporary first floor extension for 2 years for pre fabricated classrooms at Tank Field, Baile na mBocht, could the Manager explain:

How the City Council official has the legal right or authority to grant Planning Permission to change the zoning of lands, as outlined in the City Development Plan 2009, without first obtaining the approval of the elected councilors via a motion for the Material Contravention of the Development Plan for the change of zoning requirement on the relevant land.

What are the implications of the decision for future planning applications which would contravene the zoning in the City Development Plan 2009.

Having regard to the fact that the proposed accommodation does not result in the loss of land zoned sports ground to other forms of development, as it does not extend the footprint of the existing school on its grounds, the City Council was of the view that the proposal did not constitute a material contravention.

The zoning of the lands as set out in the Cork City Development Plan 2009-2015 has not been changed as a result of this decision.

3.5 **CENTRAL HEATING IN COUNCIL PROPERTIES**

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

How much money has been spent on installing central heating in Council properties for the years 2005, 2006, 2007, 2008 and 2009.

<u>Year</u>	<u>Amount</u>
2005	€ 1,312,766
2006	€ 2,240,205
2007	€ 4,307,932
2008	€ 3,391,056
2009	€ 2,468,357
	<hr/>
Total	€ 13,720,316
	<hr/>

A total of 2,350 properties had central heating installed under the Scheme which was offered to all Council tenants (Excluding Regeneration areas).

Any properties not completed will be considered in the context of the Planned Maintenance Budget.

3.6 **ST. MARYS LIBRARY**

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

Given that the Manager gave an undertaking that the future use of St. Mary's Library would be for local community groups and given that this undertaking is not now being adhered to, what plans are being put in place to cater to these groups who serve the community and who are in dire need of accommodation?

In advising the City Council with regard to the future use of St. Mary's Road Library I indicated that it should be used for community purposes. Members had expressed concern about the number of elderly people living in the Shandon area who were in need of facilities. In this regard, agreement was reached with the HSE to use the former St. Mary's Road Library as a community resource and to provide there a range of facilities for the elderly including the possibility of a drop in centre.

I am aware that many Members of the City Council regard such an arrangement as very appropriate.

With regard to the matter of accommodation for other community groups, it should be noted that the situation of these groups is no different than it was when St. Mary's Road Library was functioning.

The City Council, as always, seeks to assist community groups and if anything specific can be done in relation to the groups in question the City Council will be happy to have it examined.

I might mention that there is a proposal before tonight's Council Meeting to provide accommodation for the Butter Exchange Band and The Girl Guides in a new building in John Redmond Street.

3.7 **NORTHSIDE ENHANCEMENT SCHEME & HOLLYHILL LANE**

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

Can the Manager inform me of:

- a) Any future plans under the Northside Enhancement Scheme.*
 - b) The current status of plans for Hollyhill Lane & Nash's Boreen under the Scheme, and if possible to explore options to develop Hollyhill Lane in conjunction with Apple and to collaborate with Cork County Council with a view to resurfacing Nash's Boreen and develop any lands in ownership of Cork City Council.*
- a) The Northside Enhancement Scheme proved successful and has considerably improved the environment of the area. Regeneration of housing in the area will continue with The Glen Regeneration Scheme about to go on site coupled with the Review of the Knocknaheeny Masterplan.

- b) Hollyhill Lane and Nash's Boreen will be considered in the context of the Knocknaheeny Masterplan Review and discussions with Apple are on-going. The development of lands owned by Cork City Council are unlikely to take place in the near future

3.8 **SOUTH PARISH PLAN**

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

With regard to the South Parish Plan, and mindful of recent replies regarding same, can the Manager answer the following substantive issues:-

- *What funding is currently in place for the plan, what funding sources are to be utilised and what funding role will central government play in trying to get it to fruition?*
- *Is it a case of the plan being implemented on a phased basis and if so what is the time-line for the various phases?*
- *What kind of consultation will take place regarding making streets one-way (mindful that while one-way systems can work well, they invariably create problems at other locations in the catchment area)?*

The *South Parish Area Action Plan* was adopted in March 2010. The Implementation Strategy for the area action plan is included on page 31 of the adopted plan. In addition to those projects specified in Table 7.1, the City Council also intends to establish a Working Group to review the findings of the *Elizabeth Fort and Precinct Feasibility Study 1997* and to consider the future of the fort (see page 17 of the plan).

Since the adoption of the *Area Action Plan* the following projects have been progressed to implementation stage:

- The *South Parish Painting Grants Scheme 2010* has now been confirmed in principle and is due to be advertised in June 2010. The scheme is funded from Cork City Council resources;
- The *South Parish Tourist Walking Trail* has been designed and its installation is due to commence in the coming month. The walkway will officially be launched in September 2010. Funding has been secured from the Department of Transport for this project.

The public realm works for the Barrack Street, Douglas Street and Friar Street areas are due to be implemented in 2011-2013. The design work for Barrack Street (to Pouladuff Road) is programmed for completion by end of 2010. The funding for these works has not yet been identified but it is likely that works will be funded directly by the City Council or from development contributions.

All projects that are subject to statutory processes will be widely consulted upon in the normal way. This will include large-scale public realm upgrades that are subject to planning applications and amendments to existing traffic management regimes.

3.9 **TREES ON CAHERGAL LAWN, BALLYHOOLEY ROAD, DILLON'S CROSS**

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

Will the City Manager inform Council when or if the high trees on the south side of Cahergal Lawn, Ballyhooley Road, Dillon's Cross will be trimmed and topped?

The trees on the embankment at Cahergal Lawn will be added to the tree works schedule for late autumn.

3.10 **COMMUNITY BASED PROGRAMMES**

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

To ask the City Manager what support Cork City Council is giving to the promotion of community based programmes for alternative activities for bonfire night, how many of these are outside of RAPID areas, and what measures are in place to minimize or prevent the collection of material for illegal bonfires?

Following on the success of the last two years Bonfire Night Events Projects on June 23rd, the Council is again organizing and supporting a number of family friendly events throughout the City on the evening of Bonfire Night. The project is being managed by the Recreation, Amenity and Culture Department, with the support of Community Wardens, RAPID Coordinators, the Gardai, Emergency Services, local community groups and other agencies. An Event Coordinator has been engaged to assist with the delivery of the project.

Five major outdoor events are planned in City Council parks as follows, with a range of activities such as games, bouncing castles, sports, face painting, karaoke etc

Kilmore Park, Knocknaheeny

Pophams Park, Farranree

Glenamoy Park, Mayfield

Loughmahon Park, Mahon

Clashduv Park, Togher.

Organised, supervised bonfires will take place at the Clashduv Park, Loughmahon Park and Kilmore Park events. Particular focus has been placed on having local groups and clubs participate in all projects. A full programme giving times of events will be circulated to Councillors in the next few days

In addition, support is also being given to other community events being organized in Blackpool (Blackpool Youth Club), Kerryhall Road, Willow Park, Douglas and Bishoptown (Bishopstown Youth Project, Community Ass, Gardai).

Last year, 8000 people attended these events, with over 40 community groups involved in their organisation, as well as over 150 local community volunteers. It is particularly encouraging to note a number of new projects this year. (Glenamoy Lawn, Willow Park and Bishoptown). The Bishopstown and Willow Park projects are not in RAPID areas.

The Council's Parks Department as in previous years will endeavour to remove bonfire material where possible, but in recent years, much of the material is hoarded securely until the actual night itself. Priority will be given to removing material where there is a risk to health and safety, property, power lines etc.

3.11 LEASE FOR THE POD ON SOUTH MALL

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

To ask the City Manager if any lease has been agreed on the pod on South Mall. If so, can he provide us with the details of same. If not, is he hopeful that one will be agreed in the near future?

No lease has yet been put in place in respect of the coffee pod on the South Mall / Grand Parade. Tenders have been received in respect of the operation of the pod and these are currently being examined. This tender assessment will be completed within the month.

3.12 DEVELOPMENT OF HORGAN'S QUAY

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

Can the Manager advise if CIE has made any progress in relation to the development of the Horgan's Quay site and in the absence of any progress can City Council look at its options and the possibility of making a direct approach to Government in relation to its development.

CIE had an agreed partnership with a private sector party for the development of Horgan's Quay. Many meetings had been held with our Planning Department and broad agreement had been reached on an outline for development. However, the arrangement between CIE and the private sector party did not survive and there is no indication now of any planned development. The current state of the economy is likely to result in some further delay in seeing this area developed.

3.13 CORK OPERA HOUSE

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

Will the Manager make a statement to Council outlining the circumstances which resulted in the departure of Mr. Gerry Barnes as Chief Executive of Cork Opera House?

Cork City Council has appointed a Board of Directors to look after matters at the Opera House. The City Council has no involvement in the day to day operation or management of the Opera House which is a separate legal entity.

4. **CORNMARKET STREET RENEWAL**

An Chomhairle noted the report of the City Manager dated 10th June 2010, on the Cornmarket Street Renewal.

5. **VAT – REFUSE CHARGES**

An Chomhairle noted the report of the City Manager dated 10th June 2010, on the VAT – Refuse Charges.

6. **VAT – MULTI-STOREY CAR PARKS**

An Chomhairle noted the report of the City Manager dated 10th June 2010, on the VAT – Multi-Storey Car Parks.

7. **BUTTER EXCHANGE BAND AND GIRL GUIDES**

An Chomhairle considered and approved the report of the City Manager dated 10th June 2010, on the Butter Exchange Band and Girl Guides.

8. **CORK OPERA HOUSE**

An Chomhairle considered and approved the report of the City Manager dated 10th June 2010, and on the proposal of Comhairleoir S. Martin, seconded by Comhairleoir J. Corr, approved the making of an interest free loan of €1m to Cork Opera House to be repaid within a period of fifteen years with a moratorium on repayments for the first three years of the term.

9. **THE GREAT STREET AWARD**

An Chomhairle noted the report of the City Manager dated 10th June 2010, on the Great Street Award.

10. **APPOINTMENT OF CITY MANAGER**

An Chomhairle considered the report of the City Manager dated 10th June 2010 and on the proposal of Comhairleoir T. Shannon, seconded by Comhairleoir J. Corr, agreed to adopt the following resolution:-

“**RESOLVED THAT** Cork City Council, on foot of a recommendation from the Public Appointments Service Ref: 1016907/LA 13/05/2010 dated 29th May 2010, agrees to appoint Mr. Tim Lucey, Knockaveale, Bandon, Co. Cork as Cork City Manager with effect from 1 September 2010 in accordance with Section 6 (4) of the Local Authorities (Officers and Employees) Act 1926 and subject to the provisions of the Local Government Act 2001”.

11. **AFFORDABLE HOUSING PROPERTY DISPOSALS**

An Chomhairle considered and approved the report of the Director of Services, Housing & Community dated 10th June 2010, on the following Disposal:-

- a) Disposal of unit No. 1, 22 & 23 Ard Na Rí, Banduff, Cork to Affordable Housing applicants under the Affordable Housing Scheme. On the proposal of Comhairleoir S. Martin, seconded by J. Kelleher, the disposal was approved.

12. **DEFERRED ITEM FROM MEETING OF AN CHOMHAIRLE HELD ON 24th MAY 2010**

12.1 **ONE-WAY SYSTEM AT CLOVER HILL LANE**

Members considered the report of the City Manager, dated 13th May 2010, regarding One-Way System at Clover Hill Lane.

Following discussion, and on the proposal of Comhairleoir T. Shannon, seconded by Comhairleoir L. McGonigle a vote was called for whether to accept the City Managers report and to approve the option to make the current one-way system permanent, where there appeared as follows:-

FOR: Comhairleoirí J. Kelleher, D. Murphy, C. Clancy, P. Gosch, J. O'Brien, T. Fitzgerald, D. Cahill, L. McGonigle, D. O'Flynn, T. Shannon, C. O'Leary, E. O'Halloran, S. Martin, J. Buttimer, M. Ahern, G. Gibbons.-(16)

AGAINST: Comhairleoirí K. O'Flynn, K. McCarthy, J. Corr, L. Kingston, M. Shields.-(5)

ABSTAINED: Comhairleoir T. Tynan, M. Barry, T. Gould, M. Finn, F. Kerins.-(5)

An tArd-Mhéara declared the vote carried and the option of making the current one-way system permanent approved.

13. **PLANNING & DEVELOPMENT STRATEGIC POLICY COMMITTEE – SPECIAL MEETING HELD ON 31st MAY 2010**

13.1 **DEVELOPMENT OF PÁIRC UI CHAOIMH**

An Chomhairle considered the report of the City Manager dated 18th March 2010, on the development of Páirc Uí Chaoimh Stadium and also the recommendation of the Planning & Development Strategic Policy Committee from its Special Meeting held on 31st May 2010, as follows:

‘That the revised proposal from the G.A.A. dated May, 2010 for the development of Páirc Uí Chaoimh be facilitated in principle and with this in mind, negotiations take place between G.A.A. and City Council Officials on the details of how this is to be accommodated’.

At the outset of the debate the City Manager stated the following:

There was full support for the upgrading of Páirc Uí Chaoimh Stadium and for the sale of land to the GAA to accommodate this. For this purpose the area of land sought was 2.8 acres –

- 2 acres for circulation space around the main stadium
- .55 of an acre for the stand extension
- .25 of an acre being part of Marina Hall.

The disposal of the 2.8 acres would enable the stadium to be increased to accommodate 50,000 spectators and to provide the following:

- 4 Dressing Rooms
- 1 Referee Room
- 1 First Aid Room
- 1 Gymnasium

Function Rooms, Offices, Meeting Rooms, A Museum, A Restaurant, Corporate Boxes and Hospitality Rooms.

The GAA were also seeking land for the provision of a full size all-weather playing pitch which would be floodlit and have a stand for 1,000 spectators. The land sought was 4.27 acres for the pitch and 1.81 acres circulation space totalling 6.08 acres.

The City Manager referred to previous advice given and to reports from planning officials which drew attention to difficulties which the provision of this facility would cause:

1. It would divide and compromise the proposed Marina Public Park approved by the City Council.
2. It would breach the zoning approved by the City Council.
3. It would conflict with the provisions of the South Docklands Local Area Plan adopted by the Council.
4. It would have implications for the public open space provision required for the objectives set out in the Docklands Development Strategy approved by the Council.
5. It would have implications for the Council's financial resources if alternative lands had to be acquired for the provision of public open space.
6. It may face difficulties in securing planning permission.
7. It would compromise the study being commissioned by the Council for the overall treatment of the Showgrounds and the Atlantic Pond.

The City Manager recommended that the City Council agree to sell the 2.8 acres required for the upgrading of the stadium and that a decision on the 6 acres of land for the all-weather pitch be deferred until the consultants study on the Showgrounds and Atlantic Pond was finished.

Potential Conflict of Interest

The issue of potential conflict of interest had been raised with the City Manager. The City Manager, for the information of the Members, read out the contents of Clause 3.6 and 3.7 of the Code of Conduct for Councillors issued by the Minister for the Environment, Heritage & Local Government in June 2004.

Next Steps

The City Manager advised that if the motion to facilitate the revised proposals of the GAA of May 2010 was passed the following would be necessary:

- (i) A variation of the South Docklands Local Area Plan
- (ii) A variation of the City Development Plan
- (iii) Planning Permission for the proposed development.
- (iv) Determination of price at which land was to be sold.

There followed an extensive debate at the end of which Comhairleoir T. Brosnan proposed the report of the City Manager dated 18th March 2010, be rejected and the recommendation of the Planning & Development Strategic Policy Committee be accepted. This proposal was seconded by Comhairleoir E. O'Halloran, whereupon a vote was called for where there appeared as follows:-

FOR: Comhairleoirí J. Kelleher, D. Murphy, T. Brosnan, K. O'Flynn, T. Gould, T. Fitzgerald, L. McGonigle, T. Shannon, K. McCarthy, E. O'Halloran, S. Martin, M. Finn, F. Kerins, J. Buttimer, M. Shields, M. Ahern, G. Gibbons.-(17)

AGAINST: Comhairleoirí T. Tynan, M. Barry, C. Clancy, P. Gosch, J. O'Brien, M. O'Connell, D. Cahill, D. O'Flynn, C. O'Leary, J. Corr, L. Kingston.-(11)

An tArd-Mhéara declared the vote carried and the recommendation of the Planning & Development Strategic Policy Committee approved.

14. PLANNING & DEVELOPMENT FUNCTIONAL COMMITTEE – 8th JUNE 2010

14.1 HOUSING ESTATES

An Chomhairle considered and approved the report of the Director of Services, Planning & Development dated 2nd June 2010, on Housing Estates for period 1st January to 30th April, 2010.

14.2 PLANNING STATISTICS

An Chomhairle considered and approved the report of the Director of Services, Planning & Development dated 2nd June 2010, on the number of planning applications determined & deferred from 1st January to 30th April, 2010.

14.3 ENFORCEMENT STATISTICS

An Chomhairle considered and approved the report of the Director of Services, Planning & Development dated 2nd June 2010, on Planning Enforcement Statistics for period 1st January to 31st May, 2010.

14.4 LAND BEHIND ST. FINBARRE'S HOSPITAL ON SOUTH DOUGLAS ROAD

An Chomhairle considered and approved the report of the Director of Services, Planning & Development dated 2nd June 2010, on the following motion which was referred to Committee by An Chomhairle:-

‘To get a report from the Director of Planning on the status of development on vacant land behind St. Finbarre’s Hospital on South Douglas Road (western side) adjacent the eastbound bus stop.’

(Proposer: Cllr. K. McCarthy 10/187)

The report of the Director of Services stated that the site in question is located to the south of the St. Finbarrs Hospital Complex. It is zoned as Residential, Local Services and Institutional Uses in the Cork City Development Plan 2009-2015.

There is no record of planning applications on the site and there have been no pre planning discussions in relation to same.

14.5 **MONASTERY HILL HOUSING ESTATE**

An Chomhairle considered and approved the report of the Director of Services, Planning Development dated 2nd June 2010, on the following motion which was referred to Committee by An Chomhairle:-

‘That Cork City Council take Monastery Hill Housing Estate in charge as soon as possible.’

(Proposer: Cllr. T. Fitzgerald 10/147)

The report of the Director of Services stated that Monastery Hill has not yet been completed by the Developer to the standard required by Cork City Council.

Cork City Council is liaising with the Developer to ensure all items are completed to a satisfactory standard.

15. **ENVIRONMENT FUNCTIONAL COMMITTEE – 8th JUNE 2010**

15.1 **WATER, SANITARY AND OTHER SCHEMES**

An Chomhairle considered and approved the report of Director of Services, Environment dated 1st June 2010, on Water, Drainage and other schemes.

15.2 **ENVIRONMENTAL MATTERS**

An Chomhairle considered and approved the report of the Director of Services, Environment dated 31st May 2010, on Environmental Matters.

15.3 **COMMUNITY GRANTS SCHEME**

An Chomhairle considered the report of the Director of Services, Environment dated 3rd June 2010, on the allocation of community grants for 2010 and of the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir K. McCarthy approved the making of Community Grants totalling €9,950 in accordance with the recommendation of the Director of Services.

15.4 **CLEAN UP THE RIVER KILN**

An Chomhairle considered and approved the report of the Director of Services, Environment dated 1st June 2010, on the following motion which was referred to Committee by An Chomhairle:-

‘That Cork City Council would clean out the River Kiln at the rear of houses in Watercourse Road, Blackpool.’

(Proposer: Cllr. K. O’Flynn 09/278)

The report of the Director of Services stated that the open section of the River Kiln parallel with the Blackpool Bypass, adjacent to the Brewery Corner is becoming partially overgrown. It is not at present causing an impediment to flow. The situation will be monitored and if necessary the owner will be requested take appropriate action to clear the waterway.

15.5 **ODOURS FROM RIVER AT REAR OF 40 & 41 WATERCOURSE ROAD**

An Chomhairle considered and approved the report of the Director of Services, Environment dated 1st June 2010, on the following motion which was referred to Committee by An Chomhairle:-

‘That Cork City Council discover the source of the odours emanating from the river at the rear of 40 & 41 Watercourse Road, which are a public health nuisance.’

(Proposer: Cllr. K. O’Flynn 09/279)

The report of the Director of Services stated that the open section of the River Kiln parallel with the rear of No. 40 Watercourse has at times relatively low flows and appears semi stagnant. Water condition is also affected by foul flows which from dwellings not connected to the public sewer system. The stream is also impacted from time to time when failures occur on storm overflow chambers connected to it. In warm weather conditions the combination of low flow and organic matter can give rise to odours.

Planning to address these issues, with the intention of securing funding, to divert foul discharges and reduce the Storm Overflow impacts is in hand.

15.6 **DEMOLISH PUBLIC TOILETS IN BLACKROCK VILLAGE & PATRICK’S QUAY**

An Chomhairle considered and approved the report of the Director of Services, Environment dated 1st June 2010, on the following motion which was referred to Committee by An Chomhairle:-

‘That the public toilets in Blackrock Village and Patrick’s Quay be demolished.’

(Proposer: Cllr. D. Cahill 10/122)

The report of the Director of Services stated that the male and disabled toilets located in separate buildings on the northern footpath of Merchants Quay have not been in use for some years. They are no longer fit for purpose. It is appropriate therefore that these structures should be demolished and the sites restored as paving.

Similarly the toilet building at Blackrock is no long suitable and should be demolished.

The estimated cost of this work would be of the order of €30,000. If funding can be identified it would be hoped to proceed with demolition and reinstatement.

15.7 **ENFORCEMENT MEASURES TO TACKLE DOG FOULING**

An Chomhairle considered and approved the report of the Director of Services, Environment dated 1st June 2010, on the following motions which was referred to Committee by An Chomhairle:-

‘That Cork City Council takes enforcement measures to tackle dog fouling in all public parks, playing pitches and green areas, including the Lough (mindful that there have been no fines issues to date), including the erection of signage outlining the fines for contravening the Litter Act.’

(Proposer: Cllr. M. Finn 10/138)

SOUTH EAST WARD BIN LOCATIONS

‘That a review take place of where the bins and dog fouls bins are in the south east ward with an eye to providing more bins especially to combat dog fouling.’

(Proposer: Cllr. K. McCarthy 10/186)

The report of the Director of Services stated that it is an offence under the Litter Pollution Acts 1997 to 2003 to fail to remove faeces deposited by a dog. A litter fine can only be issued when a litter warden observes a dog in the act of fouling and can identify the person in charge of the dog. This is particularly difficult in the case of roaming dogs. A fine may also be issued if a member of the public is prepared to act as a witness for Cork City Council.

The Waste Operations Section anti-litter campaign includes various media advertisements and the erection of signs informing the public that dog fouling is litter and is an offence under the Litter Pollution Acts 1997 to 2003

The Recreation and Amenity Directorate Park Rangers also provide information awareness programmes for dog owners in the major parks in the city. The awareness programmes include information on the responsibilities of dog owners under the Control of Dogs Act 1986 and the Litter Pollution Acts 1997 to 2003. Dog waste disposal facilities have been provided in the majority of public parks and open spaces.

Each licensed dog owner has also been written to and has been provided with a supply of dog litter bags free of charge.

In addition to the foregoing consideration will be given, as suggested, to the provision of further facilities at appropriate locations in order to address the issue.

15.8 **RELOCATE BOTTLE BANK FROM OUTSIDE AIB TORY TOP ROAD**

An Chomhairle considered and approved the report of the Director of Services, Environment dated 1st June 2010, on the following motions which was referred to Committee by An Chomhairle:-

‘That Cork City Council would open discussions with Aldi on Tory Top Road to explore the possibility of relocating the bottle banks from outside the AIB Bank on Tory Top Road.’

(Proposer: Cllr. E O’Halloran 10/152)

The report of the Director of Services stated that Cork City Council is in discussion with Aldi regarding the placement of a bring site in the Aldi car park in accordance with the conditions of planning granted for development of the shop on Tory Top Road. Discussions are being held through the Planning Enforcement section. Once the bring site is installed, the one located outside AIB can be removed.

16. **CORRESPONDENCE**

An Chomhairle noted correspondence from the following:-

- Letter from John C. Desmond, dated 20th May 2010.
- Letter from Macroom Town Council, dated 17th May 2010.
- Letter from North Tipperary County Council, dated 24th May 2010.
- Letter from North Tipperary County Council, dated 24th May 2010.
- Letter from Limerick County Council, dated 4th June 2010.

17. **CONFERENCE/ SEMINAR SUMMARIES**

An Chomhairle noted the following summaries by Members of Conferences/Seminars attended:-

Cllr. Patricia Gosch – ***Change Management in Local Government*** – 19-21 February 2010, Westport, Co. Mayo.

Cllr. Patricia Gosch – ***Local Government Housing Services*** – 18-20 March 2010, Killarney.

Cllr. Patricia Gosch – ***Climate Change: Impacts and Strategies; Going Forward*** – 26-28 March 2010, Letterkenny, Co. Donegal.

Cllr. Patricia Gosch – ***Banking, Insurance & NAMA – The Effect on Local Government*** – 16-18 April 2010, Tralee, Co. Kerry.

Cllr. Patricia Gosch – ***Key Strategies for Greater Success in a Challenging Economic Climate*** – 23-25 April 2010, Furbo, Co. Galway.

Cllr. Patricia Gosch – ***Trevor/Bowen Summer School*** – 30 April – 2 May 2010, Mitchelstown, Co. Cork.

Cllr. John Kelleher – ***The Integration of Joint Policing Committees*** – 21-23 May 2010, Rosscarbery, West Cork.

Cllr. Dave McCarthy – ***The Integration of Joint Policing Committees*** – 21-23 May 2010, Rosscarbery, West Cork.

Cllr. Dave McCarthy – *Defamation Seminar* – 28-29 May 2010, Patrick Punch Hotel, Limerick.

Cllr. Kenneth O’Flynn – *Banking, Insurance & NAMA – The Effect on Local Government* – 16-18 April 2010, Tralee, Co. Kerry.

Cllr. Kenneth O’Flynn – *New EPA Guidelines for Single Houses; Their Implications to Local Government* – 23-25 April 2010, Bushypark, Co. Galway.

Cllr. Kenneth O’Flynn – *The Cost of Insurance and Claims to your Local Authority* – 21-23 May 2010, Kingsvalley Hotel, Galway City.

SEMINARS & CONFERENCES (ITEMS 18 & 19)

On the proposal of Comhairleoir C. O’Leary, seconded by Comhairleoir T. Gould, a vote was called on whether to approve the attendance of Councillors listed at Items 18 & 19 at the Seminars & Conferences listed, where there appeared as follows:-

FOR: Comhairleoirí J. Kelleher, D. Murphy, C. Clancy, P. Gosch, K. O’Flynn, T. Fitzgerald, D. O’Flynn, J. Corr, L. Kingston, E. O’Halloran, S. Martin, J. Buttimer, M. Shields, M. Ahern, G. Gibbons. (15)

AGAINST: Comhairleoirí T. Tynan, T. Gould, D. Cahill, C. O’Leary, K. McCarthy, F. Kerins. (6)

ABSTAINED: Comhairleoir M. Barry. (1)

An tArd-Mhéara declared the vote carried and the attendance of the Councillor at the seminars & conferences approved, as listed hereunder:-

18. **SEMINARS**

18.1 **THE LOCAL GOVERNMENT HOUSING SERVICE**

The attendance of Comhairleoir P. Gosch at “The Local Government Housing Service” training seminar, held in the Killarney Plaza Hotel, Killarney, Co. Kerry on the 18th – 20th March 2010.

18.2 **BANKING, INSURANCE & NAMA – THE EFFECT ON LOCAL GOVERNMENT**

The attendance of Comhairleoir K. O’Flynn at “Banking, Insurance & NAMA – The Effect on Local Government” training seminar, held in the Carlton Hotel, Dan Spring Road, Tralee, Co. Kerry, on the 16th – 18th April 2010.

18.3 **THE COST OF INSURANCE AND CLAIMS TO YOUR LOCAL AUTHORITY**

The attendance of Comhairleoir K. O’Flynn at “The Cost of Insurance and Claims to your Local Authority” training seminar, held in the Kingsvalley Hotel, Merlin Mark, Dublin Road, Galway, on the 21st – 23rd May 2010.

18.4 **DEFAMATION SEMINAR FOR COUNCILLORS**

The attendance of Comhairleoirí K. O’Flynn and D. McCarthy at Defamation Seminar for Councillors, held in the Patrick Punch Hotel, Limerick, on the 28th – 29th May 2010.

18.5 **TRANSFORMATION OF THE PUBLIC SERVICE, INSURANCE FOR THE PUBLIC SERVICE; WILL THE CROKE PARK DEAL DELIVER**

The attendance of Comhairleoirí T. Shannon, D. McCarthy, S. Martin, P. Gosch, M. O’Connell, T. Fitzgerald and K. O’Flynn at “Transformation of the Public Service, Insurance for the Public Service; Will the Croke Park Deal Deliver” training seminar, held in the Carlton Hotel, Tralee, Co. Kerry, on the 4th – 6th June 2010.

18.6 **16th BYRNE PERRY SUMMER SCHOOL**

The attendance of Comhairleoirí D. Murphy & T. Brosnan at the 16th Byrne Perry Summer School to be held in the CBS, Wexford Street, Gorey, Co. Wexford on the 25th – 27th June 2010.

18.7 **WIND AND SOLAR ENERGY**

The attendance of Comhairleoirí T. Shannon, T. Fitzgerald & G. Gibbons at the “Wind and Solar Energy” training seminar, to be held in the County Arms Hotel, Moorpark, Birr, Co. Offaly, on the 25th – 27th June 2010.

18.8 **LOCAL GOVERNMENT ROADS & TRANSPORT SERVICES**

The attendance of Comhairleoirí T. Fitzgerald, J. Buttimer & T. Brosnan at the “Local Government Roads & Transport Services” training seminar, to be held in the West Cork Hotel, Skibbereen, Co. Cork on the 9th – 11th July 2010.

18.9 **HOUSING (MISCELLANEOUS PROVISIONS) ACT 2009**

The attendance of Comhairleoirí J. Buttimer & D. Murphy at the Housing (Miscellaneous Provisions) Act 2009 to be held in the Glenroyal Hotel, Straffen Road, Maynooth, Co. Kildare on the 16th – 18th July 2010.

18.10 **97 ANNUAL AMAI CONFERENCE “LOCAL GOVERNMENT FOR THE FUTURE”**

The attendance of Comhairleoirí J. Buttimer & T. Brosnan at the 97th Annual AMAI Conference “Local Government for the Future” to be held in the Inishowen Gateway Hotel, Buncrana, Inishowen, Co. Donegal on the 9th – 11th September 2010.

19. **CONFERENCES**

19.1 **ECAD ADVISORY BOARD MEETING**

The attendance of Comhairleoir J. Corr at the ECAD Advisory Board Meeting to be held in Oslo, Norway on June 17th – June 18th, 2010.

19.2 **WORLD UNION OF WHOLESALE MARKETS, AND INTERNATIONAL OPERATORS MARKET & STREET TRADERS**

The attendance of Comhairleoir E. O'Halloran at the World Union of Wholesale Markets, and International Operators Market & Street Traders Conference to be held in the Royal College of Surgeons, Dublin on the 25th & 26th June 2010.

19.3 **8th NATIONAL TOURISM CONFERENCE – “TOURISM – THE WAY FORWARD”**

The attendance of Comhairleoirí L. Kingston, C. Clancy, M. Ahern & J. Kelleher at the 8th National Tourism Conference “Tourism – The Way Forward” to be held in the Mount Wolseley Hotel, Tullow, Co. Carlow on the 24th – 26th June 2010.

19.4 **“DEVELOPING VIBRANT COMMUNITIES THROUGH CREATIVITY AND INNOVATION: A BUSINESS PERSPECTIVE”**

The attendance of Comhairleoir D. Murphy at the “Developing Vibrant Communities through Creativity and Innovation: A business Perspective” Conference to be held in the Holyrood Hotel, Bundoran, Co. Donegal on the 2nd – 4th July 2010.

20. **MOTIONS**

An Chomhairle approved the referral of the following motions to the relevant committees:-

20.1 **TRAFFIC PLAN ON SILVERSPRINGS LANE**

‘That Cork City Council introduces a full traffic plan on Silversprings Lane to facilitate residents of Silverheights, Silversprings and Lotabeg.’

(Proposer: Cllr. K. O’Flynn 09/297)

Roads & Transportation Functional Committee

20.2 **BAN ON SKATING OUTSIDE SKATE PARKS**

‘That Cork City Council ban skating outside of designated skate parks and fines be introduced for those found offending skating on public walkways, buildings or parks.’

(Proposer: Cllr. K. O’Flynn 09/298)

Recreation Amenity & Culture Strategic Policy Committee

20.3 **EDUCATION PROGRAMME ON DOG FOULING**

‘That Cork City Council investigate the concept of an education programme in relation to dog fouling for all city national primary schools.’

(Proposer: Cllr. S. Martin 10/181)

Environment Strategic Policy Committee

20.4 **CLEANING UP OF COUNCIL GREEN FIELD SITES AND PARKS**

‘That Cork City Council investigate the concept of bringing in a contractor to service the cleaning up of dog fouling in Council green field sites and parks.’

(Proposer: Cllr. S. Martin 10/182)

Recreation Amenity & Culture Functional Committee

20.5 **ERADICATION OF KNOTWEED**

‘That Cork City Council put in place a programme of eradication of knotweed within the city as it is very much on the increase and because of its invasive nature it is a real danger to natural floral and fauna.’

(Proposer: Cllr. C. Clancy 10/191)

Recreation Amenity & Culture Functional Committee

20.6 **TRAFFIC LIGHTS AT GLENHEIGHTS ROAD**

‘That traffic lights be installed at the junction of Glenheights Road with Glenheights Park (at the church) and Mervue Lawn to provide road safety and pedestrian crossing facility.’

(Proposer: Cllr. P. Gosch 10/197)

Roads & Transportation Functional Committee

20.7 **TRAFFIC LIGHTS AT GLENHEIGHTS ROAD AND CHAPEL GATE JUNCTION**

‘In view of the major road safety issue that exists at the junction of Glenheights Road and Chapel Gate, that traffic lights and a pedestrian crossing facility be provided at this junction.’

(Proposer: Cllr. P. Gosch 10/198)

Roads & Transportation Functional Committee

20.8 **MEASURES TO PREVENT DUMPING IN ST. JOSEPH’S CEMETERY**

‘That Cork City Council would clean up and put in place measures to prevent drinking parties in the vault/ tomb of the Lyon’s family in St. Joseph’s Cemetery. The tomb is the final resting place of Thomas Lyon who was the first Catholic Mayor of the reformed Cork Corporation in 1841, his bother Francis Lyons MP and his son Francis Lyons Jnr. who held the position of Mayor of Cork on three occasions. The tomb has become a dumping ground for cans and bottles and there are currently no known family members living in Cork today.’

(Proposer: Cllr. E. O’Halloran 10/199)

Recreation Amenity & Culture Functional Committee

20.9 **CLEAN UP RESIDENTIAL LANEWAY OFF LOWER TOWER STREET**

‘That Cork City Council acts to clean up an unused residential laneway off Lower Tower Street that was gated to close, to offset anti-social behaviour and is now being used to dump rubbish and also moves to clean up an unsightly and foul smelling disused site near Cat Lane, both of which are causing environmental problems for locals and passers by.’

(Proposer: Cllr. M. Finn 10/200)

Environment Functional Committee

20.10 **ANTI SOCIAL BEHAVIOUR OFF DESMONDS SQUARE AND GRIFFITH’S COURT**

‘That because of extensive problems with anti-social behaviour, that is upsetting local residents (many of them elderly), Cork City Council should embark on a consultation process with those living in Desmond’s Square and in Griffith’s Court with a view to addressing the problems caused by open access, possibly looking at a gate option for the lane or some other control measure.’

(Proposer: Cllr. M. Finn 10/201)

Housing & Community Functional Committee

20.11 **FILL IN POT HOLES ON AVENUE DE RENNES, MAHON**

‘That the City Council fill in the pot holes in the town centre car park on Avenue de Rennes, Mahon.’

(Proposer: Cllr. K. McCarthy 10/202)

Roads & Transportation Functional Committee

20.12 **HEDGES ADJOINING THE GREEN AREAS IN LAKE LAWN, BALLINLOUGH**

‘In order to curb anti-social behaviour, that the hedges adjoining the green areas in Lake Lawn, Ballinlough be cut back.’

(Proposer: Cllr. K. McCarthy 10/203)

Recreation Amenity & Culture Functional Committee

20.13 **PREMISES FOR CORK FM**

‘That Cork City Council would make premises available to Cork FM, a community based radio station operating in the city.’

(Proposer: Cllr. L. McGonigle 10/206)

Corporate Policy Group

20.14 **REPAIR GATE TO 2ND ENTRANCE TO HOLLYVILLE ON HOLLYHILL LANE**

‘That Cork City Council as a matter of urgency repair the Gate and erect Palisade fencing at the 2nd entrance to Hollyville on Hollyhill Lane in order to create a safe, health and wellbeing atmosphere in the homes close to the Lane.’

(Proposer: Cllr. T. Fitzgerald 10/210)

Roads & Transportation Functional Committee

20.15 **STREET FURNITURE IN EMMET PLACE**

‘That street furniture be provided in Emmet Place to cater for the large number of citizens that like to meet and socialize in the area.’

(Proposer: Cllr. D. McCarthy 10/211)

Roads & Transportation Functional Committee

20.16 **FLYOVER AT BANDON ROAD ROUNDABOUT**

‘That Cork City Council having regard for the impact that the development of a fly-over at the Bandon Road Roundabout will have on residents of Tiffany Down’s and Brampton Court would see to have a specialist wall/fence constructed between our estate and the flyover to help to deflect some of the traffic noise.’

(Proposer: Cllr. J. Buttimer 10/212)

Roads & Transportation Functional Committee

20.17 **INCLUDE HALLDENE WAY IN ROAD RESURFACING PROGRAMME**

‘That Halldene Way would be included for roads to be resurfaced.’

(Proposer: Cllr. J. Buttimer 10/213)

Roads & Transportation Functional Committee

20.18 **CLOSURE OF THE “TARRY PATH”**

‘That Cork City Council in consultation with residents of Mount Brosna, Avonmore Park and Glenamoy Lawn make provision for the closure of the “Tarry Path” which runs east to west behind the above estates and which by being open to all and sundry serves to facilitate illegal dumping, anti social behaviour and crime in general, access should only be available to adjoining residents and council workmen.’

(Proposer: Cllr. T. Brosnan 10/215)

Roads & Transportation Functional Committee

20.19 **HORSES ROAMING AROUND HOUSING ESTATES**

‘That Cork City Council work with all the relevant authorities to combat the growing problem of horses roaming housing estates.’

(Proposer: Cllr. J. O’Brien 10/218)

Recreation Amenity & Culture Functional Committee

20.20 **TENDERS TO CORK CITY COUNCIL**

‘That Cork City Council would refuse to accept a tender for work from any company or individual who is subject to an enforcement order from Cork City Council Planning Department until such time as the enforcement order is complied with or otherwise settled to the satisfaction of Cork City Council.’

(Proposer: Cllr. C. Clancy 10/219)

Finance Functional Committee

21. **MOTIONS**

21.1 **WITHDRAWAL OF LIBRARIAN AT TERENCE MCSWINEY COMMUNITY COLLEGE**

An Chomhairle considered and approved the following motion and further agreed to write to the Minister for Education & Science

‘That this City Council deplores the recent announcement regarding the decision to withdraw a librarian at Terence McSwiney Community College. The decision will result in the closure of a very valuable service to teachers/ students who are working towards higher levels of literacy, numeracy and cultural development.’

(Proposer: Cllr. J. O’Brien 10/217)

An Chomhairle deferred consideration of the following motions:-

21.2 **HUMAN RIGHTS ACTIVISTS**

‘That Cork City Council condemns in the strongest possible terms the slaughter of International human rights activists by the Israeli military and further we request our Government to sever all diplomatic relations with the Israeli regime.’

(Proposer: Cllr. C. O’Leary 10/205)

21.3 **VETTING OF TENANTS**

‘That either a local bye-law or national guidelines be put in place immediately so that private landlords are required to have potential tenants independently vetted before letting as is the case with local authority tenants.’

(Proposer: Cllr. D. McCarthy 10/207)

21.4 **SCHEME TO ASSIST MORTGAGE HOLDERS**

‘That Cork City Council calls on the Government to introduce a scheme to assist mortgage holders in difficulty with the mortgage on their principal private residence which would see a payback of the excessive taxes including VAT, Stamp Duty and Development Charges which in themselves contributed in no small way to the property bubble.’

(Proposer: Cllr. T. Brosnan 10/214)

21.5 **ISRAELI DEFENCE FORCES SIEGE AND BLOCKADE OF GAZA**

‘That Council condemns the recent massacre of people on board a humanitarian aid flotilla by the Israeli Defence Forces and the subsequent kidnapping by those forces of Irish citizens. Council adds its voice to those calling for an immediate end to the Israeli Defence Forces’ siege and blockade of Gaza.’

(Proposer: Cllr. M. Barry 10/216)

At the conclusion of the meeting An tArdmhéara made a presentation to Comhairleoir J. Corr to mark over 37 years service with Cork City Council, making him the City’s longest ever serving Councillor. Tributes to Comhairleoir Corr were paid by party leaders and by the City Manager. Comhairleoir Corr responded in acknowledgement of the presentation and of the tributes paid.

This concluded the business of the meeting

**ARDMHÉARA
CATHAOIRLEACH**