

**MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL**  
**HELD ON MONDAY 26th MARCH 2007**

- PRESENT** An Leas Ardmhéara Comhairleoir M. O'Connell in the chair.  
and subsequently Comhairleoir J. Kelleher 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, T. Fitzgerald.
- SOUTH EAST** Comhairleoirí D. Clune, D. Counihan, C. O' Leary, D. O' Flynn, T. Shannon, J. Corr.
- SOUTH CENTRAL** Comhairleoirí C. O'Connell, C. Lynch, T. O' Driscoll, D. Cregan.
- SOUTH WEST** Comhairleoirí J. Buttimer, F. Dennehy, M. Shields, B. Bermingham.
- APOLOGIES** Lord Mayor M. Ahern, and Comhairleoirí M. Quill, S. Martin.
- ALSO PRESENT** Mr. J. Gavin, City Manager.  
Mr. D. O'Mahony, Director of Services, Corporate Affairs  
Mr. T. Healy, Head of Finance  
Ms. A. Bogan, Senior Planner, Planning & Development  
Ms. N. Mulcahy, A/Senior Executive Officer, Corporate Affairs.  
Ms. U. Ramsell, A/Senior 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:-

- Pope Family on the death of Pat Pope
- O'Halloran Family on the death of Dermot O'Halloran
- Cotter Family on the death of Sean Cotter
- Crowley Family on the death of John Crowley
- Murphy Family on the death of their brother Michael Murphy
- O'Connell Family on the death of Sean Cotter
- Joan O'Regan on the death of her husband Denis O'Regan
- Dineen Family on the death of Margaret Dineen

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

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

- Mr. Kevin Terry on the publication of his book “Terry’s of Cork – 1600/ 2000”.
- Supt. Ger Dillane on becoming the first Superintendent in charge of traffic.
- Stephen Ireland who got the first goal for Ireland against Wales in their recent European Cup Qualifier.
- Stephen Field on his recent success in the Special Olympics

2. **MINUTES**

The Minutes of the Ordinary Meeting of An Chomhairle held on 12<sup>th</sup> March 2007 were considered and approved.

3. **QUESTIONS**

3.1 **GREENHILLS COURT**

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

To ask the City Manager to update Council in relation to the following matters regarding Greenhills Court:

- At the western side of the estate there is an extensive wide open green area at the back of the houses which has been a location for attracting ongoing and continuous anti-social behaviour – Has Council plans to both tackle this problem and to improve the green area for recreational use?
- A series of trees were planted on the estate when it was first built in the 1970’s. Today a number of roots from these trees are causing damage to footpaths and garden walls and also need extensive pruning. Has the Council plans to address and remedy these problems?

Discussions will take place shortly between residents and officials of Recreation, Amenity & Culture Directorate on proposals to tackle the issues raised.

3.2 **PUMPING STATION PROBLEMS IN GREENHILLS COURT**

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

- (a) What are the on-going problems being experienced at the pumping station in Greenhills Court?
- (b) Has the City Council put money in the estimates to invest in new equipment to alleviate the problems in Greenhills Court?

Reference is to Heatherton Pumping Station (following clarification by Cllr. Sean Martin).

This pumping station has not been taken-in-charge. The developer, Mr. Stephen McCarthy carried out work there in the summer of 2006 including a refit of the pumping station. The equipment and work on the pumping station has to be up to City Council accepted standards before approval can be given by Cork City Council Drainage Section for the pumping station to be taken in charge. These details were requested prior to any work being done, subsequent to the work, and a meeting requested with Mr. McCarthy. No progress has been made in the matter to date.

A cash bond is currently in place in respect of the development and consideration may have to be given to making use of same if the matter is not brought to a satisfactory conclusion.

### 3.3 **MELBOURN COURT**

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

Will the Manager please inform me:

- (a) If Melbourn Court, Model Farm Road has been taken in charge by Cork City Council?, (if not, are there any plans to take this estate in charge?)
- (b) Has Cork City Council any plans to include Melbourn Court in its road sweeping programme?
- (a) Melbourn Court was Taken in Charge on 11<sup>th</sup> July 2005.
- (b) Melbourn Court is swept once a week by a mechanical suction sweeper.

### 3.4 **ANIMAL CARE**

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

1. To outline the recommendations arising from the sub-group (a number of years ago) on Animal Care in the City of Cork.
2. Please comment on each recommendation re its implementation / progress or otherwise to date.
3. Comment on how he sees Cork City Council's policy on Animal Care develop in the short- term.
4. Will he include in estimates 2008 provision for at least two Dog Wardens in the City as the one post is insufficient for an effective service.

**1     *See Appendix “A”***

2. (1) The CSPCA are relocating later this year to a new purpose built architect designed premises in Mahon with adequate kenneling, isolation kennels, vets examination room, public viewing area etc.
- (2) The City Council’s Chief Veterinary Officer liaises regularly with the CSPCA including visits to their premises.
- (3) The rate of stray dogs being put down is in line with other authorities, every effort being made to re-house dogs in the first instance.
- (4) The City Council has taken up the matter of the CSPCA being able to issue licences with the Dept. for Environment and Local Government and will pursue the matter again.
- (5) The night rate was increased as recommended.
- (6) The Law Agent has proposed draft agreements between both parties which it is hoped to finalise shortly, and will be subject to review. Regular review meetings are held between the CSPCA and the City Council in relation to the operation of the Control of Dogs Act. No other party has ever expressed an interest in operating the service on behalf of the City Council, the Council in the main part covering the cost of employment of a Dog Warden.
- (7) This is a matter that can be taken up with the CSPCA.
- (8) This is a matter for the Dept. of the Environment and Local Government.
3. The City Council’s responsibility in relation to dogs is governed by the Control of Dogs Acts 1986 and 1992. In general the Acts provide for the licensing and control of dogs, the issue of stray dogs, the duties of local authorities etc. Under S.15 of the Control of Dogs Act 1986, each local authority is obliged to employ or arrange through an agent to employ a Dog Warden and shall maintain a shelter for seized dogs, the CSPCA performing this function as an agent of the Council. The Gardaí also have various powers under the Acts.

In relation to animal welfare, no one body is charged with responsibility, it being open to any individual under the Protection of Animals Act 1911 to take a case against another party, but in practice it is usually An Garda Síochána who pursue such cases.

4. Similar to many other local authorities, one permanent Dog Warden is employed (through the CSPCA) to respond to complaints from the public in relation to dogs. The operation of the Control of Dogs Acts is reviewed

regularly and it has not been deemed necessary to-date to employ any further Wardens. However the matter will be kept under review.

***(A) Recommendations made by sub-group some years ago on Animal Care.***

1. The premises of the Cork Society for the Prevention of Cruelty to Animals are not suitable for the accommodation of so many stray dogs. The Society has undertaken to engage in an extensive renovation of the premises. The question of whether the central location of the Animals Home might be better located on the outskirts of the city was discussed but the Society has expressed an interest in remaining where they are.
2. The City Veterinary Officer will have the right to engage in periodic spot checks of the facilities at the Animal Home. This right has not previously existed and has been agreed to by the CSPCA.
3. The rate of killing of stray dogs in Cork is no higher and is in line with the national average as found in other facilities throughout the country.
4. The group agreed that Cork City Council should lobby the Department for the Environment and Local Government on the CSPCA becoming agents for the sale and registration of Dog Licences. At present this can only be obtained through post offices.
5. The group also agreed to recommend to the City Council that the night rate for detaining dogs be increased.
6. On the question of the Dog Warden position and the acting as agents for the City Council on the Control of Dogs Act, the group recommended that the contract be placed on a formal basis, be subject to review, and be tendered for by whatever interested parties, on a regular basis.
7. The CSPCA extend the possibility of members of the City Council being directly nominated onto its executive committee.
8. The group finally recommends that legislation be altered to allow for the increasing problems of feral cats to be adequately dealt with.

**3.5 NO 3 AND NO 2 GREEN ROUTES**

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

- 1.If it is possible, under the Green Route Projects, that the No. 3 and No.2 Bus Routes following its journey to the City Centre that the Buses would return immediately to the Farranree/Parklands and Gurranabraher / Knocknaheeny

Hollyhill areas respectively, to provide a more efficient service to the residents of the area?

and

2. Would he commence discussions with Bus Eireann to redirect this new route as requested by the residents of the area's concerned?

Bus Eireann have a national remit and they are the sole provider of city bus services in the major cities in Ireland excluding Dublin. They have full discretion, within reason and after consultations with the Gardaí and the City Council, in selecting the bus routes in the City.

The issue of "cross city services", i.e. bus nos. 2, 3, 7 & 8 have been discussed with Bus Eireann in the past and to-date they have not responded to any suggestions for changes. There is no doubt that frequencies might be improved if buses turned around at the edge of the City Centre and did not have to negotiate through the busy City Centre streets.

Bus Eireann have argued that they carry a reasonable amount of people on the full cross routes and they give an example of young families living in Blackrock/Mahon who have ties with families in the older parts of Gurrabraher and Knocknaheeny.

The Traffic Division will again enter further discussions with Bus Eireann in an attempt to explore the feasibility of reducing if not eliminating the bus routes crossing through the City Centre.

### 3.6 **MOUNT ST. JOSEPH'S DRIVE AND MOUNT ST. JOSEPH'S AVENUE**

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

Housing Issue in Mount St. Joseph's Drive and Mount St. Joseph's Avenue

- (a) How many houses are there in each, the Avenue and the Drive
- (b) When were these houses built.
- (c) How much did these houses cost per unit.
- (d) How much did City Council pay per unit.
- (e) What is the nature of the repairs currently and in recent months been carried out on these houses.
- (f) How many houses are in need of repairs.
- (g) Will tenants have all costs covered arising from these repairs, i.e., painting, flooring etc.
- (h) How much will this cost cover and who will cover these costs.
- (i) Who was the builder of these houses?

- (a) Mount Saint Josephs Avenue consists of 24 units and Mount Saint Josephs Drive consists of 18 units.
- (b) The units were completed in 2003.
- (c) Average construction cost per unit was €114,499
- (d) As at c above.
- (e) The nature of the repairs being carried out in recent months relate to the removal and refitting of 18 patio doors at Mount Saint Josephs Drive.
- (f) It is considered prudent to remove and refit the doors on all eighteen units.
- (g) Yes
- (h) The payment of costs will cover any decorative repairs resulting from the works that the City Council is currently carrying out. The provisions of the contract are currently being examined to establish what mechanisms are open to the Council to recoup the costs involved.
- (i) Alliance System Buildings Limited.

### 3.7 **KNOCKNAHEENY REGENERATION PROPOSALS**

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

Does the Manager support amending the Knocknaheeny Regeneration proposals for Blocks E, F, G and H to take into account the views of residents on issues such as opposition to infill housing and interlinking roads?.

Following a meeting with Ward Members it was agreed that a series of consultative meetings would be held with representatives of the different streets within the Blocks E, F, G, H area on which regeneration proposals have been advertised under the Part 8 Planning Process, and that the Ward Members would then subsequently be briefed on the outcome of these meetings.

The series of meetings with resident representatives has now concluded and the Ward Members are due to be met next week at which time the basis for progressing the regeneration plans will be discussed.

### 3.8 **CONTROL OF DOG ACT**

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

Bearing in mind that a small terrier, being walked on a lead by a lone teenager around The Lough on Wednesday afternoon (March 14<sup>th</sup>) was savagely attacked and mauled by a loose Mastiff (Pit Bull type), will the Manager inform Council if he is generally satisfied with the enforcement of the law under the Control of Dogs Act?.

The Control of Dogs Acts 1986 and 1992 provide for the licensing and control of dogs . The CSPCA acts as an agent for the City Council in carrying out its

functions under these Acts, the Gardai also having various powers. A full time mobile Dog Warden is employed who responds on a daily basis to complaints from the public in relation to dogs and who also seizes stray or dangerous dogs regularly. On average, over 250 stray dogs are seized each year, with a further 300 surrendered or collected by the Warden. These figures are in line with other local authorities. All dogs entering the Animals Home are microchipped to assist with future identification. A new bigger Dog Shelter/Pound is being built by the CSPCA at Mahon which will be opened later this year.

Relative to the number of dogs in the City, the number of reported incidences is very small.

The operation of the Acts is kept under review at regular meetings with the CSPCA.

### 3.9 **PEDESTRIAN SAFETY IN THE TOGHER AREA**

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

To enhance pedestrian safety in the Togher area the following have been agreed,

- (a) A pedestrian crossing at Supervalu, Togher Road.
- (b) Removal of the roundabout to be replaced with traffic lights, junction of Tramore Road and Togher Road,
- (c) Pedestrian crossing on Tramore Road.

Can the Manager tell me when any or all of the above will be implemented?

- (a) and (b) The pedestrian crossing at Supervalu Togher Road and the replacement of the roundabout at the junction of Togher Road and Tramore Road with traffic lights, are in this year's roads programme. Tenders for the schemes are currently being finalized and work will begin in the coming months.
- (c) A pedestrian crossing on Tramore Road is on the list of requests for pedestrian crossings. Traffic and pedestrian surveys are due to be carried out to determine if sufficient warrants exist for the provision of a crossing at this location. If the warrants exist, the pedestrian facility will be put forward for consideration in next year's roads programme.

### 3.10 **SOLAR ENERGY PANELS ON ROOFTOPS**

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



Can the Manager please outline the current planning regulations in relation to the erection of solar energy panels on rooftops. Are there actual regulations in place. Can he confirm if City Council Planners are likely to approve the installation of such panels on the south facing roofs of houses across the Northside?

The Minister for the Environment Heritage & Local Government signed the Planning & Development Regulations 2007, in respect of Micro Renewable Energy Technologies, which came into effect on 28<sup>th</sup> February, 2007 and which allows for the erection or installation of domestic wind turbines and solar panels without planning permission in the circumstances specified in the Regulations. Under the new provisions solar panels within the limits set out in the Regulations will be allowed on the front or back of a roof without the need to seek planning permission. Restrictions on the latter exemption will apply in the case of Protected Structures or structures located within Areas of Special Character (Conservation Areas) which in the Cork context includes for (i) the Wellington Road/St. Lukes area (ii) the North Main Street area and (iii) the Grattan Hill/Mahonys Avenue area.

### 3.11 **PUBLIC LIGHTING ON CURRAHEEN ROAD**

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

To ask the Manager in relation to provision of public lighting – why there has been continual outage on Curraheen Road and on certain poles on Wilton Road?

Several faults on the public lighting system on Curraheen Road and Wilton Road were logged and reported to the ESB for repair over the past four months.

The failure of ESB Contracts to undertake this work was discussed at a meeting held in early February. The ESB claimed there were several road safety issues to be resolved including the requirements of the Gardaí for working on major traffic routes and need to provide safety for the crew carrying out the work.

We will continue to prevail upon ESB Contracts to expedite the repairs as soon as possible.

### 3.12 **RESIDENT PARKING PERMITS FOR APARTMENTS**

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

To ask the City Manager what is the current and future intended policy of Cork City Council with regard to the issuing of Resident Parking Permits to residents of apartments in Cork City centre?

1. To prevent abuse of the scarce number of the on-street spaces in the City Centre where owners or tenants in apartment blocks rent out the private off-street spaces, and use is then made of the resident permit parking system.
2. To maintain a reasonable supply of on-street spaces particularly in the City Centre for residents of houses and flats, and for the use by shoppers, visitors, etc. (In some zones the potential number of resident permits could be in excess of the number of available on-street spaces.)

Accordingly the policy is soundly based and at this stage there are no plans to change it.

### 3.13 **PART V COMPLIANCE WITH DEVELOPERS IN 2005, 2006 & 2007**

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

(A) To give details of agreements reached for Part V compliance with Developers in 2005 / 6 / 7.

(B) To list the dates the information came before Council under Managers Orders.

Year Appl	Year Grant	T.P.No.	Developer	Address	Units under Negotiation	Units Agreed	Contribution	Commenced
2003	2004	0326948	Jim Wilson	29 Watercourse Road		€98,000		
2005	2006	0529379	Werdna Ltd.	Water Street	42	Under Negotiation		Not yet commenced
2005	2006	0529516	M O'Mullane	Woodhill, Tivoli	2	Under Negotiation		Not yet commenced
2005	2006	0530186	MCM Security Group	39,40,41 Leitrim Street	2	Under Negotiation		Not yet commenced
2005	2006	0631334	John O'Regan	38 Mary Street	1	Under Negotiation		Not yet commenced
2006	2006	0630618	McCarthy Developments	Jacobs Island	3	Under Negotiation		Not yet commenced
2005	2005	0530351	Precinct Investments	Metropole Hotel	12	Under Negotiation		Not yet commenced
2005	2007	0530149	Cumnor Construction	Sundays Well Road	1	Under Negotiation		
2006	2007	0630874	Paul Montgomery	Muskerry Filling Station	11	Under Negotiation		Not yet commenced
2006	2007	0630960	Billy & Ciaran O'Riordan	Millfield Service Station, Redforge Road	8	Under Negotiation		Not yet commenced
2006	2007	0631344	Grangefield Developments	Cushing Road	7	Under Negotiation		Not yet commenced
2006	2007	0631376	Firestone Developments	Eden, Blackrock	12	Under Negotiation		Not yet commenced

- (a) Details of Part V agreements on planning permissions granted in 2005 and 2006 were previously provided at Council Meeting of 15<sup>th</sup> January, 2007 (copy attached). Those for 2007 are set out hereunder:
- (b) A list of all Managers Orders are circulated to Members on a fortnightly basis and contain all relevant executive decisions for the period.

**Comhairleoir C. Clancy asked that Part B of her question be referred back for a full response at the next meeting.**

Comhairle Cathrach Chorcaí

Cork City Council

**Questions submitted for Reply at Council Meeting  
To be held on 15<sup>th</sup> January 2007**

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**QUESTION 9.**

To ask the Manager

- (a) To list the developments that received planning permission in 2005/6 where Part V was applicable.
- (b) To state the Part V contract agreement on each development e.g. money, land and units.

(Cllr. Catherine Clancy)

Year Appl	Year Grant	TP no	Developer	Address	Units Agreed	Contribution	Commenced
2004	2005	0427994	Grangefield Developments	Arbutus Lodge	Under Negotiation		
2004	2005	0428017	Eoin Keane	Laburnum House MFR		20,000.00	
2004	2005	0428230	Murphy Brothers	Riverview estate	Under Negotiation		
2004	2005	0428398	Kilbree Investment Co.	Between 81&82 Lwr Glanmire Rd	Under Negotiation		Not yet commenced
2004	2005	0428400	Cumnor Construction	162-163 Sundays Well Rd	Under Negotiation		
2004	2005	0428496	Oyster Developments	Farranlea Rd Bishopstown	Under Negotiation		
2004	2005	0428705	Riga Ltd	Jurys Hotel Lancaster Quay		748,000	
2004	2005	0428804	Carrolls Quay Devt.Co.	Knapps Sq, Camden Villas		75,000	
2004	2005	0428876	B C L Moran	Palm Grove Deanrock Togher	Under Negotiation		
2004	2005	0428877	O'Flynn Construction	Eglinton St	Site-pp for 18 units	500,000	
2004	2005	0428965	Diarmuid Higgins	38/39 Tower St		91,000	

2004	2005	0429029	Frinailla Ltd.	43-47 Watercourse Rd	Under Negotiation		
2004	2005	0429030	Frinailla Ltd	48-52 Watercourse Rd	Under Negotiation		Not yet commenced
2004	2005	0428939	Ryan Properties	Skellig Glasheen rd	Under Negotiation		
2004	2005	0429091	Richard Walsh/ Dick Kiely	Grianbru, Model farm Rd	Under Negotiation		Not yet commenced
2004	2005	0429184	Brideview Developments	Junction of Vicars rd & Togher Rd	Under Negotiation		
2005	2005	0529373 +0530294 + 0630618	McCarthy Developments	Jacobs Island	8 Units agreed		
2005	2006	0529512	Mark & Joe Kelleher	Westend & St Francis, Bishopstown	Under Negotiation		
2005	2005	0529340	McCarthy Development	Jacobs Island	Under negotiation		
2005	2006	0530254	Don Carroll	254-257 Blarney Street	Under Negotiation		Not yet commenced
2005	2006	0529860	B.Crowley & G.Paul	Riverside farm MFR	Under Negotiation		Not yet commenced
2005	2005	0530087	Firestone	Ursuline Convent	Under Negotiation		
2005	2006	0529538	Eileen Daly	Popes Rd	Under Negotiation		Not yet commenced
2005	2006	0529740	Aldi Stores Devts Ltd.	Heiton Buckleys site, Tory top Rd	Under Negotiation		Not yet commenced
2005	2006	0530132	Frinailla Ltd	Dennehys Cross	Under Negotiation		Not yet commenced
2005	2006	0530273	Mark Kelleher	Rosarie Bishopstown	Under Negotiation		
2005	2006	0530333	Carey Sheahan	Watercourse Rd	Under Negotiation		
2005	2006	0530336	Blackpool Developments Ltd.	Blackpool	Under Negotiation		Not yet commenced
2005	2006	0529416	Rios Properties	Lake View Ballyhooley Rd	Under Negotiation		
2006	2006	0630614	Lynn O'Connor	St Patricks Hill	Under Negotiation		Not yet commenced
2006	2006	0631112	O'Flynn Construction	Eglinton Street	Under Negotiation		
2006	2006	0630446	Ben Healy	Croppy Bay Fairhill	Under Negotiation		Not yet commenced
2006	2006	0630844	Riga Ltd.	Jurys site	Under Negotiation		
2006	2006	0630692	Paul Kenny	John A Woods	Under		Not yet

				Carrigrohane	Negotiation		commenced
2006	2006	0631158	Mark Kelleher	West End Bishopstown	Under negotiation		Not yet commenced
2006	2006	0631045	Finbarr Gannon	St Patricks House Lwr Glanmire Rd	Under Negotiation		Not yet commenced
2005	2006	0529937	Church Hill Bldgs. Devts	Lower glanmire Rd	Under Negotiation		Not yet commenced

- (b) The agreements under negotiation have the potential to yield 187 units. I attach for the information of members sanction from the Department of Environment, Heritage and Local Government to use Part V contributions which currently stand at €5.85m to subsidise affordable housing delivery in the city's northside. This will enable the delivery of one hundred units at a substantial discount and provide far in excess affordable housing units than had City Council entered into an agreement for units on site. For example, the 748,000 euro contribution from Jurys Hotel will fund thirty units while such funds would only have acquired three units in the proposed development.



Circular AHS 5/06

28 December 2006

### Use of Part V Ring - Fenced Funds – Delegated Authority & Accounting Procedures.

A Chara,

I am directed by the Minister for the Environment, Heritage and Local Government to refer to previous guidance on the use of Part V funds which was set out in a comprehensive guidance document on Part V enclosed with Circular HMS 9/03 of 15 August 2003 and referred to more recently in Circular AHS 1/06 of 16 March 2006.

Funds, which are received, either through Part V financial agreements with developers in lieu of the transfer of land, or through the withering levy, must, in the first instance, be lodged to a separate account by each local authority. Following an examination of proposals received on foot of the Departments invitation to submit individual proposals and a general programme for the use of the funds it is clear that a number of housing authorities have not yet considered the appropriate use of such funds. The legal position is that these funds can only be used as capital by planning authorities for its Part V functions or by housing authorities for its functions under the Housing Acts 1966 – 2004.

While the following is not a comprehensive list, a local authority may, inter alia, use Part V funds collected for the following purposes –

- Purchase of completed turn-key units;
- Purchase of lands suitable for housing development;
- Developing land or sites provided under Part V agreements;
- Improving the general affordability of Part V units by further subsidising, as required, the sale price of these units; or,
- Procurement of additional accommodation units for RAS.



It should be noted that Part V monies cannot fund the following - planned maintenance, refurbishment, improvement, remedial or regeneration works to existing (housing) schemes, the engagement of new or re-deployment or existing staff for housing matters (incl. Part V), the payment of professional fees, servicing of debts etc.

Individual replies will issue shortly to relevant authorities in relation to their proposals for expenditure submitted on foot of the Departments request for same. However from 2007 onwards it has been decided that the requirement to seek prior approval of the Department for expenditure on individual proposals will no longer be necessary provided the proposal conforms to one or a combination of the above examples of the use of Part V funds. This delegated sanction is conditional on local authorities reporting to the Department on an annual basis on their expenditure and use of Part V funds. To facilitate this requirement an appropriate reporting mechanism will be included as part of the normal annual request for statistical information issued by the Department.

Finally, I would like to remind local authorities that they ensure that Part V funds are unutilized quickly for the measures intended and not allowed to accumulate unnecessarily.

Any enquiries regarding this circular letter should be directed to - Niall Hayden at 01-888 2735, e-mail: [niall\\_hayden@environ.ie](mailto:niall_hayden@environ.ie)

A copy of this circular is available electronically on the Sharepoint system (<http://circulards.lgcsb.ie/doecirculars>) under the category, Housing > Affordable Housing.

Mise le meas,



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Tony Boland  
Principal  
Affordable Housing Section  
☎ 8882272 E-mail: [tony\\_boland@environ.ie](mailto:tony_boland@environ.ie)



### 3.14 **WALLACE AVENUE**

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

- (a) What action has City Council taken following numerous complaints from the resident of No.7 Wallace Avenue and myself to alleviate the problem of seeping water from No.8 Wallace Avenue, a rented dwelling.
- (b) Given that this is a public health issue will he organize to have the water supply to No.8 Wallace Avenue cut off due to the large volumes of water being lost.

Following an inspection of these properties last week, it has been established that the leak is actually No 7 Wallace Avenue and not in No 8. The occupiers of No7 have advised that they will carry out the necessary repairs within the next week. There is therefore no need to turn off the water supply in No 8.

### 4. **CHRISTCHURCH**

An Chomhairle approved the report of the City Manager dated 22<sup>nd</sup> March, 2007 on Christchurch, South Main Street, Cork.

### 5. **DOCKLANDS POLICY COMMITTEE**

An Chomhairle noted the progress report of the Docklands Policy Committee dated 12<sup>th</sup> March, 2007.

### 6. **SUSPENSION OF STANDING ORDERS**

An Chomhairle agreed to suspend Standing Orders to take item 10.10 on the Agenda.

### 6.1 **PLANNING & DEVELOPMENT FUNCTIONAL COMMITTEE – 20<sup>th</sup> MARCH 2007**

#### **PLANNING – PROPOSED DEVELOPMENT AT MUSGRAVE PARK**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on the following motion which was referred to the Committee by An Chomhairle:-

‘That this Council agree that any planning permission already granted for the proposed development at Musgrave Park be withdrawn. There currently is an acute parking problem in the area on match days. The scale of the proposed development would have a devastating effect on the quality of life of the residents and cause acute road safety problems. Given the foregoing facts there should be

some type of public enquiry set up, so that all parties may have a say in the important matter which affects so many people's lives.

(Proposer: Cllr. C. O'Connell 06/570)

The report of the Director of Services, Planning & Development & City Engineer stated that planning permission was granted on 15/01/2007 for the above development and which has been appealed by 3rd parties to Bord Pleanála. A decision from An Bord Pleanála is awaited.

7. **CIVIC RECEPTION**

An Chomhairle approved the hosting of a Civic Reception for St. Finbarr's, Erinville and Bon Secours Hospitals.

8. **CORPORATE POLICY GROUP – 20<sup>th</sup> MARCH 2007**

8.1 **FINANCIAL STATEMENT TO 28<sup>TH</sup> FEBRUARY 2007**

An Chomhairle approved the Financial Statement to 28<sup>th</sup> February 2007.

8.2 **ANNUAL FINANCIAL STATEMENT 2006**

An Chomhairle approved the Annual Financial Statement 2006 and the City Manager's report thereon.

8.3 **STANDING ORDERS COMMITTEE**

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

‘That Council would form a Standing Orders Committee whose function would be to monitor and review standing orders as the need arises.’

(Proposer: Cllrs. T. O'Driscoll & B. Bermingham 07/068)

The report of the City Manager stated that he recommended that this motion be put before the next meeting of the Party Whips for decision.

8.4 **SEAN O'LEARY – FORMER LORD MAYOR**

An Chomhairle approved that a commemorative seat would be erected at the Lough, with due acknowledgement to the contribution made to the City by Sean O'Leary.

9. **PLANNING & DEVELOPMENT STRATEGIC POLICY COMMITTEE –  
12<sup>th</sup> MARCH 2007**

9.1 **COBURG STREET & ST. PATRICK’S HILL AREA ACTION PLAN**

An Chomhairle approved the Draft Coburg Street & St. Patrick’s Hill Area Action Plan.

9.2 **HERITAGE PLAN**

An Chomhairle approved the Final Draft of Cork City Heritage Plan.

9.3 **ECONOMIC MONITOR**

An Chomhairle noted the Cork Economic Monitor – March 2007.

9.4 **CORK CITY EMPLOYMENT SURVEY**

An Chomhairle noted the report on Cork City Employment Survey.

9.5 **CITY DEVELOPMENT PLAN**

An Chomhairle noted the report on preparatory work on City Development Plan 2009.

9.6 **FORMER MUNSTER INSTITUTE ADDED TO RECORD OF  
PROTECTED STRUCTURES**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on the following motion which was referred to the Committee by An Chomhairle.

“I propose that the limestone gate lodge to the former Munster Institute building on the Model Farm Road (at the entrance to the IDA Technology Park) be added to the Record of Protected Structures (RPS) as it is a building of significant community and streetscape value, and as the former Munster Institute building itself is currently a protected building”(PS637).

(Proposer: Cllr. D. McCarthy 07/010)

The report of the Director of Services, Planning & Development & City Engineer stated that the legal process to include the gate lodge in the Record of Protected Structures has commenced. The period for submissions has now expired.

The proposal to add the gate lodge to Record of Protected Structures will come before Council in the coming months.

## 9.7 **CORK AS A FAIRTRADE CITY**

An Chomhairle approved the report of the Director of Services Community & Enterprise dated 15<sup>th</sup> March, 2007 on the following motion which was referred to the Committee by An Chomhairle. The objection of Comhairleoir D. Murphy to the report was noted.

‘That Cork City Council will set about the process of becoming a Fairtrade City and in pursuit of this goal set out to achieve the following objectives within a specific timeframe:

- Establish a Fairtrade steering group with relevant agencies/stakeholders to ensure that Cork City meets all requirements to be registered as a Fairtrade City and to ensure a continued commitment to maintaining its Fairtrade status.
- Council to pass a resolution supporting Fairtrade.
- Council to encourage relevant business within the City to have Fairtrade products.
- Council to erect street signs declaring Cork as a Fairtrade City and produce a Fairtrade Directory advising people where Fairtrade products can be bought.’

(Proposer: Cllr. C. Lynch 06/420)

The report of the Director of Services stated that Cork City Council, at its ordinary meeting of 29<sup>th</sup> October 2002, considered a recommendation of the Environment Strategic Policy Committee meeting, to adopt the principles of the FairTrade Mark as part of its Agenda 21 process.

Cork City Council adopted the Principles of FairTrade Policy subject to normal procurement procedures as recommended in the report of the Director of Services, Environment.

“Fairtrade is a partnership between NGOs in the richer northern countries and producers of the poorer south which ensures a) fairer prices b) direct purchase from producers c) a bonus on top of the minimum price for community development and d) long term trading to enable producers to plan for the future. It is an independent consumer guarantee that producers in the developing world get a fair price, work in safe and decent conditions with respect for the local environment. Currently the Fairtrade mark covers Coffee, Tea and Bananas. The list of items covered is expected to increase over the coming years.”

The Irish Fairtrade Mark and Fairtrade is supported by Irish Aid in the Department of Foreign Affairs.

## 9.8 **SCHOOL HISTORY PROJECT**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council put money in the estimates which will allow Cork City schools participate in next years School History Project. The project was initiated in the Lord Mayors Office and this year saw the adoption of it by Cork County Council as one of its prime heritage projects to the total exclusion of City Schools. This should never have been allowed to happen. Discussions should take place between Niamh Twomey and Kieran McCarthy in relation to this matter.’

(Proposer: Cllr. S. Martin 06/264)

The report of the Director of Services stated that the Discover Cork Schools History Project has been run very successfully in the City this academic year. It was launched in October 2006. Over 750 students from primary and post primary schools participated in the event and there were 220 project entered in the competition. The prize-giving is on Wednesday the 28<sup>th</sup> of February in the Millennium Hall.

The Discover Cork Schools History Project was coordinated by Kieran McCarthy and was funded this year by Cork Civic Trust and Cork City Council. The project is also an action from the draft Cork City Heritage Plan.

It is hoped to secure funding to run this innovative and educational Heritage project in the next academic year commencing in September 07.

## 10. **ENVIRONMENT FUNCTIONAL COMMITTEE – 20<sup>th</sup> MARCH 2007**

### 10.1 **ENVIRONMENTAL MATTERS**

An Chomhairle approved the report of the Director of Services on Water, Sanitary and other schemes for the year to the 28<sup>th</sup> February 2007.

### 10.2 **RECYCLING REPORT 2006**

An Chomhairle approved the report of the Director of Services dated 15<sup>th</sup> March, 2007 on Recycling for the year 2006.

### 10.3 **SANITARY AND OTHER SCHEMES**

An Chomhairle approved the report of the Director of Services dated 15<sup>th</sup> March, 2007 on Water, Sanitary and other schemes for the year to the 28<sup>th</sup> February 2007.

#### 10.4 **PART 8 PROCESS FOR LITTLE ISLAND TO TIVOLI WATERMAIN – ANCILLARY WORKS**

On the proposal of Comhairleoir C. O’Leary, seconded by Comhairleoir D. Wallace An Chomhairle approved the proposed development Little Island to Tivoli Watermain – Ancillary Works and the report of the Director of Services dated 15<sup>th</sup> March 2007 thereon.

The report of the Director of Services stated that DOEHLG approval has been received for the provision of a Trunk watermain from Glashaboy Water Scheme (Little Island) to Tivoli Industrial Estate for fire-fighting purposes and for augmentation of existing supplies. €2,040,000 has been allocated in the Water Services Investment Programme 2005 – 2007 for this scheme.

The line of the proposed water main has been revised. Revised Contract Documents have been finalised. The estimated cost for the watermain is €2.04 million. Planning permission for the section of the works which are to be carried out in Cork County Councils functional area has been granted subject to conditions.

An application for part 8 planning for the overwater pipebridge which lies in within the City Council is also being progressed. The draft of the “Polluter Pays Principle” report is being finalised.

The proposal was advertised in the Irish Examiner on 28<sup>th</sup> November 2006. The latest date for receipt of submissions or observations was 6<sup>th</sup> January 2007. No submissions were received.

#### **CONTINUATION OF MEETING**

An Chomhairle agreed to continue the meeting beyond 8 p.m. and agreed unanimously that the meeting would finish at 8.30 p.m.

#### 10.5 **RECYCLING COLLECTION**

An Chomhairle approved the report of the Director of Services dated 15<sup>th</sup> March 2007 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council consider as a pilot project the use of wheelie bins for the recycling collection, given that it works extremely well in the Rural areas and that bags are easily blown away in high winds causing litter in many green areas.’

(Proposer: Cllr. T. Fitzgerald 07/043)

The report of the Director of Services stated that there are a number of issues to be considered when deciding the most appropriate mechanism for the storage and

presentation of dry recyclable material. These include the costs arising for the service users and the convenience of the system for both users and the general public. In relation to the former the introduction of a wheelie bin for dry recyclables would give rise to additional costs relating to the initial setup and the ongoing operation of a slower pick up system. In addition the cost of processing material presented would increase due to the higher levels of contamination associated with wheelie bin presentation. The extent to which a second wheelie bin (as opposed to plastic bags) would be more convenient depends on inter alia the available space on customer properties and public streets across the city.

It is not proposed to introduce wheelie bins in lieu of bags in the current year. However the matter will be kept under review and consideration given to the suggested pilot having regard to the anticipated impacts for customers as referred to above.

#### 10.6 **DOG FOULING**

An Chomhairle approved the report of the Director of Services dated 15<sup>th</sup> March 2007 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council take whatever extra measures are required to deal with the issue of dog fouling in public places, which is a cause of great concern to many citizens and a system be put in place to allow local community groups to avail of signage to discourage and create an awareness of dog fouling.’

(Proposer: Cllr. F. Dennehy 07/036)

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 provide information awareness programmes for dog owners in the major parks in the city. This awareness programme includes informing dog owners of their responsibilities 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 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 signs and facilities at appropriate locations in order to address the issue.

#### 10.7 **RIVER CLEANING**

An Chomhairle approved the report of the Director of Services dated 15<sup>th</sup> March 2007 on the following motion which was referred to the Committee by An Chomhairle.

‘That, owing to the fact that existing staff in Drainage and Cleaning Departments have a full programme of work, Cork City Council create a separate section to carry out cleansing and maintenance of the many rivers and streams within the City boundary, several of which are in deplorable condition.’

(Proposer: Cllr. F. Dennehy 07/035)

The report of the Director of Services stated that there is no separate or dedicated funding available in the 2007 Budget for cleaning and maintenance of rivers and streams and any central government funding that can be secured is reserved for capital flood relief/prevention works. The Drainage Section in conjunction with the Parks Department endeavour to use their limited resources to execute works so as to relieve blockages on a priority basis. This does not however extend to cleansing or removing of light debris which is not causing an obstruction.

Any additional funding and resources which could be made available would be welcomed and would enable a higher level of service to be delivered. It would support the current policy objective for River Corridors as detailed in the City Development Plan 2004 (ref NHR 6) sets out “*to achieve attractive, accessible and safe waterways corridors recognizing their value as natural assets to the urban environment*”.

Maintenance of rivers and streams is constrained by a number of factors such as weather, rainfall and tides which makes it unsuitable to be carried out over certain, often unpredictable, periods of time. The delivery of this service would therefore not necessarily be most efficient if done through the creation of a separate section to deal with it.

#### 10.8 **DRAINS GILLABBEY ROAD**

An Chomhairle approved the report of the Director of Services dated 15<sup>th</sup> March 2007 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council clear out the drains on Gilabbey Road and Gilabbey Terrace.’

(Proposer: Cllr. S. Martin 06/272)



The report of the Director of Services stated that the Drainage Section operates a response maintenance system whereby faults and complaints are recorded, investigated and dealt with accordingly. No complaint has been received regarding public sewer or any blockages in Gilabbey Street or Gillabbey Terrace. If there is information regarding same it will be dealt with as received.

Private drains / Private common drains are however the responsibility of the householder or group of householders who own the drains. The Drainage sections responsibility and resources are for maintenance of the public sewerage system. There are a number of private companies who carry out cleaning on private drains.

11. **PLANNING & DEVELOPMENT FUNCTIONAL COMMITTEE –  
20<sup>th</sup> MARCH 2007**

11.1 **TWINNED CITIES – THEMED SUMMER WEEK**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on the following motion which was referred to the Committee by An Chomhairle. On the proposal of Comhairleoir B. Bermingham An Chomhairle agreed to refer this motion to Recreation Amenity & Culture Functional Committee.

‘That this Council will henceforth invite and host delegations from all our Twinned cities (or at least a definite number on a rotation basis) to participate and display aspects of their culture Dance/Music/Costumes/Food etc in our St. Patrick’s Day Parade and also to encourage a themed summer week from one Twinned City annually.’

(Proposer: Cllr. B. Bermingham 07/056)

The report of the Director of Services stated that this year the St. Patrick’s Day Parade is being organised by the Recreation, Amenity and Culture Directorate and the participants for the 2007 St. Patrick’s Day Parade have already been finalised.

11.2 **HOUSING ESTATES**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer on Housing Estates – January/February 2007 dated 15<sup>th</sup> March, 2007.

11.3 **PLANNING STATISTICS**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on the number of planning applications determined and deferred from 1<sup>st</sup> January, 2007 to 21<sup>st</sup> February, 2007.

#### 11.4 **ENFORCEMENT STATISTICS**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on Planning Enforcement Statistics for period 1<sup>st</sup> January, 2007 – 28<sup>th</sup> February, 2007.

#### 11.5 **PROPOSED ADDITION TO THE RECORD OF PROTECTED STRUCTURES – BALLINLOUGH HOUSE**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March 2007 in relation to the proposed addition to the Record of Protected Structures – Ballinlough House. On the proposal of Comhairleoir T. Shannon seconded by Comhairleoir J. Corr An Chomhairle also agreed to adopt the following resolution:-

**“Resolved** that Pursuant to Section 55 of the Planning & Development Act, 2000 that Ballinlough House be added to the Record of Protected Structures.”

The report of the Director of Services, Planning & Development & City Engineer stated that the structure was designated as a Proposed Protected Structure on 29<sup>th</sup> November 2006. The statutory period for public consultation ran from 29<sup>th</sup> November 2006 to 18<sup>th</sup> January 2007. Three submissions were received within this period, all of which were supportive of the proposed designation.

One further submission was received outside the official submission period from John Cronin & Associates on behalf of Lane Brothers who have purchased the house. Their submission identifies those parts of the buildings and their curtilage which in their opinion are of most architectural and cultural heritage significance. They do not object to the designation of Ballinlough House as a Protected Structure.

The legislation which established Protected Structures (incorporated as Part IV of the Planning & Development Act 2000) is framed in such a way that the designation attaches to the entire structure and its curtilage. It is not intended to freeze or block necessary alterations or subsequent development of a site in whole or in part: such change or development is intended to be accommodated through a planning application, when the impact of specific proposals on the significance of the various parts of a site can be assessed.

Having considered the submissions, I recommend that the structure be added to the Record of Protected Structures because of its architectural and cultural heritage significance.

#### **List of submissions attached which were received within the statutory period**

1. Eileen O'Connor, Beann Beara, Churchyard Lane, Well Road, Cork
2. Leslie Larmour, Byways, Well Road, Cork
3. Fergus & Michelle Collins, Ard na Lochá, Gregg's Cross, Ballinlough, Cork

**Submission attached which was received after the statutory period**

1. John Cronin & Associates, 30 Upper Main St., Buncrana, Co. Donegal

**11.6 PROTECTED STRUCTURES**

An Chomhairle noted the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March 2007 regarding the list of proposed additions to the Record of Protected Structures.

**11.7 A.I.B. SUBMIT A FURTHER PLANNING APPLICATION FOR BANK AT WATERCOURSE ROAD**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on the following motion which was referred to the Committee by An Chomhairle:-

‘That Cork City Council would write to A.I.B. requesting that A.I.B. would submit a further planning application for their bank at Watercourse Road, taking into consideration the views expressed by An Bord Pleanala in their refusal’.

(Proposer: Cllr. P. Gosch 07/038)

The report of the Director of Services, Planning & Development & City Engineer stated that permission for the redevelopment of the A.I.B. site on Watercourse Road was refused by An Bord Pleanala for design reasons. The Planning Authority are available upon request to hold pre-planning consultations with any prospective applicant for planning permission.

**11.8 A.I.B. DECISION TO LEAVE THE HEART OF BLACKPOOL**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on the following motion which was referred to the Committee by An Chomhairle:-

‘That the Planning Committee of Cork City Council would meet with A.I.B. Management to discuss the implications of An Bord Pleanala’s decision, in view of the serious negative impact that A.I.B.’s decision to leave the heart of Blackpool will have on the village character of Blackpool.

(Proposer: Cllr. P. Gosch 07/039)

The report of the Director of Services, Planning & Development & City Engineer stated that permission for the redevelopment of the A.I.B. site on Watercourse Road was refused by An Bord Pleanala for design reasons. The Planning Authority are available upon request to hold pre-planning consultations with any prospective applicant for planning permission.

### 11.9 **40, CATHEDRAL WALK – DERELICT SITES REGISTER**

An Chomhairle approved the report of the Director of Services, Planning & Development & City Engineer dated 15<sup>th</sup> March, 2007 on the following motion which was referred to the Committee by An Chomhairle:-

‘That Cork City Council Property Department/Planning Department start the process of putting number 40 Cathedral Walk on the Derelict Sites Register. The house is now empty for a number of years and its condition is a concern to the local residents.’

(Proposer: Cllr. C. Clancy 07/052)

The report of the Director of Services, Planning & Development & City Engineer stated that Pursuant to Section 8 of the Derelict sites Act 1990, following an inspection by the Planning Authority on the 19th February 2002, the property at 40 Cathedral Walk was declared derelict on the 14th August 2002 ( Manager's Order 3677/02 refers) .

The matter was referred to the City Council's Property Department in August 2002. The Property Section have carried out various investigations to ascertain ownership of this property. To date ownership cannot be established and the Property Section are currently looking at what future actions to take.

### 12. **RECREATION AMENITY & CULTURE STRATEGIC POLICY COMMITTEE – 21<sup>st</sup> MARCH 2007**

#### 12.1 **REPORT ON CURRENT PARKS AND RECREATION PROJECTS**

An Chomhairle approved the report of the Director of Services Recreation Amenity & Culture, which outlined current parks and recreation projects.

### 13. **CORRESPONDENCE**

An Chomhairle noted correspondence.

### 14. **CONFERENCES**

An Chomhairle approved the attendance at the following Conferences:-

#### 14.1 **KERRY ENVIRONMENTAL CONFERENCE**

An Chomhairle approved the attendance of Comhairleoirí D. Cregan, F. Dennehy and J. Buttimer, T. Brosnan, C. Lynch, M. O’Connell and D. Murphy at the Kerry Environmental Conference to be held in the Golf Hotel, Ballybunion, Co. Kerry on the 28<sup>th</sup> March to 1<sup>st</sup> April 2007.

#### 14.2 **ON MESSAGE: COMMUNICATING THE CAMPAIGN**

An Chomhairle approved the attendance of Comhairleoirí D. Counihan and J. Buttimer at the On Message: Communicating the Campaign to be held in the O’Rahilly Building, Room 2.55, U.C.C on the 29<sup>th</sup> March 2007.

#### 14.3 **TOURISM – FOSTERING LOCAL AND REGIONAL REGENERATION**

An Chomhairle approved the attendance of Comhairleoir G. O’Flynn at the Tourism – Fostering Local and Regional Regeneration Conference to be held in the Seven Oaks Hotel, Athy Road, Carlow on the 29<sup>th</sup>/ 30<sup>th</sup> March 2007.

#### 14.4 **L.A.M.A. ANNUAL SPRING CONFERENCE**

An Chomhairle approved the attendance of Comhairleoirí D. Counihan and B. Bermingham at the L.A.M.A. Annual Spring Conference to be held in the Gleneagle Hotel, Killarney, Co. Kerry on the 12<sup>th</sup>/ 13<sup>th</sup> April 2007.

#### 15. **MOTIONS DEFERRED FROM ORDINARY MEETINGS OF AN CHOMHAIRLE HELD ON 12<sup>th</sup> & 26<sup>th</sup> FEBRUARY & 12<sup>th</sup> MARCH 2007**

##### 15.1 **CHILDRENS HOSPITAL IN CORK**

**An Chomhairle approved the following motion:-**

‘That Cork City Council would ask the Government to provide funding to build a world class children’s hospital in Cork to provide cover for the Munster region.’

(Proposer: Cllr. D. McCarthy 07/017)

##### 15.2 **BOARDS OF MANAGEMENT IN HOSPITALS**

**An Chomhairle approved the following motion:-**

‘That Cork City Council calls on the Minister for Health to immediately establish Boards of Management in each hospital which were former Health Board hospitals and in particular that the Board would be structured to include non medical people in addition to employee nominees.

(Proposer: Cllr. C. Burke 07/047)

15.3 **PENALTY POINT SYSTEM – DISABLED PARKING ZONES**

**An Chomhairle approved the following motion:-**

‘That Cork City Council calls on the Government to extend the Penalty Point System to motorists who persistently and consistently illegally park in Disabled Parking Zones.’

(Proposer: Cllr. C. Lynch 07/053)

16. **MOTION DEFERRED FROM MEETING OF AN CHOMHAIRLE HELD ON 26<sup>th</sup> FEBRUARY & 12<sup>th</sup> MARCH 2007**

16.1 **ENERGY EFFICIENCY OF A BUILDING**

**An Chomhairle approved the following motion:-**

‘That Council request the Department of the Environment to permit the Council to take account of the energy efficiency of a building when setting the Commercial Rate.’

(Proposer: Cllr. T. O’Driscoll 07/073)

17. **MOTION DEFERRED FROM MEETING OF AN CHOMHAIRLE HELD ON 12<sup>th</sup> MARCH 2007**

17.1 **LEISURE WORLD STAFF**

An Chomhairle considered the following motion:-

‘Council instructs the six members of Council who sit on the Leisureworld board to report to Council within the next month on (a) the wages (b) the overtime rates (c) the trade union representation of the various grades of staff employed at Leisureworld Churchfield and Bishopstown.’

(Proposer: Cllr. M. Barry 07/095)

On the proposal of Comhairleoir M. Barry, seconded by Comhairleoir C. O’Leary a vote was called for on the motion where there appeared as follows:-

**FOR:** Comhairleoirí A. Spillane, M. Barry, J. O’Brien, C. O’Leary.-(4)

**AGAINST:** Comhairleoirí J. Kelleher, D. Murphy, T. Fitzgerald, D. Counihan, T. Shannon, J. Corr, T. O’Driscoll, D. Cregan, F. Dennehy, B. Bermingham.-(10)

An tArd-Mhéara declared the vote defeated and the motion lost.

18. **MOTIONS**

18.1 **FOOTPATHS OUTSIDE 50 -100 EVERGREEN ROAD**

‘That the footpath outside 50 to 100 Evergreen Road be included in the Footpath Renewal Programme.’

(Proposer: Cllr. S. Martin 06/273)

**Roads & Transportation Functional Committee**

18.2 **RENTED PROPERTIES**

‘That Cork City Council do an audit of all rented properties in the City and determine if these properties have contracts for waste removal be it private or local authority. Action should then be taken against those landlords failing to comply with national regulations.’

(Proposer: Cllr. S. Martin 06/274)

**Environment Functional Committee**

18.3 **ONLINE GAMBLING – DIRECT BANKS & CREDIT COMPANIES**

‘Given that casino type online gambling is a serious addiction that undermines the family, dashes dreams and frays the fabric of society, I propose that Cork City Council would ask the Government to direct banks and credit companies to outlaw the processing of online casino bets. The bottom line is simple: internet casino type gambling should be made illegal. However as we can’t monitor every online gambler or regulate offshore gambling, we can police the financial institutions that disregard our laws if implemented.’

(Proposer: Cllr. D. McCarthy 07/078)

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

18.4 **REPLACE WINDOWS – ASCENSION HEIGHTS**

‘I am calling on Cork City Council to replace the windows in Ascension Heights as a matter of urgency.’

(Proposer: Cllr. D. McCarthy 07/088)

**Housing & Community Functional Committee**

18.5 **DRIVEWAYS FOR RESIDENTS OF COURTOWN PARK**

‘That Cork City Council under the Knocknaheeny Master Plan construct driveways for the residents of Courtown Park, Knocknaheeny.’

(Proposer: Cllr. T. Fitzgerald 07/096)

**Housing & Community Functional Committee**

18.6 **RESURFACE CONNOLLY PARK**

‘That Connolly Park be resurfaced as part of the 2008 resurfacing programme.’

(Proposer: Cllr. T. O’Driscoll 07/097)

**Roads & Transportation Functional Committee**

18.7 **TRAFFIC CALMING ON FR. DOMINIC ROAD**

‘That traffic calming measures be introduced to Fr. Dominic Road as part of the 2008 programme.’

(Proposer: Cllr. T. O’Driscoll 07/098)

**Roads & Transportation Functional Committee**

18.8 **INCLUDE OAKVILLE DRIVE FOR RESURFACING**

‘That Cork City Council include Oakville Drive for resurfacing on the Roads Programme.’

(Proposer: Cllr. T. Fitzgerald 07/100)

**Roads & Transportation Functional Committee**

18.9 **CHAPEL GATE/ KEMPTON PARK**

‘That Cork City Council Roads/ Recreation and Amenity Department surface the area at the back of the houses of Chapel Gate/ Kempton Park.’

(Proposer: Cllr. C. Clancy 07/102)

**Roads & Transportation Functional Committee**



18.10 **MOUNT EDEN RISE, BLARNEY STREET**

‘That Cork City Council Planning Department take in charge the estate at Mount Eden Rise, Blarney Street in consultation with residents.’

(Proposer: Cllr. C. Clancy 07/103)

**Planning & Development Functional Committee**

18.11 **THE BISHOPSTOWN BY-PASS**

‘The Road proposal from the Southern Ring Road in a line west of the CIT to the Model Farm Road and the Straight Road [The Bishopstown by-pass] is high priority in the City Development Plan 2004 and a very urgent matter since 1999 when first raised.

This Council resolves to include in this proposal an under/over multi storey car park sufficient in size to cater for CIT, FAS, CUH and the Model Farm Road Technology Park / Industrial Estate funded by these bodies, Government/Local Authorities and others with a fee that’s reasonable but sufficient and inclusive of a nipper courtesy bus transporting to and from these locations.

Such a proposal is essential and acceptable as it need not interfere with existing resident estates if positioned carefully off the new roadway.

It has the consequence of freeing up the existing car surface spaces significantly enhancing the local environment.

A concept of encasing it within CIT facilities would hide the bland appearance such over ground Car Parks have and blend it into the CIT's attractive new brick campus style.’

(Proposer: Cllr. B. Bermingham 07/104)

**Roads & Transportation Functional Committee**

18.12 **ENERGY RATING AND ENERGY SAVING MEASURES**

‘This Council will report on the Energy Rating and Energy Saving Measures introduced into its housing / building and transport stock since 2000 and enumerate what it proposed to do in its civic leadership role within the City and Region and significant property owner / Landlord in the short, medium and long term to create a more efficient and effective alternative energy use.

Please include comment on solar/wind energy, heat pump energy, insulation, building materials, rain harvesting, etc.’

(Proposer: Cllr. B. Bermingham 07/105)

**Environment Functional Committee**

### 18.13 **PROTOCOLS REGARDING CORK CITY COUNCIL PROJECTS**

‘That the City Council would consider ensuring that the following protocols are in place regarding Cork City Council Projects;

1. That documentary evidence is in place prior to commencing of projects ensuring that all contractors and sub-contractors are REA compliant.
2. That the City Council would employ a Labour Inspector to visit Council Projects to do random checks ensuring that all workers are compliant.
3. That the Council draw up a list of sub-contractors who are already compliant with REA legislation and make this data base available to main contractors before commencing of works.
4. That the City Council would compile a list of sub-contractors who have been found to be non-compliant and these sub-contractors would be black-listed from all future Council projects.
5. That the City Council would investigate the legality of imposing financial penalties on sub-contractors who have been found non-compliant while engaged in Council Projects.’

(Proposer: Cllr. J. O’Brien 07/107)

#### **Corporate Policy Group**

### 18.14 **BLACKLISTING OF CONTRACTORS OR SUB-CONTRACTORS**

‘That contractors or sub-contractors who are found to be in breach of the terms of contract or any conditions of contract or failing to comply with the terms of contract and or not found to be in compliance with the necessary employment legislation be blacklisted from future contracts and tendering process by Cork City Council or their Agents.’

(Proposer: Cllr. C. O’Leary 07/108)

#### **Corporate Policy Group**

### 18.15 **CHAPEL HILL BE REINSTATED WITH RED COBBLESTONE**

‘That Chapel Hill be reinstated in an appropriate manner in view of the fact that a service provider excavated Chapel Hill some years ago and the Hill was not reinstated with red cobblestone but only with tarmac and Cork City Council have failed to respond to many requests to have the matter rectified in order to eliminate a serious eyesore in this historic area of the City.’

(Proposer: Cllr. P. Gosch 07/109)

#### **Roads & Transportation Functional Committee**

18.16 **RAMPS FOR MARY AIKENHEAD PLACE**

‘That ramps be located in Mary Aikenhead Place.’

(Proposer: Cllr. P. Gosch 07/110)

**Roads & Transportation Functional Committee**

18.17 **UPGRADE/ REPLACE NAMEPLATES AT HILLSIDE**

‘That Cork City Council replace / upgrade the nameplates at Hillside. Lack of signage is currently making it difficult for visitors etc to find specific addresses in the area.’

(Proposer: Cllr. F. Dennehy 07/115)

**Roads & Transportation Functional Committee**

18.18 **YELLOW BOX JUNCTION AT WESTSIDE ESTATE, TOGHER**

‘That Cork City Council put in place a yellow box junction to allow easy access and egress to Westside Estate, Togher.’

(Proposer: Cllr. F. Dennehy 07/116)

**Roads & Transportation Functional Committee**

18.19 **BULKY GOODS COLLECTION**

‘That Cork City Council extend the Bulky Goods Collection to The Glen as soon as possible.’

(Proposer: Cllr. T. Brosnan 07/117)

**Environment Functional Committee**

18.20 **SPORTS & PUBLIC AMENITY RECREATION FACILITIES AVAILABLE IN THE NORTH EAST WARD**

‘That Cork City Council carry out a review of Sports and Public Amenity recreation facilities available to the general public in the North East Ward with a view to assessing current and expected needs and drafting a strategy to achieve these defined needs.’

(Proposer: Cllr. T. Brosnan 07/118)

**Recreation Amenity & Culture Functional Committee**

18.21 **DAY OF REMEMBRANCE FOR THOSE KILLED IN ROAD TRAFFIC ACCIDENTS**

‘That Cork City Council in consultation with other local authorities and the Houses of the Oireachtas would designate a specific day as a Day of Remembrance for those killed in Road Traffic Accidents.’

(Proposer: Cllr. J. Buttimer 07/121)

**Roads & Transportation Functional Committee**

18.22 **YOUTH CAFÉ’S**

‘That Cork City Council would put in place a programme of youth cafes in consultation with relevant agencies, youth organisations, government departments and authorities.’

(Proposer: Cllr. J. Buttimer 07/122)

**Deferred to next meeting of An Chomhairle**

18.23 **ADDITIONAL FUNDING TO ASSIST THE CORONERS OFFICE**

‘That Council will seek additional funding to assist the Coroners Office with a view to increasing the current staffing levels along improving the efficiency of the broad range of services it provides.’

(Proposer: Cllr. C. Lynch 07/123)

**Recreation Amenity & Culture Functional Committee**

18.24 **SPEED RAMPS IN UPPER CONNOLLY ROAD**

‘That Cork City Council will examine the current speed ramps on Upper Connolly Road and Mount Pleasant Road as the severity of their present design is reported to be causing damage to cars of local residents who have no option but to travel over them on a frequent basis.’

(Proposer: Cllr. C. Lynch 07/124)

**Roads & Transportation Functional Committee**

19. **TENDERS**

The following tenders were opened:-

- 3 no. Extension at 8 Curraheen Lawn, Bishopstown, Cork
- 3 no. Extension at 21 Ballinure Place, Mahon, Cork

This concluded the business of the meeting.

**ARDMHÉARA**  
**CATHAOIRLEACH**