

**MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL**  
**HELD ON MONDAY 12<sup>th</sup> MAY 2014.**

- PRESENT** An tArd-Mhéara Comhairleoir C. Clancy in the Chair.
- NORTH EAST** Comhairleoirí J. Kelleher, T. Brosnan, T. Tynan, J. Kavanagh.
- NORTH CENTRAL** Comhairleoirí M. Barry, P. Gosch, K. O’Flynn, T. Gould.
- NORTH WEST** Comhairleoirí M. O’Connell, T. Fitzgerald, M. Nugent, J. O’Callaghan.
- 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, B. Bermingham, H. Cremin, G. Gibbons.
- ALSO PRESENT** Mr. D. Buggy, City Manager.  
Mr. T. Keating, Meetings Administrator, Corporate & External Affairs.  
Mr. C. O’Donnell, Administrative Officer, Corporate & External Affairs.  
Mr. S. Coughlan, Senior Engineer, Housing & Community.  
Mr. G. O’Beirne, Director of Services, Roads & Transportation.  
Mr. F. Long, Senior Engineer, Housing & Community.  
Mr. P. Ledwidge, Director of Services, Strategic Planning & Economic Development.

An tArd-Mhéara recited the opening prayer.

1.1 **VOTES OF SYMPATHY**

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

- The Flynn Family on the death of Bryan Flynn.
- The Doyle Family on the death of Una Doyle.
- The O’Callaghan Family on the death of Noel O’Callaghan.
- The O’Callaghan Family on the death of Patricia O’Callaghan.

1.2 **VOTES OF CONGRATULATIONS**

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

- Cork Youth Orchestra on the successful Michael Ball concert.
- 5<sup>th</sup> Parish Community Association on their successful fundraising concert.
- Morning Star National School Ballyphehane on celebrating its 50<sup>th</sup> birthday this week.
- Avondale Ladies Football club, on winning the National League Title
- LGBT, on the flag raising over the City Hall.
- Sarah Horgan on the fashion show to fundraise for sick children.

- The Organisers of the International Choral Festival on organising another great festival.
- Comhairleoir Jim Corr, Brian Bermingham and Michael Ahern for their huge contribution to the City Council and to the political life of the city over many years.

### 1.3.1 **LORD MAYOR'S ITEMS**

An tÁrd-Mhéara outlined that a reception would be held on 27<sup>th</sup> May at 6pm to honour the three retiring long serving Councillors; Councillor Jim Corr, Councillor Brian Bermingham and Councillor Michael Ahern.

### 1.4 **DEPUTY CITY MANAGERS ITEMS**

The Deputy City Manager had no issues to raise.

## 2. **MINUTES**

An Chomhairle considered and unanimously approved the minutes of the following:-

- Ordinary Meeting of An Chomhairle held on 28<sup>th</sup> April 2014.

## 3. **QUESTIONS**

### 3.1 **COST OF FREEDOM OF THE CITY SINCE 2009**

*In response to the following question submitted by Comhairleoir K. O'Flynn, a written reply was circulated as outlined as above:-*

Could the Manager please breakdown the cost of all Freedoms of the City since 2009 and the likely cost of the Freedom of the City in 2014?

#### **REPLY**

2009: €30,836.56

2010: €25,774.61

2011: €23,452.70

2013: €31,010.20

2014: The likely cost of the Freedom of the City for 2014 will be in line with the above.

### 3.2 **MONITORING SYSTEM ON HOMES OF TENANTS AFFECTED BY WORK BEING CARRIED OUT ON THE NEW PRISON**

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

When will the monitoring systems be installed on the homes of the tenants of Cork City Council that are on the borders or that are affected by the construction work being carried out on the New Prison in The Glen and Rathmore Road? What date is the meeting with the residents being organised for?

## **REPLY**

As advised to the Housing Functional Committee on 7<sup>th</sup> April 2014, the Housing & Community Services Directorate has contacted the Irish Prison Service regarding the new Cork Prison project. The Irish Prison Service has advised that they have already and are continuing to engage with residents living adjacent to the site, by way of monthly meetings, with a view to dealing pro-actively with any residents concerns arising.

The Irish Prison Service are a statutory body and the development was approved by way of Ministerial Order and was not subject to a grant of Planning Permission by the City Council. Accordingly, the City Council has no oversight role for this development. Any duplication of the consultation, monitoring and liaison mechanisms already in place would be thus inappropriate and unnecessary.

The Irish Prison Service has advised the City Council however that both noise and vibration monitoring is being carried out around the site perimeter by an independent firm of specialist consultants. The Irish Prison Service has undertaken to copy the monthly reports of this monitoring to the City Council on an ongoing basis. Data and information from the first such monthly report was discussed with the residents' liaison group on 30<sup>th</sup> April, 2014.

This report is awaited, but verbal data information received from the Irish Prison Service to date indicates that the recorded vibration levels are below both normally accepted levels for construction sites and also below levels generally accepted as the threshold for any potential damage to adjacent buildings.

### **3.3 SERVICE LEVEL AGREEMENT WITH IRISH WATER**

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

Can the Manager please confirm or enlighten us in relation to the points as set out below:

- a) From January 2014 the City Council will be working under a Service Level Agreement for Irish Water.
- b) Any issues/complaints regarding water and drainage will have to be processed through the Irish Water Call Centre? There will be no direct contact between the public or their public representatives and the City Council?
- c) It is proposed under the framework for Service Level Agreements that if the agreement comes to an end, the staff covered by the agreement will become Irish Water employees.
- d) Their terms and conditions and superannuation arrangements will be protected by legislation (yet to be clarified) but there does not appear to be anything preventing Irish Water from making these staff redundant in the future.
- e) This proposal would transfer public sector employees to a semi-state organisation against their wishes.
- f) In previous situations (refuse service/student grants) City Council employees have been offered redundancy or re-deployment within the Council.

## **REPLY**

- a) Cork City Council, in common with other local authorities, signed a Service Level agreement with Irish Water on 31<sup>st</sup> December 2013. The service level agreement is effective for a term of 12 years from 1<sup>st</sup> January 2014.
- b) From Tuesday 29<sup>th</sup> April 2014 Irish Water's call centre "went live" and has responsibility for processing all calls and queries from the public in relation to water and wastewater services. The call centre telephone number is 1890 278 278 and they also have a dedicated team to deal with queries from public representatives. In the short term out of hours issues will be dealt with directly by Cork City Council. But the intention is that all interaction will be between Irish Water and its customers.
- c) Section 19 of the Water Services (No. 2) Act 2013 provides for the transfer of staff from Local Authorities to Irish Water. The Service Level Agreement provides for implementation of this Section in the case where the Local Authority's obligation to provide Services is terminated.
- d) There is no guarantee of continued employment of transferred or any staff with Irish Water.
- e) If and when such a transfer would occur it would be after a period of extensive consultation. It should be noted the obligation is on Irish Water to take staff.
- f) The option of re-deployment is not excluded from consideration at the time that a transfer as provided for under the legislation may occur.

### **3.4 FOOTPATH AT 53 CURRAHEEN DRIVE**

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

The footpath at this address-53 Curraheen Drive is in a very dangerous condition with a one and a half inch lip which is a trip hazard. Two and a half years ago an attempt was made to mend it but it was abandoned and since then one person has broken their collar bone by tripping. Could the work be assessed and dealt with a.s.a.p.?

## **REPLY**

The location has been assessed by Roads Maintenance South and will be attended to before 16<sup>th</sup> May.

### **3.5 WERE THE GARDAI/ EMERGENCY SERVICES CONSULTED PRIOR TO THE INSTALLATION OF BICYCLE LANES ON SOUTH MAIN STREET**

*In response to the following question submitted by Comhairleoir F. Kerins a written reply was circulated as outlined as above:-*

Were the Gardai/Emergency services consulted prior to the installation of bicycle lanes on South Main Street?

Did they make a submission to the plans?

**REPLY**

Yes they were consulted and An Garda Síochána made a submission.

3.6 **ROAD RESURFACING PROGRAMME 2014**

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

I would appreciate if Cork City Council would resurface Fairhill Drive and undertake immediate repairs to Fairfield Road from the entrance from Na Piarasaigh GAA Pavilion as there are many potholes and the road is in need of repair?

**REPLY**

Fairhill Drive was not selected for resurfacing in 2014. However it will be considered again for resurfacing in 2015. The area near the Na Piarasaigh GAA Pavilion will also be inspected and any necessary repairs will be carried out in the coming months.

3.7 **NUMBER OF FULL AN CHOMHAIRLE MEETINGS SINCE JUNE 2009**

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

How many full Council meetings have been held since the Council was elected in June 2009?

Can you please give a breakdown of the number of full Council meetings attended by each councillor June 2009 – May 20-14?

**REPLY**

The number of full Council meetings held and attendance at each are public records.

Minutes of full meetings of Cork City Council from 2001 to 2014 are available on [www.corkcity.ie](http://www.corkcity.ie) under Agenda and Minutes of Cork City Council.

Members can also access Cork City Council documentation at <http://agenda.corkcity.ie> with their individual username and password.

3.8 **REGISTERED DERELICT SITES IN THE SOUTH WEST WARD**

*In response to the following question submitted by Comhairleoir G. Gibbons a written reply was circulated as outlined as above:-*

Could the Manager please inform Members as to how many registered derelict sites there are in the South West Ward and what plan has the City Council to tackle the issue in the short term?

## **REPLY**

There is one building on the Derelict Sites Register in the South West Ward – No. 27 Glasheen Road. A recent inspection (March 2014) found that it is still considered to be derelict. Discussions are on-going between the Property and Planning Policy Sections as to how it can be rendered non-derelict.

The process of placing a derelict building in Summerstown Estate on the register has commenced. The process of putting the Crowes Nest and adjoining buildings on the Derelict Sites Register commenced but was halted following discussions with the receiver who undertook to carry out some works to improve the appearance of the buildings. These have been partially implemented and further works are awaited. The works are intended as an interim measure pending full redevelopment.

A number of other properties in the Ward are at various stages of investigation and action with regard to removal of dereliction which if not resolved may lead to their being put on the register.

In conclusion a range of measures can and are being taken to address dereliction, ranging from contact with the owners by visit, phone and letter to formal action under the derelict sites act by placing on the Register or acquisition.

### **3.9 COMPLAINTS RECEIVED BY CITY COUNCIL OFFICIALS REGARDING WATER PRESSURE LEAKS**

*In response to the following question submitted by Comhairleoir T. Bronsnan a written reply was circulated as outlined as above:-*

Can the Manager please advise Council and the general public in relation to all complaints received by City Council officials regarding water pressure, leaks etc and confirm to Council that all such complaints received have been passed over to relevant officials in Irish Water in an orderly manner. Can he further advise the names of City Council personnel who have transferred to Irish Water?

## **REPLY**

From Tuesday 29<sup>th</sup> April 2014 Irish Water's call centre "went live" and has responsibility for processing all calls and queries from the public in relation to water and wastewater services. The call centre telephone number is 1890 278 278. Calls or complaints received by the Water Services Section of Cork City Council from that date have been redirected to the Irish Water call centre.

Section 19 of the Water Services (No. 2) Act 2013 provides for the transfer of staff from Local Authorities to Irish Water. The Service Level Agreement provides for implementation of this Section in the case where the Local Authority's obligation to provide Services is terminated.

No Cork City Council personnel have transferred to Irish Water.

3.10 **FLOODWATERS ON CENTRE PARK ROAD IN FEBRUARY'S FLOODS**

*The following question submitted by Comhairleoir K. McCarthy was deferred to the next meeting of An Chomhairle.*

To ask the Manager why the floodwaters on Centre Park Road in February's floods were not dealt with and pumped away in the aftermath of the flooding events; it left many businesses struggling to get customers in for well over a week on Centre Park Road?

3.11 **FELLING/TRIMMING/TOPPING OF TREES IN CITY COUNCIL JURISDICTION**

*In response to the following question submitted by Comhairleoir H. Cremin a written reply was circulated as outlined as above:-*

- a) How many staff are employed by Cork City Council to cater for the felling/trimming/topping of trees in City Council jurisdiction?
- b) Who is responsible for trees that are in the front/back gardens of City Council tenants properties if these trees were there when they were given these properties?
- c) Will City Council remove trees from City Council tenants gardens if requested, particularly these trees that have grown to an enormous size and are out of control and, what is the timeframe for having this work done?
- d) If Council do not remove/trim these trees, are these tenants within their rights to get them removed/trimmed independently?
- e) Will Council write to private landowners to request them to trim back trees that are overhanging into City Council tenants properties if asked by our tenants?

**REPLY**

- a) A total of 3no staff are fully assigned to tree felling/pruning works consisting of 1no Assistant General Foreman and 2no Certified Arboricultural Operatives, this is a reduction of 5no staff from an establishment of eight in 2009.
- b) Maintenance of gardens, fences, hedges and tress is the responsibility of each tenant.
- c) It is the policy of the Council that trees are in a maintainable condition when properties are allocated. Regular maintenance by tenants as required thereafter should prevent trees becoming unmanageable.
- d) Tenants should routinely have trees trimmed. Removal of trees should be discussed with the tenant's Housing Officer, but permission for tenants to have trees removed would not be unreasonably withheld.
- e) Normally such matters are dealt with directly between neighbours. In case of particular difficulty, as with all tenancy issues, tenants should discuss with their Housing Officer.

3.12 **USE OF HEAVY GOODS VEHICLES (HGV'S)**

*In response to the following question submitted by Comhairleoir M. Nugent a written reply was circulated as outlined as above:-*

Can the Manager give a report on work done by the Roads Department quantifying the use of Heavy Goods Vehicles (HGV's) of the road network through housing estates in the Fairhill area? What measures are being considered to address the issue? Will traffic calming measures be considered for the area, particularly for Geaney's Boreen? Will traffic lights on Upper Fairhill be repaired which would slow down traffic including HGV's on this busy, quick road?

## **REPLY**

Traffic counts were undertaken in December to assess HGV volumes in Parklands and Upper Fairhill. Further counts are due to be undertaken shortly in other areas of Fairhill and Parklands. An assessment will then be carried out and any appropriate traffic calming measures identified. However consideration needs to be given in any traffic calming measures proposed to the existing bus routes in the area. A full report will be presented to Council on completion of the assessment.

Work is currently underway to repair the faulty traffic lights on Upper fairhill.

### **4. PARTY WHIPS MEETING – 6<sup>th</sup> MAY 2014**

An Chomhairle considered the following recommendations from its meeting held on the 6<sup>th</sup> May 2014.

#### **4.1 DRAFT SCHEDULE OF MEETINGS JUNE TO JULY 2014**

An Chomhairle considered and approved the draft Schedule of Meetings June to July 2014 which was recommended to An Chomhairle for approval.

### **5. PLANNING & DEVELOPMENT STRATEGIC POLICY COMMITTEE - 6<sup>th</sup> MAY 2014**

An Chomhairle noted the minutes of the Planning & Development Strategic Policy Committee, from its meeting held on the 6<sup>th</sup> May 2014.

#### **5.1 CASP POLICY COMMITTEE REPORT**

An Chomhairle considered and unanimously approved the report of the Director of Services, Strategic Planning & Economic Development on the CASP Policy Committee meeting of March 2014.

#### **5.2 CORK SMART GATEWAY**

An Chomhairle considered and unanimously approved the report of the Director of Services, Strategic Planning & Economic Development dated 28<sup>th</sup> April, 2014 on the Cork Smart Gateway initiative.

#### **5.3 MAHON LOCAL AREA PLAN**

An Chomhairle considered the following proposals referred back from the Council meeting of 24<sup>th</sup> March 2014:

**G) Bessboro Bridge**

“Bessboro bridge be taken out of the Mahon Local Plan”

The Director of Services informed the Committee that the Bessboro bridge might be needed to implement the South East Road Corridor Study. He suggested that the item be held in Committee until there was clarity from the Roads and Transportation SPC regarding the South East Corridor. Cllr. O’Leary noted that the Mahon Local Area Plan should reflect the wishes of Council regarding the removal of the Bessboro bridge.

On the proposal of Comhairleoir C. O’Leary, seconded by Comhairleoir D. O’Flynn, a vote was called, For/Against the report of the Director of Services where there appeared as follows:-

**FOR:** Comhairleoirí K. McCarthy, B. Bermingham. (2)

**AGAINST:** Comhairleoirí T. Tynan, M. Barry, C. Clancy, P. Gosch, T. Gould, M. Nugent, D. Cahill, D. O’Flynn, T. Shannon, C. O’Leary, J. Corr, L. Kingston, S. Martin, M. Finn, F. Kerins, J. Buttimer, M. Shields, M. Ahern, H. Cremin, G. Gibbons. (20)

**ABSTAIN:** Comhairleoir M. O’Connell

As the numbers voting against the report of the Director of Services were greater than those voting for, An tArd-Mhéara declared the vote carried and the report of the Director of Services lost.

The Director of Services indicated that the Planning Directorate would amend the plan to reflect the wish of An Chomhairle.

**5.4 ECONOMIC DEVELOPMENT FUND**

An Chomhairle considered and unanimously approved the report of the Director of Services, Strategic Planning & Economic Development dated May 2<sup>nd</sup> 2014 on the Economic Development Fund.

**5.5 MOTIONS**

An Chomhairle considered and unanimously approved the reports of the Director of Services, Strategic Planning and Economic Development, on the following motions which were referred to the committee by an Chomhairle:

**5.5.1 LOCAL AREA PLAN FOR ROSEVILLE ESTATE**

‘That Cork City Council will consider the feasibility of drafting a much needed Local Area Plan for the Roseville Estate area of Mayfield. This should be designed with a view to refurbishing the built environment and developing available open space in order to enhance the living environment of the residents of this area.’

(Proposer: Cllr J. Kavanagh 13/354)

The Mayfield Public Housing Area (also known as Roseville Estate) is bounded to the south by the Old Youghal Road and to the north and east by the North Ring Road. The area consists of public housing and tenant purchasers - a total of 926 houses and apartments. It is not considered that a Local Area Plan approach would deal with the

issues relevant to the Roseville Estate area as land uses in the area are established as residential, local services and recreational and these are unlikely to change in the medium to long term. The estate has maintenance issues which the Housing and Community Directorate is seeking to address.

It is not possible to develop on a lot of the open space in the area due to the presence of services underground. However it is recognized that part of the estate would benefit from some redevelopment and an area has been identified by the City Architect that would develop approximately 62 units. This development would also create passive surveillance to help curtail anti-social behavior. While funding for regeneration is not available outside the North West Quarter regeneration, the Housing and Community Directorate will investigate options available to fund this redevelopment.

#### 5.5.2 **VARIATION NO. 12 TO CORK CITY DEVELOPMENT PLAN 2009-2015**

‘Having regard to the Council's decision on planning application TP 13/35575 and to Paragraph 4.54 of the City Development Plan, which indicates that the retail provision on Jacob’s Island “will” change to neighbourhood centre where it can be justified. As TP 13/35575 provides this justification, the 2009 Cork City Development Plan should be varied both in the text and zoning objective to formally recognise the TP 13/35575 site as a Neighbourhood Centre.’ (Ref Map 8: South Eastern Suburbs of volume 2 of the 2009 CDP).

(Proposer: Cllr. J. Corr 14/138)

The report of the Director of Services stated that the decision to grant planning permission for a Neighbourhood Centre on Jacob’s Island was made by the planning authority under TP 13/35575. This decision is currently under appeal to An Bord Pleanála, and the Board’s determination on the appeal is awaited. Accordingly, the planning assessment of the proposed development is yet to be fully concluded.

The decision to grant planning permission was made in recognition of the particular circumstances that currently pertain to Jacob’s Island. The rationale for the decision is set out in the planning file. In summary, the decision to grant permission allows for a floorspace of c. 75% of the size permitted for a Neighbourhood Centre in the Cork City Development Plan. This was considered to be the scale of provision appropriate to the current level of development on Jacob’s Island.

The granting of planning permission for the proposed development does not of itself represent the justification for the Development Plan variation proposed in the motion. I cannot therefore recommend making the proposed variation to the Cork City Development Plan as set out in this motion.

#### 6 **ROADS & TRANSPORTATION FUNCTIONAL COMMITTEE – 6<sup>th</sup> MAY 2014**

An Chomhairle noted the minutes of the Roads & Transportation Functional Committee, from its meeting held on the 6<sup>th</sup> May 2014.

6.1 **ROADWORKS PROGRAMME**

An Chomhairle considered and unanimously approved the report of the Director of Services, dated 1<sup>st</sup> May, 2014 on the progress of the ongoing Roadworks Programme for the month ended April, 2014.

6.2 **REPORT ON SECTION 38 PROCESS (PUBLIC CONSULTATION) FOR TRAFFIC CALMING SCHEME AT ARDCULLEN, HARBOUR VIEW ROAD.**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May, 2014 on Section 38 process (public consultation) for traffic calming scheme at ArdculLEN, Harbour View Road.

The report of the Director of Services stated that Roads Design and Construction received a request from the Housing Directorate (acting on behalf of residents) to draw up proposals for placing traffic calming ramps at ArdculLEN in early 2014.

Having completed the design, the proposed traffic calming scheme was advertised as required under Section 38 of the Road Traffic Act, 1994. The advertisement was placed in The Irish Examiner newspaper on Friday, 21<sup>st</sup> March 2014 (copy attached). It informed members of the public that the drawings were available for inspection at the Reception Desk, City Hall until 22<sup>nd</sup> April, 2014 and that written submissions could be made up to that date.

As no submissions were received in relation to the proposal it is recommended that the works proceed.

6.3 **TO CONSIDER THE FOLLOWING MOTIONS WHICH WERE REFERRED BY COUNCIL TO THE COMMITTEE**

6.3.1 **TRAFFIC CALMING MEASURES ON MALLOW ROAD**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May, 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘Traffic calming measures be introduced on Mallow Road By Westlink Business Park out as far as Shaw’s Bridge.

(Proposer: Cllr. K. O’Flynn 14/068)

The report of the Director of Services stated that the Transportation Division advises that the Mallow Road adjacent to Westlink Business Park and as far as Shaw’s Bridge will be added to the list of areas where a request for traffic calming has been received. The area will be assessed to determine the extent of the problems that exist in order to identify any possible mitigation measures that can be provided there.

Any identified measure will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

### 6.3.2 **REPLACE GATES - RADHARC AN MHACHAIRE, GEANEYS BOREEN**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May, 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council will replace the gates taken away by Council from the entrance to the tenants car park some years ago, to ensure security for parking cars.’

(Proposer: Cllr. J. O’Callaghan 14/111)

The report of the Director of Services stated that this Motion has been referred to the Housing & Community Directorate as it has responsibility for this car park.

### 6.3.3 **TRAFFIC SURVEY ON THE WELL ROAD**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May, 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council would undertake a traffic survey on the Well Road, with particular attention given to that area between Church Yard Land and Douglas Hall Lawn, to ascertain the volume and speed of traffic at this location, and explore the possibility of installing rubber table tops on the road carriage way.

(Proposer: Cllr. T. Shannon 14/120)

The report of the Director of Services stated that the Transportation Division advises that Well Road and in particular, between Church Yard Lane and Douglas Hall Lawn, will be assessed to determine the extent of the problems that exist in order to identify the most appropriate measure that can be provided there.

Any identified measure will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

### 6.3.4 **FOOTPATH AT ILLEN COURT, DEANROCK, TOGHER**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May, 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That City Council would investigate the condition of the footpath from No. 1. to No. 6 Ilen Court Deanrock Togher, with a view to resurfacing same as it is in a terrible dangerous condition.

In the event of remedial work been undertaken here that at least the shore's that are presently there on this footpath be removed/shifted to the roadway to make it safer for the elderly residents to walk this pathway.’

(Proposer: Cllr. M. H. Cremin 14/123)

The report of the Director of Services stated that, this section of footpath will be inspected and any necessary localised repairs will be carried out in the coming months.

#### 6.3.5 **TRAFFIC CALMING MEASURES IN MAYFIELD PARK**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May, 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council put in place traffic calming measures in Mayfield Park leading into Iona Park, Mayfield, on the roadway around the Green area across from the derelict PTSB site.

(Proposer: Cllr. J. Kavanagh 14/133)

The report of the Director of Services stated that, The Transportation Division advises that ‘*Mayfield Park leading into Iona Park, Mayfield, on the roadway around the Green area across from the derelict PTSB site*’ will be assessed to determine the extent of the problems that exist in order to identify the most appropriate measure that can be provided there.

Any identified measure will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

#### 6.3.6 **INSTALL A PEDESTRIAN CROSSING NEAR THE ENTRANCE TO PALACEANNE LAWN / KILCOMAN LAWN ON THE SOUTH DOUGLAS ROAD**

An Chomhairle considered and unanimously approved the report of Director of Services dated the 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council would install a pedestrian crossing near the entrance to Palaceanne Lawn / Kilcoman Lawn on the South Douglas Road and undertake necessary works at the entrance to Palanceanne Lawn to make traffic movements in and out of the park safer.’

(Proposer: Cllr. L. McGonigle 14/136)

The report of the Director of Services stated that the Transportation Division advises that the appropriateness of a pedestrian crossing, near the entrance to Palaceanne Lawn / Kilcoman Lawn on the South Douglas Road, as well as any works at the entrance to Palanceanne Lawn to make traffic movements in and out of the park safer, will be investigated.

If deemed appropriate it will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

6.3.7 **REPAINT ALL LINING AT THE JUNCTION OF BELVEDERE LAWN AND THE DOUGLAS ROAD**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council would repaint all lining at the junction of Belvedere Lawn and the Douglas Road in an effort to stop cars parking illegally on the corners and also to highlight that there is no entrance to Belvedere Lawn from the Douglas Road.’

(Proposer: Cllr. McGonigle 14/137)

The report of the Director of Services stated that the Transportation Division advises that the request to repaint all lining at the junction of Belvedere Lawn and the Douglas Road will be assessed.

If appropriate, the work will be inputted into the road painting programme and will be done as soon as is practical, subject to funding being available.

6.3.8 **ERECTING OF GATES IN THE AREA OF DESMOND SQUARE AND GRIFFITH'S COURT**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘Cork City Council again considers the erecting of gates in the area of Desmond Square and Griffith's Court, in a bid to combat the re-emergence of anti-social behaviour in the laneway that has led to criminal damage of council housing, following consultation with all ward councillors and local residents.’

(Proposers: Cllr. L Kingston, E O'Halloran, S Martin, M Finn, F Kerins)  
(14/143)

The report of the Director of Services stated that if the location is to be gated, Roads Asset Management / Maintenance would require approval from the elected members and a broad consensus for the proposed works to come forward from the residents and stakeholders in the area. This issue will be addressed at the next scheduled South Central Ward Meeting.

6.3.9 **PAINT A YELLOW BOX AT THE ENTRANCE TO WILTON COURT**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City paint a yellow box at the entrance to Wilton Court on the Sarsfields Road as many residents are finding it difficult to exit and enter the estate due to large volumes of traffic. (opposite Tesco entrance).’

(Proposer: G. Gibbons 14/145)

The report of the Director of Services stated that the request to paint a yellow box at the entrance to Wilton Court on Sarsfield Road is on the Works Programme and will be completed in the current year.

#### **6.3.10 REMOVE BUS STOP ON CONNOLLY ROAD BY BALLYPHEHANE COMMUNITY CENTRE**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That the Roads Department of Cork City Council request the removal of the Bus Stop on Connolly Road (by the Ballyphehane Community Centre) as it has become a central point for anti-social behavior in recent years and is only serviced once a day by a bus.’

(Proposer: Cllr. E. O’Halloran 14/151)

The Report stated that, the Transportation Division advises that the request to remove the bus stop on Connolly Road (by the Ballyphehane Community Centre) will be assessed in conjunction with An Garda Síochána and Bus Eireann.

If deemed appropriate it will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

#### **6.3.11 AMENDED MAHON LOCAL AREA PLAN**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

Arising from the amended Mahon Local Area Plan and it’s ambition to promote the provision of dwellings and office accommodation on the Mahon Peninsula, Cork City Council will respond to current traffic congestion on the link road from the Skehard Road to Mahon interchange bridge by:

1. providing a new traffic lane from the CSO to the City Gate premises (as was agreed by City Council on March 15th 2010)
2. examining the feasibility of providing another traffic lane on the western side of that road
3. redesigning the junction of the link road and Skehard Road so as to facilitate traffic flow and enhance safety for all road users

(Proposer: Des Cahill, Laura McGonigle, Jim Corr, 14/154)

The report of the Director of Services stated that Cork City Council in conjunction with the National Transport Authority (NTA) is seeking to improve and promote sustainable transport in all areas of the city. Financial support is being provided by the NTA under the Regional Cities and Accessibility Programme and this is the only funding of significance currently available for such work. In 2013, following consultation with the City Council, the Authority published a five year investment framework which focuses on improving key strategic corridors and movement in the City Centre. The Council

subsequently engaged consultants to identify and support the necessary improvements for the South East Strategic Corridor. This corridor includes the link road from Mahon Interchange to the Skehard Road. This study is looking at future enhancements for all modes of transport in the Mahon and Douglas areas and results will be available later this year for discussion with the NTA.

#### 6.3.12 **BEAUMONT PARK ON SILVERDALE AVE**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That the Council look at the dangerous section of road at the cul-de-sac hill and entrance to Beaumont Park on Silverdale Ave opposite house no 32 ,34 and 36. The problem is that some drivers parking on the hill going to the park or up to Beaumont school don't apply their hand break properly. Three times in about 6 months, cars have come down the hill in reverse and knocked down the pillar and wall dividing no 32 and 34’

(Proposer: Cllr. K. McCarthy 14/155)

The report of the Director of Services stated that, the Transportation Division advises that it has no remit over the incorrect use of hand brakes by individual drivers parking on the cul-de-sac hill and entrance to Beaumont Park on Silverdale Ave opposite house no 32, 34 and 36.

#### 6.3.13 **REPAIR FOOTPATHS IN BALTIMORE LAWN, DOUGLAS**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That the footpaths in Baltimore Lawn, Douglas Road receive urgent repair work; some are major trip hazards.’

(Proposer: Cllr. K. McCarthy 14/156)

The report of the Director of Services stated that these footpaths will be inspected and any necessary localised repairs will be carried out in the coming months.

#### 6.3.14 **YELLOW BOX PAINTED AT THE EXIT OF PYNE VALLEY ESATE, BALLYVOLANE**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That a yellow box would be painted at the exit of Pyne Valley Estate, Ballyvolane to enable traffic to exit the Estate in safety.’

(Proposer: Cllr. P. Gosch 14/157)

The report of the Director of Services stated that the Transportation Division advises that the request to paint a yellow box at the exit of Pynes Valley Estate, Ballyvolane, will be assessed.

If appropriate, the work will be inputted into the road painting programme and will be done as soon as is practical, subject to funding being available.

#### 6.3.15 **TRAFFIC LIGHT JUNCTION ON THE COMMONS ROAD**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council Roads Department will conduct a report on the traffic light junction on the Commons road where simultaneous green lights for traffic exiting the Commons Inn & traffic coming on to the Commons rd from Geaney's Boreen is causing some confusion as to the right of way.’

(Proposer: Cllr. M. Nugent 14/159)

The report of the Director of Services stated that the current arrangement whereby a Full Green signal is shown simultaneously to the minor approaches on a signalised junction is the standard configuration. The fact that a significant proportion of the vehicles are right-turners means that they have to give right-of-way to straight ahead movements and this feature does give rise to additional delays during certain periods. However, this arrangement is far more preferable to the only other alternative, that of using dedicated stages for the Commons Inn and Geaney's Boreen – Parklands Drive approaches.

It is not recommended that these approached be controlled individually as the overall lost time would impact adversely on the overall Green time available for the main road, namely, the N20 Commons Road and the associated right-turn phases.

#### 6.3.16 **TRAFFIC CALMING/ ROAD RESURFACING AT KILNAP PLACE, FARRANREE**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

That Cork City Council includes Kilnap Place Farranree in the  
A) Traffic calming programme.  
B) Road resurfacing programme.

(Proposer: Cllr. T. Fitzgerald 14/164)

The report of the Director of Services stated that the Transportation Division advises that Kilnap Place, Farranree will be added to the list of areas where a request for traffic calming has been received. The area will be assessed to determine the extent of the problems that exist in order to identify any possible mitigation measures that can be provided there.

Any identified traffic calming solutions will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

Kilnap Place was not selected for inclusion in the 2014 Estate Road Resurfacing Programme and there are currently no funds available for additional roads to be added to the programme. The estate will be considered again for inclusion in the 2015 Roads Programme subject to funding being available.

#### 6.3.17 **'SPAGHETTI' JUNCTION AT FRIAR STREET /EVERGREEN STREET /INDUSTRY STREET/ABBEY STREET**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That the following Road issue supported by An Gardaí is dealt with speedily.

A review of the 'spaghetti' junction at Friar Street/Evergreen Street/Industry Street/Abbey Street, to deal with increased traffic volumes, and accidents, following the one-way implementation on Barrack Street.’

(Proposer: Cllr. M. Finn 13/420)

The report of the Director of Services stated that the Transportation Division advises that in order to provide a sustainable solution to issues associated with traffic (all modes) movements at the junction of Friar Street/Evergreen Street/Industry Street/Abbey Street, a detailed assessment of the junction will need to be undertaken.

Currently, there are a number of nearby road design schemes under construction that influence the volume of traffic movements at the junction, namely Barrack Street refurbishment works and the UCC to City Centre cycle route scheme works on South Main Street, Sullivan’s Quay and Proby’s Quay.

The Transportation Division has spoken with An Garda Síochána on the matter and they are in agreement that the most appropriate time to undertake an assessment of the junction of Friar Street/Evergreen Street/Industry Street/Abbey Street will be following the completion of the current road design schemes in the area and when the schools and colleges are open. It is therefore expected that the end of the year will be the most appropriate time to undertake the assessment.

Following the assessment any identified measures will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

#### 6.3.18 **CHILDREN AT PLAY SIGNS BE ERECTED IN BENVOLIRLICH ESTATE**

An Chomhairle considered and unanimously approved the report of Director of Services dated 1<sup>st</sup> May 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That children at play signs be erected in Benvoirlich Estate.

(Proposer: Cllr. J. Buttimer 14/124)

The report of the Director of Services stated that the Transportation Division does not provide Children at Play signs. Councillor's may use their own budget for such signs if desired with the Transportation Division arranging for the erection of the sign. Any such signs would have to be added to the works programme and undertaken as soon as resources are available.

#### 6.4 **TO RECONSIDER THE FOLLOWING MOTIONS WHICH WERE HELD IN COMMITTEE**

An Chomhairle considered the following motions which were held in Committee

##### 6.4.1 **MARINA – TRAFFIC FREE AT WEEKENDS**

An Chomhairle considered and approved the report of Director of Services dated 27<sup>th</sup> February, 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council would run a pilot scheme, to explore the advantages of making the Marina a traffic free, pedestrianised area at weekends, with a view to permanent implementation of the scheme.’

(Proposer: Cllr. L. McGonigle 10/234)

The report of the Director of Services stated that, in principle, the Traffic Division is supportive of the proposal to convert the Marina area to a traffic free zone at weekends. However, the route at present serves the various needs of the various rowing clubs located on the Marina, Páirc Uí Chaoimh and also residents of private dwelling houses at the eastern end of the Marina. Any proposals to pedestrianise the area for certain periods would have to consider not alone their needs but also those of An Garda Síochána and the needs of the emergency services such as the City Fire Brigade and the Ambulance Services. Effectively, this would only allow for the pedestrianisation of the Marina from Church Avenue to the Páirc Uí Chaoimh entrance.

To provide a pedestrianised area would require resources to be provided by City Council on an on-going basis to provide the necessary signage, barriers, etc. and until such time as funding is provided, the implementation of a 'pedestrianisation pilot scheme' for The Marina could not be undertaken. The cost of providing the part-pedestrianisation of the Marina will be put forward for consideration to be included in the Roads Programme.

A Ward meeting was held on the 6<sup>th</sup> December 2010 and concern was expressed regarding impact on businesses and traffic on Blackrock Road. It was also agreed that the car park on the eastern side of the Marina as proposed in the Blackrock Regeneration Plan should first be in place before any pedestrianisation scheme is proceeded with.

A draft report on the Marina Park Study is expected early in the New Year. Indications are that the pedestrianisation of The Marina at weekends initially, will form part of the proposed measures. When the final report is adopted with agreed measures, any proposals for the pedestrianisation of The Marina will be brought forward to Council, subject to funding being available.

On the proposal of Comhairleoir C. O’Leary, seconded by Comhairleoir D. O’Flynn, a vote was called, For/Against the report of the Director of Services where there appeared as follows:-

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

**FOR:** Comhairleoirí B. Bermingham.

**AGAINST:** Comhairleoirí T. Tynan, J. Kavanagh, C. Clancy, P. Gosch, T. Gould, M. O’Connell, T. Fitzgerald, M. Nugent, D. Cahill, D. O’Flynn, T. Shannon, C. O’Leary, K. McCarthy, L. Kingston, S. Martin, M. Finn, F. Kerins, M. Shields, M. Ahern, H. Cremin, G. Gibbons. (21)

**ABSTAIN:** Comhairleoir J. Buttimer

As the numbers voting against the report of the Director of Services were greater than those voting for, An tÁrd-Mhéara declared the vote carried and the report of the Director of Services not approved.

7. **HOUSING & COMMUNITY FUNCTIONAL COMMITTEE – 6<sup>th</sup> MAY 2014.**

An Chomhairle noted the minutes of the Housing & Community Functional Committee, from its meeting held on the 6<sup>th</sup> May 2014.

**SUSPENSION OF STANDING ORDERS**

On the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir K. McCarthy, An Chomhairle unanimously agreed to Suspend Standing Orders to continue the Meeting to 8.30pm

7.1 **DISPOSALS**

An Chomhairle considered and approved the reports of the City Manager dated 1<sup>st</sup> May, 2014 in relation to the following property disposals:

- a. Disposal of freehold interest in property known as No. 12, Popham’s Road, Farranree, Cork to FEDJ. Co. Limited, c/o Irwin Kilcullen & Co., Solicitors, No. 56, Grand Parade, Cork for the sum of €7,800.00, (plus VAT if applicable), plus costs of €750.00 plus VAT. On the proposal of Comhairleoir L. Kingston, seconded by Comhairleoir B. Bermingham, the disposal was approved.
- b. Disposal of freehold interest in property known as No. 10, Popham’s Road, Farranree, Cork to Jerome & Eileen Curtin, c/o Irwin Kilcullen & Co., Solicitors, No. 56, Grand Parade, Cork for the sum of €7,800.00, (plus VAT if applicable), plus costs of €750.00 plus VAT. On the proposal of Comhairleoir K. McCarthy, seconded by Comhairleoir L. Kingston, the disposal was approved.
- c. Disposal of Cork City Council’s interest in an area of land situated to the rear of No. 25, St. Finbarr’s Place, Cork to Patrick and Mary O’Halloran, c/o Lees Solicitors, No. 45, Church Street, Listowel, Co. Kerry for the sum of €100.00 (plus VAT if applicable), plus costs of €750.00 plus VAT. On the proposal of

- Comhairleoir L. Kingston, seconded by Comhairleoir K. McCarthy, the disposal was approved.
- d. Disposal of Cork City Council's interest in an area of land situated to the rear of No. 26, St. Finbarr's Place, Cork to Timothy and Eileen O'Connell, c/o Michael Powell, Solicitors, No. 5, Lapps Quay, Cork for the sum of €100.00 (plus VAT if applicable), plus costs of €750.00 plus VAT. On the proposal of Comhairleoir B. Bermingham, seconded by Comhairleoir G. Gibbons, the disposal was approved.
- e. Disposal of Cork City Council's interest in an area of land situated to the rear of No. 27, St. Finbarr's Place, Cork to Mr. Se O'Connell, c/o Michael Powell, Solicitors, No. 5, Lapps Quay, Cork for the sum of €100.00 (plus VAT if applicable), plus costs of €750.00 plus VAT. On the proposal of Comhairleoir B. Bermingham, seconded by Comhairleoir K. McCarthy, the disposal was approved.

## 7.2 **MONTHLY REPORT**

An Chomhairle considered and approved the report of the Temporary Director of Services on Housing for the month of April, 2014.

## 7.3 **GALTAN LIMITED – UNIT AT NO. 5 HILLSBORO, OLD BLACKROCK ROAD**

An Chomhairle considered and unanimously approved the report of the Temporary Director of Services dated 1<sup>st</sup> May, 2014 on the proposed development of 5 no. units of accommodation at No. 5, Hillsboro, Old Blackrock Road, Cork by Galtan Limited.

The report of the Temporary Director of Services stated that the Department of the Environment, Community & Local Government had previously approved a funding application under the Capital Assistance Scheme for a loan not exceeding €1,400,000 in respect of the provision of 10 units of accommodation at City Square, Watercourse Road, Cork to Galtan Limited. This scheme involves the Local Authority advancing a loan to the voluntary body to cover costs in providing social housing accommodation.

The report also stated that the acquisition of these units at City Square, Watercourse Road, Cork did not proceed and Galtan Limited have been approved to utilise the €1,400,000 by the Department of the Environment, Community & Local Government to acquire alternative properties together with remedial works, in Cork City for the provision of social housing accommodation. Galtan Limited is currently in the process of acquiring No. 5 Hillsboro Place, Old Blackrock Road, Cork which will provide 5 no. units of accommodation for this purpose.

The report further stated that the granting of assistance in the manner proposed is a reserved function. The Temporary Director of Services recommended that the required loan facility, subject to contract and title to the properties being satisfactory to the Law Agent, be granted and that the following resolution be referred to Council for adoption:

“Resolved that, pursuant to the provision of Section 6 of the Housing (Miscellaneous Provisions) Act, 1992, a loan facility not exceeding €345,333 for the acquisition of No. 5 Hillsboro Place, Old Blackrock Road, Cork, be granted to Galtan Limited subject to the terms of the Capital Assistance Scheme.”

#### 7.4 **VOIDS PROGRAMME 2014**

An Chomhairle considered and unanimously approved the report of the Temporary Director of Services dated 1<sup>st</sup> May, 2014 in relation to the Voids Programme 2014.

The report of the Temporary Director of Services referred to the previous report of the Assistant City Manager dated 3<sup>rd</sup> April 2014 on the Department of the Environment, Community & Local Government Voids Recovery Scheme 2014 and attached a copy of letter received from the Department of the Environment, Community & Local Government advising the City Council of the funding allocation of €1,288,376 in respect of its application under the special measures to return 94 no. vacant and boarded-up social housing units to productive use.

#### 7.5 **2014-2015 CONSTRUCTION PROGRAMME TO DELIVER NEW PERMANENT SOCIAL HOUSING - JOB STIMULUS PROPOSALS**

An Chomhairle considered and unanimously approved the report of the Temporary Director of Services dated 1<sup>st</sup> May, 2014 on the 2014-2015 Construction Programme to deliver new permanent Social Housing - Job Stimulus Proposals.

The report of the Temporary Director of Services attached a copy of letter received from the Department of the Environment, Community & Local Government dated 11<sup>th</sup> March, 2014 regarding the 2014-2015 Construction Programme to deliver new permanent Social Housing.

The following proposals were identified for Cork City Council:-

<b>APPENDIX 1 - Jobs Stimulus proposals for all local authorities</b>			
<b>Local Authority</b>	<b>Address of Construction Projects.</b>	<b>No. of Units</b>	<b>Estimated Cost</b>
<b>Cork City Council</b>	5/6 Shandon Street and 6A & 9 John Philpott Curran Street.	8	1,200,000
	Gerald Griffin Street / Burkes Avenue	23	3,910,000

#### 7.6 **LANDS AT TANK FIELD, MAYFIELD, CORK**

An Chomhairle considered and unanimously approved the report of the Director of Services, Corporate & External Affairs dated 1<sup>st</sup> May, 2014 on the following motion referred to the Committee by An Chomhairle:

‘That the law agent (or an independent lawyer) be asked to report to Council in relation to the correctness or otherwise of the disposal of land by way of lease situated at Tank Field, Mayfield, Cork approved by Council on 24 October 2005. In particular can the law agent advise if all the lands shown as Lease A were in fact acquired by Order of the County Registrar by means of Conveyance dated 9th October, 2001 as stated in the disposal notice put before Council.’

(Proposer: Cllr. T. Brosnan 14/093)

The report of the Director of Services, Corporate & External Affairs attached a copy of the Notice to Council dated the 29<sup>th</sup> of September 2005.

Paragraph 10 thereof states:

*“10. The new Lease will provide that the lands shall be used for sporting and recreational purposes only and will allow continued use of the area marked “A” (per attached map) for it’s clubhouse and pavilion. The area marked “B” is to be used for playing pitches only”*

The Law Agent advises that the fee simple interest in the lands shown as “Lease A” was acquired by Cork City Council (then Cork Corporation) by means of County Registrar’s Conveyance dated the 9<sup>th</sup> of October 2001.

Section 183(1) of the Local Government 2001 provides:-

**Local Government Act, 2001**

PART 16

Land

**Land disposals,  
notification of  
members.**

**183.—**(1) The following provisions have effect in relation to any proposed disposal (not being by demise for a term not exceeding one year) of land which is held by a local authority:

- (a) notices shall be sent or delivered to the members of the local authority giving particulars of—
  - (i) the land,
  - (ii) the name of the person from whom such land was acquired, if this can be ascertained by reasonable inquiries,
  - (iii) the person to whom the land is to be disposed of,
  - (iv) the consideration proposed in respect of the disposal,
  - (v) any covenants, conditions or agreements to have effect in connection with the disposal;
- (b) at the first meeting of the local authority held after the expiration of 10 days after the day on which such notices are sent or delivered, the local authority may resolve that the disposal shall not be carried out or that it shall be carried out in accordance with terms specified in the resolution;
- (c) if the local authority resolves by virtue of *paragraph (b)* that the disposal shall not be carried out, it shall not be carried out;
- (d) if the local authority does not pass a resolution pursuant to *paragraph (b)*, the disposal may be carried out;
- (e) if the local authority resolves by virtue of *paragraph (b)* that the disposal shall be carried out in accordance with terms specified in the resolution, the disposal may be carried out in accordance with those terms;

(f) the disposal shall not be carried out otherwise than in accordance with *paragraph (d) or (e)* and subject to the consent of the Minister where consent is required under section 211(2) of the Act of 2000.

The report further stated that the disposal was notified to Council on the 29<sup>th</sup> of September 2005 in compliance with the provisions of Section 183(1)(a) of the Local Government 2001. The Disposal was approved of by Council at the Ordinary Meeting of Cork City Council held on Monday the 24<sup>th</sup> of October 2005, in accordance with the provisions of Section 183(1)(b) of the Local Government Act 2001.

## 7.7 **UPGRADING, RETROFITTING PROGRAMME**

An Chomhairle considered and approved the report of the Temporary Director of Services dated 1<sup>st</sup> May, 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council will implement an upgrading, retrofitting and replacement programme works of all local authority housing units commencing in the South East Ward with the inclusion of windows, doors, fascia –soffit, the installation of central heating, ceiling level attic insulation, cavity wall insulation, damp proofing, roof, electrical works, CFL bulbs and post works BER, in all the housing units, making each unit an energy efficient homes and a long-term solution to fuel poverty for our tenants.’

(Proposer: Cllr. C. O’Leary 14/104)

**With the agreement of Comhairleoir C. O’Leary, An Chomhairle agreed to replace the words “South East Ward” with the words “across the city”**

‘That Cork City Council will implement an upgrading, retrofitting and replacement programme works of all local authority housing units commencing across the city with the inclusion of windows, doors, fascia –soffit, the installation of central heating, ceiling level attic insulation, cavity wall insulation, damp proofing, roof, electrical works, CFL bulbs and post works BER, in all the housing units, making each unit an energy efficient homes and a long-term solution to fuel poverty for our tenants.’

(Proposer: Cllr. C. O’Leary 14/104)

The report of the Temporary Director of Services stated that increases in the overall numbers of Cork City Council social housing stock and increased landlord obligations under the Rental Standards Act (e.g. responsibility for all central heating maintenance) in recent years, coupled with decreasing financial resources available to Cork City Council, have led to significant pressure on the annual Housing Maintenance budget. Accordingly, there is no facility within the 2014 Housing Maintenance budget adopted by the City Council to fund the enhancement works suggested.

Accordingly, the only funding available for such works is the Department of the Environment, Community & Local Government grant of €910,394 under the Fabric Upgrade Scheme. This scheme currently is limited to attic insulation and cavity wall infill insulation, where appropriate. 397 no. houses were upgraded in 2013 and it is hoped to complete a further 400 to 500 houses in 2014. Properties scheduled for upgrade in 2014 are mainly located in the North East housing area.

## 7.8 **NEW CORK PRISON AT THE GLEN**

An Chomhairle considered and unanimously approved the report of the Temporary Director of Services dated 1<sup>st</sup> May, 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council would install monitoring systems in the homes of tenants of Cork City Council to ensure that the vibrations arising from the major construction works being undertaken on the site of the New Cork Prison in the Glen does not cause cracks, subsidence or other damage to the resident’s homes. In my view Cork City Council, as landlord, has a responsibility in relation to the above issues. I am also requesting a meeting would be held with the residents group as soon as possible to discuss these matters.’

(Proposer: Cllr. T. Gould 14/107)

The report of the Temporary Director of Services stated that as advised to the Housing Functional Committee on 7<sup>th</sup> April 2014, the Housing & Community Services Directorate has contacted the Irish Prison Service regarding the new Cork Prison project. The Irish Prison Service has advised that they have already and are continuing to engage with residents living adjacent to the site, by way of monthly meetings, with a view to dealing pro-actively with any residents concerns arising. The Irish Prison Service are a statutory body and the development was approved by way of Ministerial Order and was not subject to a grant of Planning Permission by the City Council. Accordingly, the City Council has no oversight role for this development. Any duplication of the consultation, monitoring and liaison mechanisms already in place would be thus inappropriate and unnecessary.

The Irish Prison Service has advised the City Council however that both noise and vibration monitoring is being carried out around the site perimeter by an independent firm of specialist consultants. The Irish Prison Service has undertaken to copy the monthly reports of this monitoring to the City Council on an ongoing basis. Data and information from the first such monthly report was to be discussed with the residents liaison group on 30<sup>th</sup> April, 2014 and was to be forwarded to the City Council shortly thereafter. When received, this report will be considered in detail, but verbal data information received from the Irish Prison Service to date indicates that the recorded vibration levels are below both normally accepted levels for construction sites and also below levels generally accepted as the threshold for any potential damage to adjacent buildings.

## 7.9 **PROPERTIES AT ST. MARY’S PLACE**

An Chomhairle considered and unanimously approved the report of the Temporary Director of Services dated 1<sup>st</sup> May, 2014 on the following motion referred to the Committee by An Chomhairle:

‘A section of long existing homes in St Mary's Place are now overlooked, even at ground level which needs to be immediately addressed.

This is as a result of a large \*dip being left in part of the boundary wall between the new development at Spriggs Rd & St Mary's Place.

I am asking that Cork City Council instruct the Builder to finish off and raise that section of the wall without further delay.

\* meaning 3 rows at least of unfinished brickwork in the middle of the wall.

(Proposer: Cllr. P. Gosch 14/108)

The report of the Temporary Director of Services stated that the issue had been referred to the City Architects Department who are managing the Sprigg's Road project and that the issue is now being investigated and will be addressed.

#### 7.10 **RADHARC AN MHACHAIRE, GEANEY'S BOREEN**

An Chomhairle considered and unanimously approved the report of the Temporary Director of Services dated 1<sup>st</sup> May, 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council will replace the gates taken away by Council from the entrance to the tenants car park some years ago, to ensure security for parking cars.’

(Proposer: Cllr. J. O'Callaghan 14/111)

The report of the Temporary Director of Services stated that Cork City Council own the housing units and car park at Radharc an Mhachaire. The gate to the car park was removed some years back as it was being vandalised and was very problematic.

The report further stated that Cork City Council Housing Maintenance Section does not have the resources available to replace the gate or cover the high maintenance costs that would be involved in keeping such a gate operational.

#### 7.11 **DISTRICT HEATING SYSTEM IN MAYFIELD**

An Chomhairle considered and unanimously approved the report of the Temporary Director of Services dated 1<sup>st</sup> May, 2014 on the following motion referred to the Committee by An Chomhairle:

‘In view of the extreme conditions caused by the failure of the City Council run District Heating Scheme in Mayfield that residents of Ard Bhaile and Glennamoy Lawn who have been impacted be credited with a 50% rent rebate over the period from 1 November 2013 to 31 March 2014.’

(Proposer: Cllr. T. Brosnan 14/069)

The report of the Temporary Director of Services stated that significant leak detection works, replacement of damaged / leaking valves and installation of additional isolation valves was carried out to the overall distribution pipework of this district heating system during 2013 at a cost of approximately €135,000. Thereafter a systematic programme of repairs and upgrades to individual properties, comprising additional circulatory pumps, radiator replacements and upsizing of pipework to improve flow was implemented and is ongoing. All of these works had resulted in a significant drop in the number of repair requests regarding inadequate heating.

The report further stated that Cork City Council do not believe that residents' payment cards are being debited for heat not delivered. The payment card meters are, however, outdated and difficult to maintain, and it has been a Housing Maintenance objective to modernise the payment meters for a number of years. An application for funding to modernise the metering and payment system will be made to the City Council as soon as possible, in order that the ongoing subsidisation of the heating costs of these properties from the Housing Maintenance budget can be addressed. In view of the foregoing it would be neither appropriate or financially justified to consider any rent rebate as proposed.

8. **INTERNATIONAL RELATIONS COMMITTEE – 6<sup>th</sup> MAY 2014**

8.1 **REPORT OF DEPUTY LORD MAYOR ON VISIT TO SAN FRANCISCO IN APRIL 2014**

An Chomhairle considered and unanimously approved the written report from the Deputy Lord Mayor on visit to San Francisco in April 2014.

8.2 **RECENT VISITS TO TWINNED CITIES**

8.2.1 **COLOGNE: DEPUTY LORD MAYOR, CLLR. PATRICIA GOSCH**

An Chomhairle considered and unanimously approved the written report from Comhairleoir P. Gosch on visit to Cologne in March 2014.

8.2.2 **RENNES: LES CHAMPS LIBRES – REPORT OF LIAM RONAYNE ,CITY LIBRARIAN**

An Chomhairle considered and approved the written report from Liam Ronayne, City Librarian on visit to Rennes in March 2014.

9. **CORRESPONDENCE**

There was not correspondence received.

10. **CONFERENCES/ SEMINARS SUMMARIES**

An Chomhairle noted Summaries by Members of Conferences/Seminars attended.

**RECEIVED CONFERENCE/SEMINAR REPORTS - 8<sup>TH</sup> MAY 2014**

- Cllr Patricia Gosch – Rural Housing –Planning & Development Design Guidelines – Carlingford, Co. Louth – 17/19 January 2014.
- Cllr Patricia Gosch – Domestic Water Charges –Preparation & Practalities– Carlingford, Co. Louth – 24/26 January 2014.
- Cllr Patricia Gosch –Waste Management Legislation –Responsibilities of Local Authorities in Disposing & Recycling \electrical & Electronic Equipment - Carlingford, Co. Louth – 14/16 February 2014.

- Cllr Joe O’Callaghan – Chambers of Commerce –Building Business – Rosscarbery, Co. Cork - 18/20 April 2014.
- Cllr Laura McGonigle – Charities Regulation and Legislation– Rosscarbery, Co. Cork - 07/09 March 2014.
- Cllr Laura McGonigle – Changes to the Contracts Act 2013 for Local Authorities– Carlingford, Co. Louth - 21/23 March 2014.
- Cllr Sean Martin – Mental Health and Suicide Awareness –Dungarvan, Co. Waterford – 31 January -01 February 2014.
- Cllr Brian Bermingham – Crime and its Impact on Quality of Life – Killarney, Co. Kerry – 18/19 April 2014

11. **CONFERENCES/ SEMINARS**

On the proposal of Comhairleoir C. O’Leary, seconded by Comhairleoir H. Cremin a vote was called on whether to approve the attendance of Councillors at Seminars & Conferences at items 11 & 12 here listed, where there appeared as follows:-

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

**FOR:** Comhairleoirí C. Clancy, P. Gosch, M. O’Connell, T. Fitzgerald, D. O’Flynn, L. Kingston, J. Buttimer, M. Shields, M. Ahern, B. Bermingham, G. Gibbons. (11)

**AGAINST:** Comhairleoirí T. Tynan, T. Gould, M. Nugent, D. Cahill, C. O’Leary, K. McCarthy, M. Finn, F. Kerins, H. Cremin. (9)

As the numbers voting in favour were greater than those voting against, An tArdmhéara declared the vote carried and the attendance of Comhairleoirí at the various seminars & conferences approved, as listed under relevant items hereunder:-

**MEETING MANAGEMENT: PRINCIPLES & BEST PRACTICE**

Comhairleoir M. O’Connell at the “Meeting Management: Principles & Best Practice” seminar held in the Celtic Ross Hotel, Rosscarbery, Co. Cork, on the 21<sup>st</sup> – 23<sup>rd</sup> March 2014.

**RETIREMENT ENTITLEMENTS & TAXATION BENEFITS FOR COUNCILLORS**

Comhairleoir M. O’Connell at the “Retirement Entitlements & Taxation Benefits for Councillors” seminar held in the Celtic Ross Hotel, Rosscarbery, Co. Cork, on the 28<sup>th</sup> – 30<sup>th</sup> March 2014.

## **JUDICIAL REVIEW OF THE DECISION MAKING PROCESS**

Comhairleoir G. Gibbons at the “Judicial Review of the Decision Making Process” seminar held in the Manor West Hotel, Tralee, Co. Kerry, on the 28<sup>th</sup> – 29<sup>th</sup> March 2014.

## **12<sup>TH</sup> CARLOW TOURISM NATIONAL CONFERENCE “DEVELOPING THE POTENTIAL OF IRELAND’S NATURAL ENVIRONMENT – THE IMPORTANCE OF ADVENTURE TOURISM”**

Comhairleoir G. Gibbons at the “12<sup>th</sup> Carlow Tourism National Conference “Developing the Potential of Ireland’s Natural Environment – the Importance of Adventure Tourism”, held in the Talbot Hotel, Portlaoise Road, Co. Carlow, on the 3<sup>rd</sup> – 5<sup>th</sup> April 2014.

## **PLANNING IS MORE THAN POLICY**

Comhairleoir G. Gibbons at the “Planning is more than Policy” seminar, held in the Maldron Hotel, Portlaoise, Co. Laois, on the 4<sup>th</sup> – 6<sup>th</sup> April 2014.

## **CHAMBERS OF COMMERCE BUILDING BUSINESS**

Comhairleoir J. O’Callaghan at the “Chambers of Commerce Building Business” seminar, held in the Celtic Ross Hotel, Rosscarbery, Co. Cork, on the 18<sup>th</sup> – 20<sup>th</sup> April 2014.

### 12. **CONFERENCES/ SEMINARS**

An Chomhairle approved attendance at conferences/seminars which were tabled on the night.

## **TOURISM TECHNOLOGY & COMPETITIVE STRATEGIES**

Comhairleoir B. Bermingham at the “Tourism Technology & Competitive Strategies” ` conference held in the Four Season Hotel, Carlingford, Co. Louth on the 16<sup>th</sup> – 17<sup>th</sup> May 2014.

### 13. **MOTIONS**

An Chomhairle approved the referral to the relevant Committee of the following motions, due notice of which has been given:-

#### 13.1 **AUDIT OF HOUSING DIRECTORATE**

‘That because of the isolation of elected members from any decision making - and conscious of a complete lack of transparency and accountability in terms of allocations and maintenance - Cork City Council agrees to a complete audit of the Housing Directorate and insists on a scheduled update by the Allocations Officer at every Housing Functional Meeting.

(Proposer: Cllr. M. Finn 14/152)

13.2 **RESTORE THE COLLAPSED FOUNDATIONS UNDERNEATH THE FENCE BETWEEN KEMPTON PARK AND CHAPEL GATE**

‘That Cork Council as a matter of urgency restores the collapsed foundations underneath the fence between Kempton Park and Chapel Gate in the interests of health and safety.’

(Proposer: Cllr. K. O’Flynn 14/158)

**Environment & Recreation Functional Committee**

13.3 **PLACE DOUBLE YELLOW LINES AT THE ENTRANCE/EXIT OF BELMONT TERRACE**

‘That Cork City Council put in place double yellow lines at the entrance/exit of Belmont Terrace (outside No. 147) in order to prevent cars parking at this point which blocks cars coming and going from Belmont Terrace. Also, can the existing double yellow lines on the opposite side of the road which have faded significantly be re-painted.

(Proposer: Cllr. J. Kavanagh 14/171)

**Roads & Transportation Functional Committee**

13.4 **REPLACE AND REPLANT TREES**

‘That Cork City Council replace the Tree that was removed in recent months opposite **No 3 Audley Place** and also plant a tree opposite **No. 8 Audley Place** where the old telephone box used to be at the top of Patricks Hill. In recent times, there has been quite a lot of filming going on in this area because of the magnificent views across the City from this particular area and the presence and maintenance of trees greatly enhances the area and makes it more attractive to film crews, tourists and visitors to our City.’

(Proposer: Cllr. J. Kavanagh 14/172)

**Environment & Recreation Functional Committee**

13.5 **DOG FOULING SIGNS IN THE ST. MARY’S AVENUE AREA**

‘That Cork City Council erect dog fouling signs in the St. Mary’s Avenue Area.’

(Proposer: Cllr. K. O’Flynn 14/176)

**Environment & Recreation Functional Committee**

14.6 **REMOVE PART OF GREEN AREA IN ROCKWOOD ESTATE MAHON.**

That part of the green area in Rockwood Estate Mahon would be removed so as the residents in this estate can park in safety.

(Proposer: D. O’Flynn 14/178)

**Environment & Recreation Functional Committee**

13.7 **SIGN BE PUT IN PLACE AT THE END OF BEAUMONT LAWN**

‘That a stop Sign be put in place at the end of Beaumont Lawn so as the residents can exit in safety.’

(Proposer: Cllr. D. O’Flynn 14/179)

**Roads & Transportation Functional Committee**

13.8 **ROADS RESURFACING PROGRAMME**

‘That Cork City Council include the roundabout for painting, and upgrade the pedestrian crossing at the Farranree Credit Union at the junction of Knockpogue avenue and Fairfield Avenue given the high usage of pedestrian traffic at this junction.

(Proposer: Cllr. T. Fitzgerald 14/184)

**Roads & Transportation Functional Committee**

13.9 **ROADS RESURFACING PROGRAMME**

‘Cork City Council include Churchfield square in the roads resurfacing programme’

(Proposer: Cllr. T. Fitzgerald 14/187)

**Roads & Transportation Functional Committee**

13.10 **RESURFACING PROGRAMME FOR 2014**

That City Council would take action on the condition of the road surface at Birch Place Togher and carry out remedial work in this area and also that it be included in the resurfacing programme for 2014.

(Proposer: Cllr. H. Cremin 14/190)

**Roads & Transportation Functional Committee**

13.11 **RESURFACING PROGRAMME FOR 2014**

‘That Croaghtamore Square and the laneway leading from Loughview Terrace to the Lough be prioritised for resurfacing/repair work.’

(Proposer: Cllr. M. Finn 14/194)

**Roads & Transportation Functional Committee**

13.12 **RESURFACING PROGRAMME FOR 2014**

‘That the footpaths on Evergreen Road (from junction with Quaker Road/Tower St) be included on the schedule of works’

(Proposer: Cllr. E. O’Halloran 14/198)

**Roads & Transportation Functional Committee**

13.13 **REVIEW OF FIRE SAFETY PROVISION, HEALTH AND SAFETY PLANNING REGULATIONS AT WATERLOO TERRACE AND CHARLEMONT TERRACE**

‘That Cork City Council carry out a thorough review of Fire Safety provisions, Health and Safety features Planning regulations of all the rented dwellings at Waterloo Terrace and Charlemont Terrace (off Wellington Road) to ensure compliance with the law and that these reviews be carried out without delay.’

(Proposer: Cllr. T. Brosnan 14/206)

**Planning & Development Functional Committee**

13.14 **REMOVE TREE OUTSIDE NO. 28 UPPER LOTABEG ROAD**

‘That the tree outside No. 28 Upper Lotabeg Road be removed as it is too big and is a cause of serious concern to residents.

(Proposer: Cllr. T. Brosnan 14/207)

**Environment & Recreation Functional Committee**

14.15 **HONORING CORK'S HISTORY ON "THE WESTERN FRONT" IN THE PERIOD 1914-1918**

‘That this Council in acknowledging the involvement of so many Corkonians in the First World War as demonstrated in the book 'the Great Sacrifice' and many other historical sources agrees to initiate a relationship with the City of Ypres, Belgium and hopefully in time, leading to a formal twinning relationship between the two Cities honouring Cork's history on "the Western Front" in the period 1914-1918 as reflected in the Ypres Memorial **"In memory of those men of Munster who died fighting for freedom -- A Tribute erected by the people of the Province of Munster and Cork it' Capital City.**’

(Proposer: Cllr. B. Bermingham 14/208)

**Planning & Development Functional Committee**

13.16 **REVIEW THE TRAFFIC MANAGEMENT PLAN IN THE WESTERN SIDE OF THE CITY**

‘That Cork City Council review the traffic management plan in the western side of the City in conjunction with the Cork City Development plan in order to tackle the serious issue of traffic congestion which effects so much of the area.’

(Proposer: Cllr. G. Gibbons 14/211)

**Roads & Transportation Functional Committee**

13.17 **DRAINS IN BALTIMORE LAWN**

‘That the drains in Baltimore Lawn be checked and drained as appropriate; one in particular outside house no’s 8-12 needs to be drained/ cleaned out’

(Proposer: Cllr. K. McCarthy 14/212)

**Environment & Recreation Functional Committee**

13.18 **DRAINS AT LINDEN AVENUE/ BEAUMONT DRIVE**

‘That the drains where Linden Avenue meets Beaumont Drive be checked and drained / cleaned as appropriate.’

(Proposer: Cllr. K. McCarthy 14/213)

**Environment & Recreation Functional Committee**

13.19 **REMOVE TREES IN THE RIVER LEE AT THE WEIR NEAR THE WATERWORKS ON THE LEE ROAD**

That City Council would remove the Tree's that are stuck/lodged in the river lee at the weir near the waterworks on the lee road. As this is a scenic walk along the lee fields , these should be removed to improve this picturesque scenery.

(Proposer: Cllr. H. Cremin 14/216)

**Environment & Recreation Functional Committee**

14. **MOTIONS**

An Chomhairle approved the following motions, due notice of which has been given:-

14.1 **THIRD TIER MEDICAL CARD FOR THOSE IN SOCIETY WHO NEED STATE SUPPORT IN THEIR EFFORT TO COMBAT SERIOUS ILLNESS**

‘That Cork City Council calls the Minister of Health Dr. James Reilly to introduce a third tier medical card for those in society who need state support in their effort to combat serious illness.’

(Proposer: Cllr. G. Gibbons 14/210)

This concluded the business of the meeting

**AN tARD-MHÉARA  
CATHAOIRLEACH**