

MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL
HELD ON MONDAY 9th JULY 2018

PRESENT	Ard-Mhéara Comhairleoir M. Finn.
NORTH EAST	Comhairleoirí S. Cunningham, T. Tynan, T. Brosnan.
NORTH CENTRAL	Comhairleoirí T. Gould, F. Ryan, K. O'Flynn, L. O'Donnell, J. Sheehan.
NORTH WEST	Comhairleoirí M. Nugent, T. Fitzgerald, K. Collins, M. O'Sullivan.
SOUTH EAST	Comhairleoirí K. McCarthy, C. O'Leary, D. Cahill, L. McGonigle, T. Shannon, N. O'Keeffe, S. O'Shea.
SOUTH CENTRAL	Comhairleoirí F. Kerins, P. Dineen, T. O'Driscoll, S. Martin.
SOUTH WEST	Comhairleoirí J. Buttimer, H. Cremin, M. Shields, F. Dennehy, P.J. Hourican, T. Moloney.
ALSO PRESENT	Mr. P. Ledwidge, Deputy Chief Executive Mr. J. G. O'Riordan, Meetings Administrator, Corporate & External Affairs. Mr. J. Hayes, Administration Officer, Corporate & External Affairs. Mr. P. Moynihan, Director of Services, Corporate & External Affairs. Mr. J. Hallahan, Head of Finance. Mr. M. Burke, A/Director of Services, H.R. Management & Organisation Reform.

An tArd-Mhéara recited the opening prayer.

1. **VOTES OF SYMPATHY**

- The Keyes Family on the death of Kieran Keyes.
- The Calnan Family on the death of Martin Calnan.
- The Ring Family on the death of Craig Ring.
- The Dawson Family on the death of Pat Dawson.
- The Coughlan Family on the death of James Coughlan.

2. **VOTES OF CONGRATULATIONS/BEST WISHES**

- Cork Figure Skating Association for bringing the World Open and European Incline Figure Skating Championship to Cork City.
- Sophie Bideau on her silver medal in the Under 18 European Championship in Athletics.
- Liam Ronayne on Cork Person of the Month Award for June 2018.

3. **LORD MAYOR'S ITEMS**

3.1 **ONE FUCHSIA APPEAL**

An tArd-Mhéara advised An Chomhairle that he had distributed badges to all members in respect of the One Fuchsia Appeal.

3.2 **ST. PETERSBURG**

An tArd-Mhéara received the approval of An Chomhairle for a delegation to visit St. Petersburg in the near future.

4. **CHIEF EXECUTIVE'S ITEMS**

4.1 **ACADEMY OF URBANISM**

The Deputy Chief Executive thanked the members of An Chomhairle, City Council Staff and all stakeholders who contributed towards the very successful Academy of Urbanism Event.

5. **MINUTES**

On the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir T. Gould, An Chomhairle considered and approved the minutes of the Ordinary Meeting of An Chomhairle held 25th June 2018 subject to the following amendment:-

VOTES OF SYMPATHY

- The Ó'Loinsigh Family on the death of Seán Ó'Loinsigh

6. **QUESTION TIME**

6.1 **DOUBLE YELLOW LINES IN PALACEANNE LAWN**

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

When will the double yellow lines be installed in Palaceanne Lawn adjacent to ESB Sub Station entrance Ref 31436?

(Cllr. Sean Martin)

REPLY

The request for painting of double yellow lines in Palaceanne Lawn adjacent to the ESB Sub Station will be assessed to determine the extent of works required. All works deemed appropriate will be inputted in to the road painting programme and undertaken as soon as is practical.

It is to be noted that the concrete area at the entrance to the ESB Substation is not within the charge of Cork City Council and therefore will not form part of the works.

Gerry O'Beirne,
Director of Services,
Roads & Transportation.

6.2 **PEDESTRIAN CROSSING ON GLASHEEN ROAD**

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

Could a pedestrian crossing be provided on Glasheen Road?

A pedestrian crossing is urgently needed on Glasheen Road in the vicinity of St. Finbarr's Cemetery. The Glasheen Road is an extremely busy thoroughfare and apart from people entering and leaving the cemetery there is large elderly population living in the area who would appreciate a pedestrian crossing in the interest of health and safety.

(Cllr. Mary Shields)

REPLY

There is no budgetary allocation in the current year for new pedestrian crossings. The location on Glasheen Road in the vicinity of St. Finbarr's Cemetery will be examined with a view to assessing the problems that exist and identify mitigation measures. Any proposed solutions will be retained for consideration in the context of future funded work programmes. Please note allow that there is a controlled pedestrian crossing in place approx 80m northeast of the main entrance to St. Finbarr's Cemetery.

Gerry O'Beirne,
Director of Services,
Roads & Transportation.

6.3 **COUNTRY WIDE BYELAWS**

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

Can the CE confirm media reports of new country wide byelaws (due for implementation in late 2018) that are to be adopted by Councils nationwide requiring businesses and households to prove they are disposing of rubbish legally. This is to try and help deal with the increasing rubbish that is being dumped nationwide.

(Cllr. John Sheehan)

REPLY

The regional waste authorities prepared a draft template of bye laws on the presentation of waste for adoption by all local authorities.

One of the elements of the proposed bye laws is that there would be an onus on the holders of waste to provide information such as receipts, statements or other proof regarding the existence of a waste collection service or on the measures taken to have waste collected and disposed of.

A Chomhairle at its meeting of 26th February 2018 agreed to the commencement of public consultation on the proposed by laws.

Since February the regional waste authorities have suggested some alterations to the proposed bye laws.

Cork City Council's proposed bye laws are currently being reviewed by the Law Department and it is anticipated that public consultation on the proposed bye laws will commence during July 2018.

Valerie O'Sullivan,
Director of Services,
Environment & Recreation.

6.4 **PEDESTRIAN ACCESS TO ST. MARY'S HEALTH CAMPUS**

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

Can the CE outline the details and timescale for vehicular and pedestrian access to St. Mary's Health Campus in Gurrabraher from the Harbour View Road side and traffic management plans for both here and at the Baker's Road entrance once the campus is fully open?

(Cllr. Michael Nugent)

REPLY

A new link road connecting St Mary's Health Campus with Knocknaheeny/Hollyhill is an objective of the City Development Plan and the City Northwest Quarter Regeneration Masterplan. Cork City Council has, through the City Northwest Regeneration Office, engaged Consulting Engineers to advance the preliminary design of the road including the feasibility of upgrading the Harbour View Road/Courtown Drive Junction. The scheme will involve works on lands owned by Cork City Council, Cork ETB and the HSE. It is anticipated that the scheme will be advanced through Part 8 later in 2018 with detailed design and construction to commence in 2019 subject to the granting of planning approval and the availability of funding.

The feasibility of developing a pedestrian walkway, in advance of the main link road, is also being explored by Cork City Council, the HSE and CETB.

MHL Design Consultants are currently in the process of identifying the optimum layout for the junction of St Mary's Campus and Bakers Road. Once confirmed the design and related costs will be notified to the HSA for confirmation. Subject to the scale and nature of the proposed layout planning consent may be required. If Part 8 planning is warranted it will be published in Sept/Oct 2018. If the proposed scheme is sub threshold from a planning perspective it will proceed to Contractor tender stage with construction to follow thereafter late this year.

Brian Geaney,
Director of Services,
Housing & Community

Gerry O'Beirne,
Director of Services,
Roads & Transportation.

6.5 **GOVERNMENT/STATE ORGANISATIONS THAT ARE EXEMPT FROM PAYING RATES**

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

Can the CE please list all Government / State organisations in the current Cork City Administrative that are exempt from paying Rates to Cork City Council, furthermore can the CE also list all organisations claiming Rates exemption under the Charitable Exemption provisions of National legislation?

(Cllr. Tim Brosnan)

REPLY

The key legislation relating to rates and exemption are the following acts.

Valuation Act 2001

Valuation (Amendment) Act 2015

The 2015 Act amends the 2001 Act but does not replace it.

Other Acts which have amended the 2001 Act include:

Local Government Reform Act 2014 (amends Schedules 3 & 4)

Section 16 of HSE (Financial Matters) Act 2014 (exempts HSE from rates)

Section 12 of Water Services Act 2014 (exempts Irish Water)

Valuation Act 2001 Schedule 4 of the Valuation Act 2001 (as amended by the Valuation (Amendment) Act 2015 sets out details of relevant property not rateable.

The schedule includes land used for agriculture, horticulture, forestry and sport. Also, buildings used exclusively for public religious worship, caring for sick persons, educational institutions, any art gallery, museum, library, park or national monument which is open to the public and not maintained for the purpose of making a private profit, community halls and buildings used for charitable purposes by a charitable organization.

Buildings occupied by members of either House of the Oireachtas or a member of the European Parliament exclusively as his/her constituency office.

Part 4, Section 15 of the Valuation Act provides that where „„a building or part of a building, land or a waterway or a harbour **directly occupied by the State** (including any land or building occupied by any Department or office of the state, the defence Forces or the Garda Síochána or used as a prison or place of detention), shall not be rateable.

Valuation (Amendment) Act 2015

The key changes in the Valuation (Amendment) Act 2015 that relate to exemptions include:

Not for profit childcare facilities exempt, Sports clubs: bar and food area only Not for Profit Childcare facilities The 2015 Act provides a new exemption from commercial rates for such properties.

Sports Clubs / bar and food area only, the partial exemption applies to Clubs where buildings or part of buildings are occupied and are used exclusively for “community sport” on a not for profit basis. The Club must be registered under the Registration of Clubs (Ireland) Act 1904.

The Valuation (Amendment) Act 2015 introduced a new provision to the Valuation Act 2001 which gives rise to the partial exemption. This is now set out in Schedule 4, paragraph 4B of the 2001 Act.

Water Services Act 2014 Section 12 of the Water Services Act 2014 provides that public water services property is not rateable and amended Schedule 4 of the Valuation Act 2001. Circular L3 15 dated 22nd April 2015 noted that the enactment of the above section would have a negative financial effect on Local Authority budgets and therefore informed Local Authorities that compensation funding would be provided through the Local Government Fund in 2015 and 2016.

Section 16 of HSE (Financial Matters) Act 2014 Section 16 of the above Act amends Schedule 4 of the Valuation Act 2001 to include “any land, building or part of building occupied by the HSE” to be exempt from rates (Schedule 4, Section 20).

The Valuation Office assess each property and use in order to establish if it is list rateable or exempt in accordance with Schedule 4 and Section 15.

Properties which are exempt from rates are not valued or entered on the Valuation List since January 2014, thus a full list of exempt properties is no longer attainable from our database.

Under the 2001 and 2015 Valuation Acts the following are exempt from Rates in the Cork City Council Admin Area;

U.C.C.

C.I.T.

St. John’s Central College

College of Commerce

Colaiste Stiofain Naofa

Crawford College of Art and Design.

Cork School of Music

Non Fee Paying Secondary Schools

Non Fee Primary Schools

E.T.B.

H.S.E. (hospitals, offices, nursing homes etc.)

Irish Water

An Garda Siochana

Courts Service

Prison Service

Probation Service

The Office of Public Works

The Defence Forces

Health and Safety Authority

Dept. of Social Protection

C.S.O.

Citizens Information Board
E.P.A.
Revenue Commissioners
HIQA
CETB
Irish Water Safety
Enterprise Ireland
Legal Aid Board
Probation Service
Private Residential Tenancies Board
Personal Injuries Assessment Board
Parole Board
TII
Irish Blood Transfusion Service
The COPE Foundation
TUSLA
IDA

Charities granted reductions locally by Cork City Council in 2017

AGE ACTION IRELAND LTD
ANEW SUPPORT SERVICES
ATLANTIA FOODS CLINICAL
TRIAL
BALLINLOUGH PITCH & PUTT
CLUB
BARNARDOS
BLACKPOOL COMMUNITY
CENTRE
BOOMERANG RECYCLING
CALVARY BAPTIST CHURCH
CHERNOBYL CHILDRENS
PROJECT
CHERNOBYL ORPHAN'S FUND
CHRIST RESTORATION LIFE
MINISTRIES
CHURCHFIELD COMMUNITY
TRUST
CONCERN
CORK ARC CANCER SUPPORT
HOUSE
CORK ASSOCIATION FOR AUTISM
CORK CHRISTIAN TRUST
CORK CITY PARTNERSHIP LTD
CORK COMMUNITY ART LINK
LTD
CORK COUNSELLING CENTRE
CORK COUNTY BOXING BOARD
LTD
CORK ENVIRONMENTAL FORUM

LIMITED
CORK FULL GOSPEL FELLOWSHIP
MISSION
CORK GAY COMMUNITY
DEVELOPMENT
CORK PENNY DINNERS
CORK Y.M.C.A LTD
CUSHING HOUSE COMMUNITY
CHILDCARE LTD
DEEPER LIFE CHRISTIAN
MINISTRY
DOWN SYNDROME CORK
DOWN SYNDROME IRELAND
LIMITED
ENABLE IRE DISABILITY
SERVICES LTD
ENABLE IRELAND
FAIRHILL HARRIERS CLUB
FARGHALY RADWAN 121 UAM
VAR DRIVE
FARRENREE TAEKWONDO CLUB
FIRST EMPLOYMENT SERVICES
LTD
FOCUS IRELAND LIMITED
GAELIC ATHLETIC ASSOCIATION
GAEL-TACA TEORANTA
GERALD GRIFFIN HARRIERS
CLUB
GORTA
GREATER CHERNOBYL PROJECT
GROW IN IRELAND
HEADWAY IRELAND LTD
IRISH RED CROSS
LAWE SOCIETY OF IRELAND
LEEVALE ATHLETIC CLUB

LINC (LESBIANS IN CORK) LTD
MATT TALBOT SERVICES
MEITHEAL MARA TEORANTA
MERCY UNIV. HOSPITAL CORK
FOUNDATION
MY CANINE COMPANION
LIMITED
NATIONAL ASSOCIATION OF
BUILDING
NATIONAL COUNCIL FOR THE
BLIND OF IRL
NATIONAL LEARNING NETWORK
LTD

NATIONAL YOUTH CENTRE FOR
MENTAL HEALTH
NEW COMMUNITIES
PARTNERSHIP
NORTH WEST PIGEON RACING
CLUB
NORTHERN HARRIERS CLUB
NORTHSIDE ENTERPRISE CENTRE
OGRA CHORCAI LTD
OPERATION CORK MUSIC BLAST
OSS CORK
OXFAM IRELAND
PARISH PRIEST
PASTOR NICK CASSIDY
PAUL FENNELLY (Artist)
PLACE OF WORSHIP
SECURE & FIX-IT ENTERPRISES
LTD
SITJAIPETCH MARTIAL ARTS
GYM
SOCIETY OF ST. VINCENT DE
PAUL
SPECIAL OLYMPICS MUNSTER
ST FINBARR'S WEIGHTLIFTING
CLUB
T/A REBEL MARTIAL ARTS
STUDIO
DR MOHAMED ALSHAILE
THE CARING AND SHARING
THE CORK SHAKESPEAREAN
SOCIETY
THE FRIENDS OF ST PATRICKS
THE GIRLS CANCER SUPPORT
CLUB
THE GIRLS CLUB CORK LTD
THE GLEN MEALS ON WHEELS
THE HARDCORE BODY BUILDING
CLUB
THE MUSLIM FOUNDATION OF
CORK
THE PIGEON CLUB
THE SPARTAN BOXING CLUB
TOGETHER RAZEM CENTRE
COMPANY LTD
TOGHER BOXING CLUB
TRUSTEES BALLINLOUGH TENNIS
CLUB
TRUSTEES CORK PIGEON CLUB
TRUSTEES ST. FINBARRS PIPE

BAND
UCKG HELP CENTRE LTD
VERY REVERENED PATRICK
MCCARTHY PP
VOICE OF TRUTH ASSEMBLY
WALLAROO PLAYSCHOOL LTD
YOUTH ADVOCATE PROGRAMME
IRELAND LTD

JOHN HALLAHAN
HEAD OF FINANCE

6.6 **SANDY LANE, CASTLE ROAD**

In response to the following question submitted by Comhairleoir N. O’Keeffe, a written reply was circulated as outlined below:-

Can the CE confirm if Sandy Lane, Castle Road has been taken in charge?
If not, who is legally responsible for the upkeep of the estate, in particular tree pruning works?

(Cllr. Nicholas O’Keeffe)

REPLY

Sandy Lane has not been taken in charge by Cork City Council as there are serious concerns about the integrity of a boundary wall. This matter is being dealt with by the Roads and Transportation Directorate before the estate is taken in charge.

In the interim it remains the responsibility of the developer to maintain the estate. However the developer of the estate is in receivership.

Pat Ledwidge,
Director of Services,
Strategic Planning, Economic Development & Enterprise.

6.7 **ISSUES BY CORK CITY BRIGADE FIREFIGHTERS**

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

That the CE outline the background to issues raised recently by Cork City Brigade Firefighters and efforts being undertaken to resolve the dispute with Council management?

(Cllr. Kenneth Collins)

REPLY

The background to the current industrial relations issues originates from the non engagement by fire personnel in safety training over an extended period. The Labour Court issued two recommendations that the firefighters should participate in the training and the City Council has enlisted the services of the Workplace Relations Commission with the objective of ensuring firefighters participate in all scheduled training.

Furthermore, firefighters in Cork City Council decided to embark on unofficial industrial action including:

- non entry of incident calls on the Incident Recording System
- not undertaking drills & training
- limiting overtime crewing
- non cooperation with the introduction of I.C.T. tablets which allow firefighters to access critical safety information at fire incident locations.

These actions represent clear breaches of the Public Service Agreements and established industrial relations procedures and practices.

Cork City Council has paid its firefighters all increases due under the Public Service Agreements. Back monies were due in relation to these increases but Cork City Council is precluded from paying these back monies until the firefighters comply in full with the terms of the Public Service Agreements by engaging in all scheduled training, ceasing industrial action and undertaking their full range of duties.

Cork City Council is available at all times to meet officially with the staff representative union with a view to bringing all outstanding matters to a timely and constructive conclusion. In this regard the Council has contacted SIPTU officially on a number of occasions stating its ongoing availability to meet with a view to resolving all matters at issue.

Michael Burke,
A/Director of Services,
HR Management & Organisational Reform

6.8 **ENHANCEMENT OF KENNEDY PARK**

The following question submitted by Comhairleoir K. McCarthy was deferred to the next meeting of An Chomhairle to be held 10th September 2018:-

To ask the CE about progress on funding approved in late 2017 to commence draft designs for the enhancement of Kennedy Park and the public realm along Monahan Road. An important element of the design process was to be consultation with residents and other stake holders. What is the status of this project?

(Cllr Kieran McCarthy)

6.9 **SURVEY ON ESB POLES**

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

Will the CE contact the ESB networks and ascertain whether they have recently carried out a survey of their wooden ESB poles in the city, or is a survey to be organised shortly, to confirm their condition, as many appear to be in poor shape and many are quite rotten and in my view pose a danger to public safety.

If a survey has not been carried out, will she insist on behalf of the City Council that one be carried out immediately and the findings published?

(Cllr. Terry Shannon)

REPLY

ESB Networks are the owners of the wooden poles in the city and they are regulated by the Commission for Utilities Regulation. ESB Networks are responsible for the maintenance and renewal of the network distribution asset including wooden poles and are the only party liable for public safety in respect of the asset. Cork City Council does not have any role in relation to the condition of assets operated and maintained by ESB Networks. The Council can contact ESB Network with a view to querying whether or not it has conducted recent surveys, if members so request.

Gerry O'Beirne,
Director of Services,
Roads & Transportation.

7. **PARTY WHIPS – 2nd JULY 2018**

An Chomhairle considered and noted the minutes of Party Whips from its meeting held 2nd July 2018.

7.1 **PEDESTRIAN BRIDGE FROM MERCHANTS QUAY TO HARLEY STREET
(Held In Committee)**

An Chomhairle considered and approved the reports of the Director of Services dated 2nd November 2017 and the 5th March 2018 and the decision of the Party Whips on the following Motion regarding the naming of the new bridge at Harleys St:-

‘That in order to celebrate and claim Cork's prominent place in the international literary world that Cork City Councillors would name the new pedestrian bridge from Merchants Quay to Harley's Street as Frank O'Connor Bridge and also that City Councillors would change the name of Shandon Bridge to Sean O'Faolain Bridge as both writers are internationally renowned Cork city natives.’

(Proposer: Cllr. T. Brosnan 17/164)

7.2 **ANY OTHER BUSINESS**

An Chomhairle considered the decision of the Party Whips and agreed that the meeting of the 16th July 2018 should take place.

8. **ENVIRONMENT & RECREATION STRATEGIC POLICY COMMITTEE – 25th
JUNE 2018**

An Chomhairle considered and noted the minutes of the Environment and Recreation Strategic Policy Committee from its meeting held 25th June 2018.

9. **STRATEGIC PLANNING, ECONOMIC DEVELOPMENT & ENTERPRISE STRATEGIC POLICY COMMITTEE AND HOUSING & COMMUNITY SERVICES STRATEGIC POLICY COMMITTEE – 25th JUNE 2018**

An Chomhairle considered and noted the minutes of the Strategic Planning, Economic Development and Enterprise Strategic Policy Committee and the Housing and Community Services Strategic Policy Committee from its meeting held 25th June 2018.

9.1 **PROPOSED VARIATION NO.5 (STUDENT ACCOMMODATION) TO THE CORK CITY DEVELOPMENT PLAN 2015-2021**

An Chomhairle considered and noted the Chief Executive's Report dated 25th June, 2018 on the proposed Variation No.5 (Student Accommodation).

On the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir S. Martin, the following Resolution was also proposed as follows:-

'Having regard to the proper planning and sustainable development of the area, the statutory obligations of Cork City Council as local authority and any relevant policies and objectives of the Government or Ministers of the Government, it is hereby RESOLVED to make Variation no. 5 to the Cork City Development Plan 2015-2021 under Section 13(6) (a) of the Planning and Development Act 2000 (as amended).'

A vote was called for on the proposal of Comhairleoir P. Dineen, seconded by Comhairleoir T. Brosnan, where there appeared as follows:-

FOR: Comhairleoirí S. Cunningham, T. Tynan, T. Brosnan, T. Gould, F. Ryan, K. O'Flynn, L. O'Donnell, J. Sheehan, M. Nugent, T. Fitzgerald, K. Collins, M. O'Sullivan, K. McCarthy, C. O'Leary, D. Cahill, L. McGonigle, T. Shannon, S. O'Shea, M. Finn, F. Kerins, T. O'Driscoll, S. Martin, J. Buttimer, H. Cremin, M. Shields, F. Dennehy, P.J. Hourican, T. Moloney. (28)

AGAINST: Comhairleoir P. Dineen. (1)

As those voting in favour was greater than those voting against, An tArd-Mhéara declared the Proposed Variation No.5 (Student Accommodation) carried and the Resolution adopted.

9.2 **ARCHITECTURAL CONSERVATION AREA GRANTS SCHEME 2018**

On the proposal of Comhairleoir K. McCarthy, seconded by C. O'Leary, An Chomhairle considered and approved the Report of the Director of Services, Strategic Planning, Economic Development & Enterprise dated 18th June 2018 on the Architectural Conservation Area Grants Scheme 2018.

9.3 **AMENDMENTS TO THE DEVELOPMENT CONTRIBUTION SCHEME AND THE SUPPLEMENTARY DEVELOPMENT CONTRIBUTION SCHEME AS ADOPTED ON 13th NOVEMBER 2017**

An Chomhairle considered and noted the report of the Chief Executive dated 25th June, 2018 and the Director of Services report dated 25th June, 2018 on the submissions to the draft amended development contribution scheme and draft amended supplementary development contribution scheme.

On the proposal of Comhairleoir T. Shannon, seconded by Comhairleoir M. Shields, An Chomhairle agreed to adopt the following Resolution:-

‘Having considered the General Development Contribution Scheme (Draft Amendment) and Supplementary Development Contribution Scheme (Draft Amendment) 2018-2021, and the Chief Executive’s report, it is hereby **RESOLVED** under Section 48(8) (a) of the Planning and Development Act 2000 (as amended) to adopt the amended Cork City Council General Development Contribution Scheme and to adopt the amended Cork City Council Supplementary Development Contribution Scheme.’

9.4 **MOTIONS REFERRED TO THE COMMITTEE BY THE STRATEGIC PLANNING, ECONOMIC DEVELOPMENT & ENTERPRISE FUNCTIONAL COMMITTEE**

9.4.1 **DISPOSAL OF LANDS IN THE TANK FIELD**

An Chomhairle considered the Report of the Director of Services, Corporate and External Affairs dated 18th June 2018 on the following Motion:-

‘That Cork City Council clarify that decisions in relation to the disposal of lands in the Tank Field, recently activated, were made on the basis of materially incorrect and incomplete information during both the disposal and associated Part 8 process. That Cork City Council further clarify that this disposal purported to dispose of lands that the City Council didn’t actually own at the time of disposal.

It is noted that the disposal report and associated map, presented to the Council as a basis for their decision, stated that the lands in question were acquired by Order of the County Registrar by means of Conveyance dated 9th October 2001, when in fact, this was not strictly the case, as illustrated below.

- Councillors were not told that (i) a significant portion of the lands were not included in the County Registrar’s order, and (ii) also importantly, they were not told that this land formed part of the statutory 10% green area of Mayfield Heights housing estate (located across the road from The Tank Field).
- Furthermore, it should be noted that members were informed that Council retrospectively claimed ownership of this 10% green area by means of Possessory Title (Squatters Rights), even though it subsequently was acknowledged that no such Possessory Title had been registered, as is required by law.
- It is also an issue of concern that the information contained in the subsequent Part 8 Certification which stated that the development does not contravene the Development Plan for the City of Cork, despite the fact that it was proposing to utilise a significant area in a manner not in accordance with its Public Amenity Zoning.

In view of the above, can I propose that Cork City Council resolves to seek independent legal advice into the validity of the aforementioned Disposal Order, and the associated Part 8, and that in the meantime, no further development be undertaken on the Tank Field until such time as this issue is clarified and resolved.'

(Proposer: Cllr. J. Kavanagh 18/186)

On the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir T. Moloney, a vote was called for to refer the matter back to the Strategic Planning, Economic Development and Enterprise Strategic Policy Committee where there appeared as follows:-

FOR: Comhairleoirí T. Tynan, T. Brosnan, K. O'Flynn, T. Fitzgerald, K. McCarthy, D. Cahill, L. McGonigle, T. Shannon, N. O'Keeffe, M. Finn, J. Buttimer, M. Shields, F. Dennehy, P.J. Hourican, T. Moloney. (15)

AGAINST: Comhairleoirí S. Cunningham, T. Gould, F. Ryan, L. O'Donnell, J. Sheehan, M. Nugent, K. Collins, C. O'Leary, S. O'Shea, F. Kerins, T. O'Driscoll, S. Martin, H. Cremin. (13)

As those voting in favour was greater than those voting against, An tArd-Mhéara declared the vote carried. An Chomhairle agreed to refer the matter back to the Strategic Planning, Economic Development and Enterprise Strategic Policy Committee.

9.4.2 **TRANSFER LAND ADJACENT TO BALLYPHEHANE HURLING AND FOOTBALL PITCH**

An Chomhairle considered and noted the Report of the Director of Services, Environment and Recreation dated 20th June 2018 on the following Motion and on the Proposal of Comhairleoir S. Martin, seconded by Comhairleoir K. O'Flynn, An Chomhairle agreed to refer the Motion back to the Strategic Planning, Economic Development and Enterprise Strategic Policy Committee:-

'That the land adjacent to Ballyphehane Hurling and Football pitch be transferred to the club as soon as possible so as to enable them to apply for grant assistance for an all-weather pitch.'

(Proposer: Cllr. T. O'Driscoll 18/206)

It was also agreed that Cork City Council officials would meet with Ward Members in the interim.

10. **FINANCE & ESTIMATES FUNCTIONAL COMMITTEE – 25th JUNE 2018**

An Chomhairle considered and noted the minutes of Finance and Estimates Functional Committee from its meeting held 2nd July 2018.

10.1 **FINANCE RELATED REPORTS**

10.1.1 **FINANCIAL STATEMENTS TO END OF MAY 2018**

An Chomhairle considered and approved the Financial Statements to end of May 2018.

10.2 **MOTIONS**

10.2.1 **FUNDING FOR BICYCLE RACKS IN SCHOOLS THROUGHOUT THE CITY**

An Chomhairle considered and approved the Report of the Head of Finance dated 21st June 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council allocate 20,000 Euro for the provision of bicycle racks in Primary and Post-primary schools throughout the city; that the schools could apply for under a grant initiative.’

(Proposer: Cllr. N. O’Keeffe 18/147)

The Report of the Head of Finance stated that the 2018 budget was adopted in November 2017. All 2018 Income and Expenditure has been accounted for in the budget. Unfortunately it has not been possible to provide a budget for the provision of bicycle racks in Primary and Post-primary schools throughout the city, which the schools could apply for under a grant initiative. Cork City Council will be well challenged to achieve its targets as set out in the 2018 budget. We will review the request during the 2019 budget process.

10.2.2 **REVIEW THE “RATES” STATUS OF BUSINESSES WITH CHARITABLE STATUS**

An Chomhairle considered and approved the Report of the Head of Finance dated 21st June 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council review the “Rates” status of any businesses operating in the City which have Charitable status historically with a view to identifying those that may have evolved to become “private” institutions/companies and whose comparators may in fact be paying rates, and further that all “state” organisations with rates exemptions be identified and a rough estimate be calculated of the rates they would pay if their exemption did not apply.’

(Proposer: Cllr. T. Brosnan 18/159)

The Report of the Head of Finance stated that Cork City Council’s rates department review the status of charitable organisations on an ongoing basis. Charities are billed each year, and have to submit proof each year that they are in occupation of the billed premises and provide details of their registered charity number before the relevant waiver is applied.

With regards to “state” organisations it is very difficult to arrive at a figure that would be anywhere near accurate.

The Valuation Office policy in recent times is to list exempt properties and assign a zero valuation against the property when the information is passed to Local Authorities. Older exempt properties may retain a valuation figure, but this can be a long number of years out of date.

We are not in a position to arrive at a valuation figure for each exempt property. Without a valuation figure we would not be in a position to calculate the rates that would fall due if the property was list rateable.

11. **FINANCE & ESTIMATES FUNCTIONAL COMMITTEE – 2nd JULY 2018**

11.1 **DISPOSALS**

An Chomhairle considered and approved the reports of the Chief Executive dated 28th June, 2018 in relation to the following property Disposals:

- (a) Disposal of the freehold interest in the property known as No. 47, Capwell Road, Cork to Henry Fleming, c/o Joseph Cuthbert Solicitors, No. 15, South Mall, Cork, for the sum of €10.16 together with costs in the sum of €460.00 plus VAT.

On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir M. Shields, An Chomhairle approved the Disposal.

- (b) Disposal of the freehold interest in the property known as No. 21, Killeenreendowney Avenue, Ballyphehane, Cork to James Carroll, c/o Irwin Kilcullen & Co. Solicitors, No. 56, Grand Parade, Cork, for the sum of €10.16 together with costs in the sum of €460.00 plus VAT.

On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir M. Shields, An Chomhairle approved the Disposal.

- (c) Disposal of the freehold interest in an area of ground situated adjacent to No. 21, Killeenreendowney Avenue, Ballyphehane, Cork, to James Carroll, c/o Irwin Kilcullen & Co. Solicitors, No. 56, Grand Parade, Cork, for the sum of €3,655.00 plus costs of €1,500.00 plus VAT.

On the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir K. McCarthy, An Chomhairle approved the Disposal.

- (d) Disposal by way of lease of property known as No. 46A, Spriggs Road, Gurrabraher, Cork, to Cork City Partnership Limited by Guarantee, c/o O’Flynn Exhams, Solicitors, No. 58, South Mall, Cork, for a period of 3 years subject to a rent of €200.00 per annum.

On the proposal of Comhairleoir N. O’Keeffe, seconded by Comhairleoir S. Martin, An Chomhairle approved the Disposal.

- (e) Disposal by way of lease of land situated at Leemount, Carrigrohane, Cork, to Gerard O’Connell, c/o Michael Powell Solicitors, No. 5, Lapps Quay, Cork, for a period of 3 years subject to a rent of €220.00 per acre (Total €6,930.00) per annum.

On the proposal of Comhairleoir J. Sheehan, seconded by Comhairleoir S. Martin, An Chomhairle approved the Disposal.

- (f) Disposal of interest in an area of land situated at “St. Judes”, No. 53, Riverview Estate, Ballyvolane, Cork, to Sally Christopher, c/o Fitzgerald Solicitors, No. 6, Lapps Quay, Cork, for the sum of €300.00 plus costs of €1,500.00 plus VAT.

On the proposal of Comhairleoir K. McCarthy, seconded by Comhairleoir J. Buttimer, An Chomhairle approved the Disposal.

- (g) Disposal of the freehold interest in property known as No. 2, Monaville, Glasheen Road, Cork, to Llewellyn Farm Limited c/o Fitzmaurice Ludlow Solicitors, East Green, Dunmanway, Co. Cork, for the sum of €230,500.00.

On the proposal of Comhairleoir M. Shields, seconded by Comhairleoir J. Buttimer, An Chomhairle approved the Disposal.

- (h) Disposal of the freehold interest in property known as “Glasheen House” No. 1, Dorgans Road, Cork, to Alan Horgan, c/o Macaire McCauley Adams Solicitors, Lower Kilmoney Rd, Carrigaline, Co. Cork, for the sum of €165,000.00.

On the proposal of Comhairleoir K. McCarthy, seconded by Comhairleoir J. Buttimer, An Chomhairle approved the Disposal.

- (i) Disposal of the freehold interest in property known as No. 16, Portneys Lane, off North Main Street, Cork, to Christopher and Laura Mason, c/o Kevin O’Donovan and Partners Solicitors, The Old Market House, Upper Main Street, Bantry, Co. Cork, for the sum of €60,000.00 plus VAT.

On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir J. Buttimer, An Chomhairle approved the Disposal.

12. **TOURISM, ARTS & CULTURE FUNCTIONAL COMMITTEE – 2nd JULY 2018**

An Chomhairle considered and noted the minutes of the Tourism, Arts and Culture Functional committee from its meeting held 2nd July 2018.

12.1 **ARTS COMMITTEE**

An Chomhairle considered and approved the report of the Arts Officer dated 2nd July 2018.

12.2 **CRUISE AMBASSADORS 1st MAY – 26th JUNE 2018**

An Chomhairle considered and approved the report of the Director of Services, Corporate and External Affairs dated, 28th June 2018 on Cruise Ambassadors 1st May – 26th June 2018.

12.3 **IMPACTS CONFERENCE IN LIVERPOOL**

An Chomhairle considered and approved the report of the Director of Services, Corporate and External Affairs dated, 28th June 2018 on the Impacts Conference in Liverpool.

12.4 **CREATIVE IRELAND**

An Chomhairle considered and approved the report of the Director of Services, Corporate and External Affairs dated, 28th June 2018 on Creative Ireland.

12.5 **COST BENEFIT ANALYSIS FOR THE LOCATION OF A FILM PRODUCTION STUDIO IN CORK AND NEXT STEPS**

An Chomhairle considered and approved the report of the Director of Services, Corporate and External Affairs dated, 28th June 2018 on Cost Benefit Analysis for the Location of a Film Production Studio in Cork and Next Steps.

12.6 **MOTIONS**

REINSTATE THE “IRISH MARKET”

An Chomhairle considered and approved the Report of the Director of Services, Corporate and External Affairs dated 28th June 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council would engage with property owners on Cornmarket Street with a view to exploring the reinstatement of the “Irish Market” as a complimentary market to the English Market that would trade in Arts / Crafts/ locally made souvenirs, music, etc. Such development were it to proceed should look to being open all week during tourist season and it may also provide an alternative trading location for the current fixed stalls which are beginning to deteriorate.’

(Proposer: Cllr. T. Brosnan 18/188)

The Report of the Director of Services stated that the proposal has merit and should be considered as part of a wider action plan to develop and enhance the type and nature of trading on Cornmarket Street. Such a plan would need to be carried out in close consultation with existing traders and other key stakeholders to ensure its deliverability and success. The development of such a plan is resource dependent and will need to be factored into the work programme of the relevant directorate, most likely the Strategic Planning and Economic Development Directorate.

13. **CORRESPONDENCE**

An Chomhairle noted correspondence received.

14. **CONFERENCE/SEMINAR SUMMARIES**

An Chomhairle considered and approved the summary from Comhairleoir M. Shields at the AILG Training Seminar 3 – Irish Water and a Single Public Water Utility held in Dundalk, Co. Louth on the 23rd June 2018.

15. **CONFERENCES/ SEMINARS**

None received.

16. **TRAINING**

None received.

17. **CHIEF EXECUTIVE'S MONTHLY MANAGEMENT REPORT**

An Chomhairle considered and noted the Chief Executive's Monthly Management Report for May 2018.

Comhairleoir T. Gould referred to the issue of Homelessness in the Chief Executive's Monthly Management Report.

18. **MOTIONS**

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

18.1 **MULTI-STOREY PARKING PACKAGE**

'That Cork City Council immediately invite other car park owners into discussion with a view to presenting a vibrant multi-storey parking package compatible with enticing people back into the city centre.'

(Proposer: Cllr. S. Martin 18/154)

Roads & Transportation Functional Committee

18.2 **MORRISON'S ISLAND/FATHER MATTHEW QUAY FLOOD RELIEF SCHEME**

'That the Morrisons Island/Father Matthew Quay Flood Relief Scheme be reviewed in the context of maintaining maximum car parking in the area.'

(Proposer: Cllr. S. Martin 18/155)

Environment & Recreation Functional Committee

18.3 **FOOTPATHS ON VICARS ROAD**

'That City Council would inspect the footpaths on Vicars Road particularly near its own depot and outside houses 1 to 13 plus at the Junction with Togher Rd. (Lough side).'

(Proposer: Cllr. H. Cremin 18/192)

Roads & Transportation Functional Committee

18.4 **RELOCATE LIVE AT THE MARQUEE**

‘I call on Cork City Council to enter into talks/discussions with Aiken Promotions/Kenny Lee to bring forward a plan to ensure that the Live at the Marquee success story continues into the future. The current area (Showground’s) that is being used for the Marquee is for sale or has been sold and there is a very real risk that Cork could lose the Live at the Marquee annual event unless a suitable location is available. Because of this very real risk I further call on the City Council to take a favourable view that the much awaited Tramore Valley Park should be considered as a venue to relocate the Marquee from 2019 onwards therefore ensuring its success for Cork City.’

(Proposer: Cllr. P. Dineen 18/221)

Corporate Policy Group

18.5 **SULKY RACING THROUGH THE CITY**

‘The Cork City Council introduce Bye-Laws to combat sulky racing through the city.’

(Proposer: Cllr. K. O’Flynn 18/222)

Roads & Transportation Functional Committee

18.6 **SIGNPOST LISTING TWINNED CITIES**

‘In view of the fact the San Francisco had recently erected a signpost listing their twinned cities and their distances, that Cork City Council would erect a similar signpost, in a prominent city location, giving the direction and distance to our twinned cities.’

(Proposer: Cllr. J. Sheehan 18/225)

International Relations Committee

18.7 **ART GRAFFITI SPACE IN THE CITY**

‘In light of White Street Car Park being closed, that provision be made to create an official art graffiti space elsewhere in the city.’

(Proposer: Cllr. K. McCarthy 18/227)

Tourism, Arts & Culture Functional Committee

18.8 **PUBLIC LIGHTS ON AISLEIGH GARDENSTO SKEHARD ROAD**

‘That the City Council work with Airtricity so that the two public lights on a laneway from Aisleigh Gardens to Skehard Road be fixed’

(Proposer: Cllr. K. McCarthy 18/228)

Roads & Transportation Functional Committee

18.9 **STREET CLEANSING SCHEDULE**

‘That Cork City Council draw up an immediate street cleansing schedule apart from standard sweeping in order to ensure the City streets do not continue in their current ranky condition and that mechanised cleansing machines be used.’

(Proposer: Cllr. T. Brosnan 18/229)

Environment & Recreation Functional Committee

18.10 **LIMESTONE FROM OLD/DEMOLISHED BUILDINGS**

‘That Cork City Council draw up an inventory for Council of the amount and locations where cut limestone from old/demolished buildings etc. have been "stored" over the years and that a decent effort be made to use this precious heritage resource in an enlightened and appropriate manner in the new Morrison's Island project.’

(Proposer: Cllr. T. Brosnan 18/230)

Environment & Recreation Functional Committee

18.11 **OLD BUNGALOW SITE BETWEEN ARDMORE AVENUE & FOYLE AVENUE, KNOCKNAHEENY**

‘That Cork City Council bring forward plans for the old bungalow site between Ardmore Avenue & Foyle Avenue, Knocknaheeny as the area is proving problematic for local residents.’

(Proposer: Cllr. M. Nugent, Cllr. K. Collins 18/231)

Strategic Planning, Economic Development & Enterprise Functional Committee

An Chomhairle agreed to refer this Motion to the Housing & Community Functional Committee

18.12 **TAKE IN CHARGE SANDY LANE, CASTLE ROAD**

‘That Cork City Council takes in Charge Sandy Lane, Castle Road. There is significant health and safety risks being caused by issues with the boundary wall, and the trees within the estate require urgent attention. This process should be expediated by council considering the position of the estate developer.’

(Proposer: Cllr. N. O’Keeffe 18/234)

Strategic Planning, Economic Development & Enterprise Functional Committee

18.13 **PROMOTIONAL OFFERS FROM CITY BUSINESSES**

‘That Cork City Council, through CORE would invite every business/service in the City to submit a promotional offer that would then be compiled into a booklet (or through an app)

that could be distributed by our Cruise Ambassadors greeting passengers from Cruise Ships in Cobh. This would be helpful in attracting more passengers into the City Centre and would give every business an equal opportunity to attract their custom and to showcase their offering.’

(Proposer: Cllr. N. O’Keeffe 18/235)

**Strategic Planning, Economic Development & Enterprise
Functional Committee**

**An Chomhairle agreed to refer this Motion to the Tourism, Arts & Culture
Functional Committee**

19. **MOTIONS**

19.1 **AIRBUS FOR CORK AIRPORT**

An Chomhairle considered and approved the following Motion:-

‘Due to recent revelations by Airbus UK, that Cork City Council would engage with IDA Ireland, UCC, and Cork airport authority and other stakeholders in meeting a delegation of Airbus and inviting them to look at Cork as an alternative to the UK plant that they have now indicated they may leave due to Brexit. It is my belief that Cork is an ideal location with a track of land adjacent to the airport that could facilitate a company like Airbus and deliver up to 10,000 jobs for the region.’

(Proposer: Cllr. K. O’Flynn 18/223)

19.2 **RESOLUTION TO FIRE BRIGADE DISPUTE**

‘That Cork City Council calls for both sides in the Cork City Fire Brigade dispute to reach a speedy resolution to all the issues involved, Council does agree that the Firefighters claim that they should secure wage adjustments applied in other local authorities is a fair and reasonable one and should be met by Council management.’

(Proposer: Cllr. M. Nugent, Cllr. K. Collins, Cllr. H. Cremin 18/232)

An tArd-Mhéara informed An Chomhairle that this matter was an Executive function and not appropriate for An Chomhairle.

An Chomhairle unanimously stated their continued support for the work of Cork City Firebrigade staff and the use of Industrial Relations Machinery to assist in the resolution of the current issue.

This concluded the business of the meeting

**ARD-MHÉARA
CATHAOIRLEACH**