

**MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL**  
**HELD ON MONDAY 10<sup>th</sup> MARCH 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.
- NORTH WEST** Comhairleoirí T. Fitzgerald, M. Nugent, J. O’Callaghan.
- SOUTH EAST** Comhairleoirí D. Cahill, L. McGonigle, D. O’Flynn, 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. T. Lucey, City Manager.  
Mr. T. Keating, Meetings Administrator, Corporate & External Affairs.  
Mr. C. O’Donnell, Administrative Officer, Corporate & External Affairs.  
Mr. G. O’Beirne, Director of Services, Roads & Transportation.  
Ms. V. O’Sullivan, Director of Services, Corporate & External Affairs.  
M. P. Ledwidge, Director of Services, Strategic Planning & Economic Development.  
M. F. Long, Senior Engineer, Housing & Community.  
Mr. T. Duggan, City Architect.

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 Olden Family on the death of Kieran Olden
- Elizabeth Meehan on the death of Elizabeth Dullea
- The Manning Family on the death of Stephen Manning
- Geraldine Keane on the death of Eileen O’Connell
- The Hackett Family on the death of Jack Hackett
- The McCarthy Family on the death of Joe McCarthy
- The Scally Family on the death of Frank Scally
- The Haugh Family on the death of Dr. Martin Haugh
- The Byrne Family on the death of Tony Byrne
- The Murphy Family on the death of Mary Frances Murphy
- The Walsh Family on the death of Mary Walsh

## 1.2 **VOTES OF CONGRATULATIONS**

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

- Mr. Donal Lyons of Brian Dillons, GAA Club on being inducted into the Hall of Fame for the North City and District Sports Awards on Saturday March 8<sup>th</sup> at the Ambassador Hotel as recognition for a lifetime of service to Brian Dillons GAA Club.
- Nora Callanan on the French Film Festival's success and the Lord Mayor's screening of Girl Rising.
- Ronnie McDowell and Neil Fitzpatrick on their retirement from Cork City Council.

## 1.3 **LORD MAYOR'S ITEMS**

- 1.3.1 The Lord Mayor outlined that the appointment of the Mr. Tim Lucey to the position of County Manager had been endorsed by the County Council. She advised members that they would have an opportunity to congratulate him at future meetings.

## 1.4 **CITY MANAGERS ITEMS**

- 1.4.1 Regarding his impending appointment as County Manager Mr. Lucey informed the members that he would advise them of the arrangements for his departure once they were in place.

## 2. **MINUTES**

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

- Ordinary Meeting of An Chomhairle held on the 24<sup>th</sup> February 2014.
- Special Meeting of An Chomhairle held in Committee on the 3<sup>rd</sup> March 2014.

## 3. **QUESTIONS**

### 3.1 **PAYMENT TO CONSULTANTS IN 2013**

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

*Could the Manager please inform the Members as to how much Cork City Council paid consultants during 2013? (Anyone who was paid directly or indirectly by the Council to carry out work on their behalf)?*

### **REPLY**

The total paid to Consultants for 2013 was € 4,285,475.00 which represents approximately 2.6% of the City Council's total expenditure or 7.6% of total capital expenditure in that year. The engagement of Consultants is both a requirement and a necessity in order to progress the significant level of infrastructural projects ongoing in the city primarily across the Roads, Housing, Environment and Planning Directorates. The following is a list of Consultants who worked for the Council in 2013.

A & L GOODBODY	60,552	JOHN SPAIN ASSOCIATES	53,782
ADVANCED SAFETY MANAGEMENT	8,287	JOHN WIGGINS ARCHITECTURE	144,647
ARUP CONSULTING ENGS	687,506	KEARNEY ASSOCIATES	4,500
ATKINS IRELAND LTD	15,588	LANE PURCELL ARCHAEOLOGY	3,426
AZURE GLOBAL CONSULTANTS	17,100	LIGHTWISE	4,743
BARRY FITZGERALD CONSULTING ENGINEER	6,439	MALACHY WALSH & PARTNERS	84,462
BJS CONSULTANTS	24,542	MALACHY WALSH & PTNRS	51,584
BRADY SHIPMAN MARTIN	52,279	MATT O MAHONY & ASSOCIATES	138,506
BRUCE SHAW	12,177	MAURICE JOHNSON & PARTNERS	2,073
CDGA ENGINEERING CONSULTANTS LTD	19,503	MHL & ASSOC LTD	69,011
CHRIS RALPHS	4,859	MICHAEL R F CASEY	100,069
COLLIERS INTERNATIONAL	150,071	MOTT MACDONALD IRELAND LIMITED	333,114
COMPLETE HIGHWAY MAINTENANCE	19,543	MULVIHILL & ASSOCIATES	871
CUNNANE STRATTON REYNOLDS CONSULT	14,828	MVA CONSULTANCY LTD	123,339
DELAP & WALLER ASSOCIATES	22,158	OKRA LANDSCAPING CONSULTANTS	63,473
DFOD PROJECT MANAGEMENT	3,075	OMF PUBLICITY	21,759
DMA CONSULTING ENGINEERS	14,500	PAT TWOHIG	3,813
DM&A CONSULTING ENGINEERS	11,900	PAUL TWOMEY & ASSOCIATES	3,936
DOWKIN'S ENGINEERING	3,567	PUNCH CONSULTING ENGINEERS	11,988
ENGINEER DESIGN CONSULTANTS	18,882	RPS CONSULTING ENGINEERS	669,626
FEHILY TIMONEY & CO	18,216	RAVEN DESIGN	21,704
GOLDER ASSOCIATES IRELAND LIMI	3,075	RAY KEANE & ASSOC. ARCHITECTS	330,913
HALCROW BARRY LTD	112,385	RICHARD LEONARD	4,717
HARRINGTON O'FLYNN CONSULTING	76,383	RYAN HANLEY ENGINEERING	20,728
HARRIS COYLE BREEN	12,750	SAVILLS COMMERCIAL IRELAND	9,594
HORGAN & LYNCH ASSOCIATES	7,503	SLEVIN PROJECT CONSULTANTS LTD	11,450
ILTP LTD	1,218	SOUTHERN SCIENTIFIC SERVICES LTD	41,203
J.B. BARRY & PARTNERS LTD	13,454	STAVELEY & PTNRS	89,224
JAMES BOURKE ARCHITECTURE	27,705	TENNYSONS CONSULTING ENGS.	5,018
JAMES P MCGRATH	107,635	WALSH DESIGN GROUP	32,300

ARCHITECTURE			
JACOBS ENGINEERING IRELAND LTD	221,006	WILSON DALIAN ARCHITECTURE	12,940
JAMES MOLLOY ENGINEERING	12,362	WRC PLC	14,699
JOHN O DONOVAN & ASSOCIATES	21,215		
		Total	4,285,475

### 3.2 **CONFIRM AMOUNTS AVAILABLE FOR HOUSING MAINTENANCE**

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

*Can the Manager confirm that an extra €1,026,500 is available for housing maintenance?*

#### **REPLY**

As per Table A0101 of 2014 Adopted budget document, when provision for payment of the Local Property Tax on City Council Housing stock and the increase in costs of Liability Insurance are deducted, the Housing Maintenance budget for 2014 represents an increase of €138,600 over the corresponding budgeted amount for 2013.

### 3.3 **FENCE BETWEEN GLENFIELDS ESTATE IN BALLYVOLANE AND SPRING LANE HALTING SITE**

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

*Further to a recent motion that was passed unanimously by Cork City Council to erect a wall in replacement of an existing fence between Glenfields Estate in Ballyvolane and Spring Lane Halting Site:*

*When will works on this commence?*

#### **REPLY**

The recently passed motion to erect a wall in replacement of an existing fence between Glenfields Estate in Ballyvolane and Spring Lane halting site will be considered. However funding and public consultation with key stakeholders will be central to any works commencing.

### 3.4 **DOG WALKING AREA AT THE FORMER KINSALE ROAD LANDFILL SITE**

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

*Will the Manager please advise Council if there's been any consideration for a future project for a dog walking area at the former Kinsale Road Landfill site?*

*Major cities throughout the World have dog walking areas which are very successful. World wide dog walking areas in parks are becoming more prevalent today, providing a safe and convenient place for pet owners to ensure that their dogs have the opportunity to exercise and socialise as well as themselves.*

**REPLY**

Dog walking areas are areas where dogs can be exercised and play off leash under the supervision of their owners. They are suitable in large parkland settings ideally with Park Rangers being able to monitor such parks on a regular basis.

The City Council will examine the possibility of providing such a park at Tramore Valley Park.

3.5 **OWNERSHIP OF PART OF THE TRAMORE RIVER THAT RUNS ALONGSIDE THE NEMO RANGERS PLAYING PITCHES**

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

*Can the Manager confirm who is in ownership of part of the Tramore River that runs alongside the Nemo Rangers playing pitches and who is responsible for the maintenance and upkeep of this river?*

**REPLY**

The Trabeg River runs alongside the Nemo Rangers playing pitches, not the Tramore River. The City Council transferred lands to the Club a number of years ago to facilitate pitch development.

These lands were part of the bog lands east of Kinsale Road Landfill.

The construction of the pitch infrastructure required the Club to reconstruct the river channel west of the original river course.

The transferred lands included the reconstructed river course.

Under the legal terms of the land transfer to Nemo Rangers the Club has accepted responsibility for all aspects of river maintenance and upkeep.

3.6 **TREES BETWEEN KENT RAILWAY STATION AND WATER STREET, LOWER GLANMIRE ROAD**

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

*Will the Manager inform Council when the twenty trees between Kent Railway Station and Water Street, Lower Glanmire Road will be topped and trimmed, as they are interfering with the over-head electricity and telephone wires?*

**REPLY**

The above trees are listed on the 2014 schedule of tree works for remedial pruning. However, due to the extensive tree damage arising from the severe storm of February 12<sup>th</sup>, emergency tree works are presently receiving priority attention and will for the foreseeable future. The above trees will be attended to as quickly as resources permit.

3.7 **TOTAL VALUE OF ASSETS TRANSFERRED FROM CORK CITY COUNCIL TO IRISH WATER**

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

*What is the total value of the assets transferred from the ownership of Cork City Council to Irish Water?*

**REPLY**

The net modern equivalent assets value to be transferred by Cork City Council to Irish Water is €383,239,296. This consists of water supply assets (€109,646,891), Drainage Assets (€273,329,445) and Management Assets (€262,960). No assets have been transferred to date.

3.8 **TANK FIELD CPO 1**

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

*Can the Manager please confirm if Cork City Council had any legal rights over the lands scheduled in CPO 1 2013 at the Tank Field prior to the CPO itself and if so, what were those rights and how were they acquired?*

**REPLY**

Cork City Council did have legal rights over the lands scheduled in the Iona Road - Murmont Road Acquisition Order No. 1 of 2013 (“Order No. 1”) at the Tank Field prior to the CPO.

Cork City Council has held possessory title to the said lands for the past 40 years and upwards, having been in possession and occupation of the lands specified in Schedule No. 1 and Schedule No. 2 of Order No. 1 since the mid to late 1960’s.

***Cork City Council’s title has been acknowledged by the Plaintiffs, Anne M. Nolan & Others, in the Circuit Court proceedings (Circuit Court Record No. 2011/03736) brought by local residents. The said proceedings were successfully defended by Cork City Council.***

3.9 **REDUCE SPEED AND INCREASE PEDESTRIAN SAFETY AT THE LOUGH**

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

*To ask the City Manager what measures can be put in place to reduce speed of traffic and increase pedestrian safety at The Lough, particularly at the junction of Hartland's Avenue and Brookfield Park where many people cross?*

**REPLY**

The Transportation Division advises that it will assess pedestrian requirements and facilities close to the junction of Brookfield Park and Hartland's Ave. Any identified measures will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

3.10 **COST OF THE REPORTS UNDERTAKEN BY SYSTRA (FORMALLY MVA)**

The following question was submitted by Comhairleoir L. McGonigle.

*Can the manager provide the council with the cost of the reports undertaken by MVA (known now as Systra) for Cork city council and can he confirm as to whether each of these reports were tendered?*

*The reports are as follows:*

- 1. The Cork Area Transit Study (CATS), 2009*
- 2. The CASP Transport Model Development, 2010-present day*
- 3. Cork Docklands Transport Assessment, 2009*
- 4. Dunkettle Interchange Assessment, 2010*
- 5. Cork Area Public Transport Study (for NTA), 2012*
- 6. Douglas Land Use and Transport Strategy (DLUTS), 2013*
- 7. City Centre Movement Strategy, 2013*
- 8. N28 Sustainable Transport Strategy, 2014*

Can he also confirm that Systra do not have a Cork office?—

**This question was deferred to the next meeting of An Chomhairle.**

3.11 **TRAFFIC LIGHTS AT DAVIS BRIDGE, SUNDAY'S WELL ROAD**

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

*Can the Manager outline when the four year unturned-on traffic lights at Davis Bridge, Sunday's Well Road will be operative and what is the hold up?*

**REPLY**

The Transportation Division advises that the traffic signals at Thomas Davis Bridge were installed previously as part of a Housing Directorate scheme in Shanakiel.

However, the works were stopped a number of years ago owing to concerns raised by An Garda Síochána in relation to the control of parking on the approaches to the junction.

Consequently, an assessment of the junction was carried out in the context of parking controls, geometric layout and road safety at the junction. The proposal to provide traffic signal control at the junction of Sunday's Well/Wellington/Thomas Davis Bridge as well as the installation of a pedestrian crossing at the southern end of Thomas Davis Bridge is now at the detailed design stage.

It is envisaged that Part 8 Planning documentation, as prepared in accordance with the Planning & Development Regulations 2001-2011, will be brought to Council during Quarter 2 of 2014.

3.12 **PUBLIC-PRIVATE PARTNERSHIP FOR A NATIONAL DIASPORA CENTRE**

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

*To ask the City Manager what the Council's response will be to the recent call by Government for a public-private partnership for a National Diaspora Centre, where the Government will part fund a centre; will Council be applying to develop the centre in Cork?*

**REPLY**

The Council has already carried out considerable research and developed a proposal for a National Diaspora Centre to be located in Cork. The call for proposals has not yet issued from Fáilte Ireland but it is anticipated that that call will be made shortly. The Council intends to submit a proposal for consideration.

3.13 **CONFIRM IF "WALKTHROUGH AUDIT" WAS COMMISSIONED BY CORK CITY COUNCIL FOR ITS HOUSING & COMMUNITY DIRECTORATE LAST YEAR**

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

*Can the Manager confirm if a "Walkthrough Audit" was commissioned by Cork City Council for its Housing & Community Directorate last year? If so, what is the status of the report? What were its findings? Will the report's recommendations be implemented by the Housing & Community Directorate going forward and its conclusions presented to the Housing Strategic Policy & Functional Committees for discussion?*

**REPLY**

There was a walk through audit of Housing Maintenance operations carried out early in 2013.

The first stage report received was considered not to satisfy the requirements of the brief issued, and a final report was not proceeded with.



3.14 **FUNDING TO IMPROVE THE ENERGY EFFICIENCY IN COUNCIL HOUSES**

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

*Can the Manager inform the Council of the following:*

- a) *What funding will be allocated this year to improve the energy efficiency in Cork City Council tenants properties?*
- b) *Will a BER (building energy rating) certification be carried out on all Council tenants properties in order to prioritise in most need of this insulation?*

**REPLY**

- a) As per Asst City Manager's report to Housing Functional Committee, a DECLG grant allocation of €910,394 for energy efficiency works in 2014 has been notified to Cork City Council.
- b) Building Energy Ratings of houses included in the programme are provided by Electric Ireland at no cost to Cork City Council. There are no City Council funding or DECLG grant aid available for carrying out BER assessments to all Housing stock.

3.15 **RE: MOTION NR 14/081- MEETING WITH NTA**

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

*Re: Motion Nr 14/081*

*To ask the Manager when will the meeting with the NTA as requested through this motion, which was debated and unanimously agreed at our last Council Meeting, take place?*

**REPLY**

In accordance with Resolution Reference No. 14/081 Cork City Council has issued an invitation to the National Transport Authority for a representative of the Authority to attend a meeting of the Roads & Transportation Functional Committee as provided for therein.

Members will be advised of the Authority's response in due course

3.16 **PRIMARY CARE UNIT AT THE DEANROCK SITE IN TOGHER**

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

*To ask the City Manager if he would outline all discussions, negotiations and meetings he has had with the HSE regarding the provision of a Primary Care Unit at the Deanrock Site in Togher?*

## **REPLY**

“Cork City Council engaged with the Health Services Executive South in relation to the provision of a Primary Care Unit on lands in the Council’s ownership at Deanrock, Togher following calls from the Togher / Mahon Implementation Team and the Elected Members to establish same in the area. The purpose of this engagement was to determine that this area was named on the HSE Priority Listing at a national level for Primary Care provision, and to determine the spec, footprint, car parking and other relevant matters in relation to such provision. The Council also invited a senior official of HSE South to participate in the assessment of tenders received for this purpose. Communications subsequently continued on the basis that the Council required clarification that this area continued to be a priority, despite delays, to provide a Primary Care Unit”.

### **3.17 CAPITAL FUND RUNNING UNTIL 2016 FOR TACKLING HOUSING VOIDS**

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

*Can the Manager confirm the existence of a capital fund running until 2016 for tackling housing voids?*

## **REPLY**

As per City Manager’s report to Council re the City Council budget for 2014, an amount of up to €1m from City Council’s reserves has been made available for repair of vacant housing stock in 2014. The Capital Programme 2014-2016 provided for a total proposed spend of €4.5m through the Council’s own resources being supplemented by Central Government funding in 2014 of €1.5 and by €1m in each of the years 2015 - 2016.

### **4. SPECIAL EVENT – CORK ST. PATRICK’S FESTIVAL 2014**

An Chomhairle considered and approved the report on the proposed holding of an event by Cork City Council - Cork St. Patrick’s Festival 2014, 15th March to 17<sup>th</sup> March 2014.

### **5. PLANNING & DEVELOPMENT STRATEGIC POLICY COMMITTEE – 24<sup>TH</sup> FEBRUARY, 3<sup>RD</sup> MARCH, 5<sup>TH</sup> MARCH 2014.**

An Chomhairle noted the minutes of the Planning & Development Strategic Policy Committee and considered the following recommendations from its meeting held on the 24<sup>th</sup> February, 3<sup>rd</sup> March, 5<sup>th</sup> March 2014.

### **5.1 PRESENTATION ON ADDITIONAL TRAFFIC MODELLING REPORT**

**An Chomhairle agreed to defer this item to the next meeting of An Chomhairle**

## 5.2 **CORK CITY COUNCIL HERITAGE PLAN 2014 - 2018**

On the proposal of Comhairleoir T. Brosnan, seconded by Comhairleoir T. Fitzgerald, An Chomhairle considered and approved the draft Cork City Council Heritage Plan 2014 – 2018 and agreed that it be released for public consultation.

## 5.3 **CASP POLICY COMMITTEE REPORT**

An Chomhairle considered and approved the report of the Director of Services, Strategic Planning & Economic Development on the CASP Policy Committee meeting of December 2013.

## 5.4 **MOTIONS**

### 5.4.1 **LOCAL AREA PLAN FOR ROSEVILLE ESTATE**

An Chomhairle considered the report of the Director of Services on the following motion which was referred to the Committee by An Chomhairle.

‘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 report of the Director of Services stated that a scoping report on the Roseville Estate area, which identified some of the key issues in the area, was carried out in 2007 by the Planning Directorate. It was forwarded to the Housing Directorate with a view to it forming the basis for a Masterplan for improvement and regeneration of the area. However, resources have not been available in the intervening period to carry the process forward.

**On the proposal of Comhairleoir J. Kavanagh, An Chomhairle agreed to refer this item back to Committee.**

### 5.4.2 **REVIEW OF BISHOPSTOWN WILTON AREA ACTION PLAN**

An Chomhairle considered and approved the report of the Director of Services on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council would review the Bishopstown Wilton Area Action Plan as part of the process of developing the new City Development Plan, and in that review would list the actions undertaken to meet the goals and objectives of the Area Action Plan within the scope and reach of the City Council and that it would also comment on measures to encourage and facilitate the private sector in fulfilling the potential of this part of Cork City.’

(Proposer: Cllr. J. Buttimer 13/409)

The report of the Director of Services stated that one of the main benefits of the Bishopstown Wilton Area Action Plan 2007 was to inform the Development Plan objectives for the area and in some cases for the wider city. Many of the objectives of the Plan were incorporated into the City Development Plan 2009-2015. Some of the private sector development objectives, for example redevelopment of Wilton Shopping Centre and of Dunnes Stores Bishopstown received planning permission but have not gone ahead, largely due to the economic downturn. There has been some progress on public sector objectives such as provision of bus and cycle lanes and incorporating structures into the Record of Protected Structures. Some of the larger scale objectives including larger transport projects have not yet been implemented, although they remain valid. As part of the review of the City Development Plan the high level objectives for the area were re-examined and where appropriate are being carried forward into the Draft Development Plan 2015-2021.

6. **PARTY WHIPS MEETING – 3<sup>rd</sup> MARCH 2014**

An Chomhairle considered the following recommendations from the meeting of Party whips held on the 3<sup>rd</sup> March 2014.

6.1 **MOTIONS**

An Chomhairle considered the following motions:-

6.1.1 **CHANGE IN STANDING ORDERS**

**An Chomhairle considered the following motion.**

‘Change in standing orders of Cork City Council to be included, any member who uses *obscenity, vulgarity, profanity* that the Lord Mayor or Cathaoirleach of the meeting whether this be City Council meeting, SPC or Functional Committee, that the Chairman would be entitled to have the member suspended for two meetings.’

(Proposer: Cllr. K. O’Flynn 14/030)

**Standing Order No. 20 states.**

**Disorderly Conduct**

20. (1) The Chair is the sole judge of Order in the Council and has authority to maintain order and enforce prompt obedience to his/her ruling. When during a debate the Chair raises, any member then speaking shall give way to the Chair.
- (2) If at a meeting any member of the Council, in the opinion of the Chair notified to the Council, mis-conducts himself or herself by persistently disregarding the ruling of the Chair or by wilfully obstructing the business of the meeting, the Chair or any other member may move “That the member named be not further heard”, and the motion if seconded shall be put and determined without discussion.
- (3) If in the opinion of the Chair any member has been or is disorderly by

persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively or by otherwise obstructing the business of the meeting, and the Chair has conveyed his or her opinion to the members present by naming the member concerned, then the Chair or any member may move “That the member named leave the meeting” and the Motion, if seconded, shall be put and determined without discussion.

- (4) Where the Council decides that a member leave a meeting, that member shall immediately leave the meeting and shall not be entitled to speak or to take any further part in that meeting on that day.
- (5) Where in the opinion of the Chair there is general disorder which impedes the orderly transaction of business, or where a member against whom it was resolved that he or she leave the meeting refuses to do so, the Chair may adjourn the meeting for such period as he or she considers necessary in the interests of order.

An Chomhairle considered the recommendation of the Party Whips that the motion be rejected as it was felt that there is adequate provision for dealing with these matters in Standing Orders no. 20. An Chomhairle agreed with this recommendation and the motion was not approved.

#### 6.1.2 **REVIEW OF STANDING ORDERS IN RELATION TO THE MOTIONS**

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

I would propose that in future the motions that are carried over from the previous meeting be taken first before any new motions are discussed in this section and thereafter they be taken accordingly as they are logged on the City Council system.’

**It was agreed to refer this motion to An Chomhairle for approval with the words “in rotation” substituted for the word “accordingly”**

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

‘That City Council would review Standing Orders in relation to the motions that are not referred to any particular committee. Recently we have seen some Cllr's motions backed up for months on the agenda due to the Clar not been completed on the night.

I would propose that in future the motions that are carried over from the previous meeting be taken first before any new motions are discussed in this section and thereafter they be taken in rotation as they are logged on the City Council system.’

(Proposer: Cllr. H. Cremin 14/054)

#### 6.1.3 **98<sup>TH</sup> ANNIVERSARY OF THE 1916 EASTER RISING**

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

‘That Cork City Council will hold an event to mark the 98th anniversary of the 1916 Easter Rising, one option would be to have a ceremony at the National Monument on

Easter Monday April 21st.’

(Proposer: Cllr. M. Nugent 14/080)

**An Chomhairle considered a recommendation that this motion be rejected as it was felt the Council should concentrate on planning the 100<sup>th</sup> anniversary in 2016.**

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

**FOR:** Comhairleoirí J. Kelleher, T. Brosnan, T. Tynan, J. Kavanagh, M. Barry, C. Clancy, P. Gosch, K. O’Flynn, J. O’Callaghan, L. McGonigle, D. O’Flynn, T. Shannon, J. Corr, E. O’Halloran, M. Ahern. (15)

**AGAINST:** Comhairleoirí M. Nugent, D. Cahill, C. O’Leary, K. McCarthy, L. Kingston, S. Martin, M. Finn, F. Kerins, J. Buttimer, M. Shields, B. Bermingham, H. Cremin, G. Gibbons. (13)

As the numbers voting in favour of the recommendation to reject the motion were greater than those voting against, An tÁrd-Mhéara declared the vote carried and the motion was rejected.

7. **ROADS AND TRANSPORTATION FUNCTIONAL COMMITTEE – 3<sup>rd</sup> MARCH 2014**

An Chomhairle noted minutes of the Roads and Transportation Functional Committee from its meeting held on the 3<sup>rd</sup> March 2014.

7.1 **ROADWORKS PROGRAMME**

An Chomhairle considered and approved the report of the Director of Services, dated 27<sup>th</sup> February, 2014 on the progress of the ongoing Roadworks Programme for the month ended February, 2014.

7.2 **NATIONAL TRANSPORTATION AUTHORITY FUNDING ALLOCATION FOR 2014**

An Chomhairle noted the National Transportation Authority Funding Allocation for 2014 under the Regional Cities and Accessibility Programme.

7.3 **ROADWORKS PROGRAMME 2014 FOR ESTATE ROAD RESURFACING, PUBLIC LIGHTING AND LANEWAY CLOSURES**

An Chomhairle considered and approved the report of Director of Services dated the 27<sup>th</sup> February, 2014 on the Roadworks Programme 2014 for estate road resurfacing, public lighting and laneway closures.

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

An Chomhairle considered the following motions which were referred to the Committee by An Chomhairle.

#### 7.4.1 **REMOVAL OF PAVING AT LOWER BARRACK STREET/EVERGREEN STREET**

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 the following Road issue supported by An Gardaí is dealt with speedily. The removal of some paving at the end of Lower Barrack St and its junction with Evergreen St, to widen the turn to the city (larger vehicles have to cross over the line in the path of oncoming traffic) and to widen the turn uphill on Evergreen St (as suggested in submissions prior to work being done)’

(Proposer: Cllr. M. Finn 13/419)

The report stated that, this matter was fully considered as part of the detailed design for the Barrack Street Renewal project.

The current junction configuration is designed in accordance with the recommendations set out in the Design Manual for Urban Roads & Streets. The layout encourages traffic to stop at the bottom of Barrack Street before slowly turning north towards South Gate Bridge or south towards Evergreen Street. This results in slower vehicle movements at the junction rather than the original merging arrangement that took place in the past. The inconvenience caused to truck operators is modest in comparison to the safety benefits arising for all other road users.

The Roads Directorate have received no feedback from An Garda Síochána concerning this matter.

#### 7.4.2 **2014 ESTATES RESURFACING PROGRAMME**

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 Merrion Court Housing Estate in Montenotte be added to the 2014 Estates Resurfacing Programme.’

(Proposer: Cllr. J. Kavanagh 14/008)

The Report stated that, Merrion Court was not selected for resurfacing in the 2014 Estate Road Resurfacing Programme. However the area will be inspected and any essential localised repairs will be carried out in the coming months.

#### 7.4.3 **ROAD AND FOOTPATH FROM CHRIST THE KING CHURCH TO CAPWELL ROAD, CORK**

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 include the road and footpath from Christ The King Church to Capwell Road, Cork in the 2014 Resurfacing Programme.’

(Proposer: Cllr. S. Martin 14/013)

The report stated that, there is no funding allocated in the current year’s budget for resurfacing traffic routes. However any essential localised repairs to the road surface and footpaths will be carried out in the coming months.

#### 7.4.4 **PEDESTRIAN CROSSING AT TORY TOP ROAD**

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 install a pedestrian crossing on Tory Top Road by Ballyphehane Community Centre.’

(Proposer: Cllr. E. O’Halloran 14/014)

The report stated that, the Transportation Division advises that it will assess the need for a pedestrian crossing on Tory Top Road by Ballyphehane Community Centre. If warranted, it will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

#### 7.4.5 **PUBLIC BIKE SCHEME**

An Chomhairle considered 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 City Council would now review the proposed sites for the docking stations for the public bike scheme around the city and get all the stakeholders gardai/ taxi drivers/bus eireann/ pedestrians/bicycle enthusiasts representatives and agree the positioning of these docking stations, thus preventing the same scenario that is now happening in Washington Street and Parnell Place.’

(Proposer: Cllr. H. Cremin 14/018)

**An Chomhairle agreed to refer this item back to Committee**

#### 7.4.6 **RESURFACING WORKS IN BEECHWOOD PARK, BALLINLOUGH**

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 undertake resurfacing works to improve the road surface in Beechwood Park, Ballinlough. While some works have been undertaken at the entrance to the park - large potholes remain in other parts of the estate.’



(Proposer: Cllr. L. McGonigle 14/020)

The report stated that, the road surface in Beechwood Park will be inspected and any further essential repairs will be carried out in the coming months.

#### **ADJOURNMENT OF MEETING**

An tArd -Mhéara informed members of the public in the public gallery that standing was not allowed and they were to be seated, when they refused to take their seats the Lord Mayor adjourned the meeting for fifteen minutes at 7.05pm. The meeting resumed at 7.15pm.

As members of the public stood in the public gallery again the Lord Mayor suspended the meeting for a further five minutes to allow the public to resume their seats. The meeting resumed at 7.30pm.

#### **7.4.7 TRAFFIC-CALMING MEASURES AT BEECHTREE AVENUE & ARD SIONNACH**

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 will install traffic-calming measures in the Beech Tree Avenue, Ard Sionnach area of Shanakiel as previous measures were removed when resurfacing took place, traffic-calming measures could be installed as part of the Sustainable Communities plan for the area.

(Proposer: Cllr. M. Nugent 14/023)

The report stated that, Beech Tree Avenue, Ard Sionnach is not in the charge of Cork City Council's Roads Department and therefore it is not possible to carry out any works on this road

#### **7.4.8 POTHoles IN HALLDENE DRIVE AND HALLDENE AVENUE**

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 repair the potholes in Halldene Drive and Halldene Avenue.’

(Proposer: Cllr. J. Buttimer 14/024)

The report stated that, these estates will be inspected and any essential repairs will be carried out in the coming months.

#### 7.4.9 **PARKING SPACE ON HARTLAND'S AVENUE**

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 the following road issue supported by An Gardaí is dealt with speedily:-

‘The removal of the last parking space on Hartland's Avenue closest to the bend in the road on the Hawthorn Bar, to improve visibility at this narrowed bottleneck’

(Proposer: Cllr. M. Finn 13/421)

The report stated that, an assessment was carried out at the above location. Removing the space and widening the road will result in increase in speed along the road. Two way traffic can pass safely and so it is not proposed to reduce the parking.

#### 7.4.10 **FOOTPATHS ON FRIARS WALK**

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 the following road issue supported by An Gardaí is dealt with speedily:-

‘The repair of footpaths on Friars Walk from the Marian Pharmacy to Ballyphehane Church (opposite to the Park) to address a number of trip hazards.’

(Proposer: Cllr. M. Finn 13/422)

The report stated that, these footpaths will be inspected and any essential repairs will be carried out in the coming months.

#### 7.4.11 **STOP SIGN AT BEAUMOUNT LAWN/BEAUMONT DRIVE**

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 install a Stop Sign at the intersection of Beaumont Lawn with Upper Beaumont Drive. There is a large volume of traffic using these roads every day owing the presence of two primary schools in the immediate vicinity. Local residents feel the absence of a stop sign in this local will lead to an accident.’

(Proposer: Cllr. L. McGonigle 14/027)

The report stated that, Stop lines were installed at a number of locations in the area with the agreement of the gardai. Motorists are obliged to stop, rather than just yield at a stop line. It is not our policy to erect stop signs in addition to stop lines.

#### 7.4.12 **RE-SURFACING OF UAM VAR AVENUE, BISHOPSTOWN**

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.

‘Uam Var Avenue is an estate road but because of its proximity to Cork Institute of Technology has a large volume of traffic driving through it. At the moment it has 32 potholes and it is a useless exercise filling them because of the volume of traffic and therefore re-surfacing is the only solution.

(Proposer: Cllr. J. Buttimer, M. Shields, M. Ahern B. Bermingham H. Cremin, G. Gibbons. 14/034)

The report stated that, Uam Var Avenue was not selected for resurfacing in the 2014 Estate Road Resurfacing Programme. However the road will be inspected and any essential localised repairs will be carried out in the coming months.

#### 7.4.13 **INVITE AIRTRICITY TO BRIEF MEMBERS OF COUNCIL**

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 Roads and Transportation Functional Committee would invite Airtricity Solutions to brief members of council on service level agreements/progress reports in relation to maintenance of public lighting.’

(Proposer: Cllr. E. O’Halloran 14/036)

The report stated that, Cork City Council is in the process of undertaking a Public Tender to procure the Maintenance and Associated Electrical Services for public lighting throughout the city. It is envisaged that Tender Documents would issue during the current quarter of 2014 and therefore it would not be appropriate to have Airtricity Utility Solutions Ltd. attend a meeting to brief members of council given that the company is likely to submit a bid in the competition.

Airtricity Utility Solutions Ltd. is currently engaged on an interim contract negotiated each year since the transfer of the lighting maintenance business from ESB Contracts. The service level agreement and implementation of the terms and conditions are managed by the Roads & Transportation Directorate.

#### 7.4.14 **TRAFFIC CALMING MEASURES IN DOUGLAS STREET**

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.

‘To ask Cork City Council to put in place traffic calming measures in Douglas Street as a priority.’

(Proposer: Cllr. L. Kingston 14/039)

The report stated that, The Transportation Division advises that Douglas Street is part of a one way system. In certain instances one ways can lead to increased speeds. A refurbishment of Douglas Street, (similar to Barrack Street) in accordance with the Design Manual of Urban Roads and Streets is needed. This would see where a narrowing of the road width and a widening of the footpaths, making it a more pleasant environment for pedestrians whilst also reducing traffic speed ( self enforcing ) along the length of the street. Any scheme for the refurbishment of Douglas street would need to be considered in the context of other schemes currently being advanced and could only be provided if an adequate source of funding is available.

#### 7.4.15 **TRAFFIC CONGESTION IN MAIVILLE TERRACE**

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

To ask Cork City Council to put in place measures to alleviate the traffic congestion in Maiville Terrace causing safety problems and obstructions for residents.’

(Proposer: Cllr. L. Kingston 14/040)

The report stated that, the Transportation Division advises that Maiville Terrace 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 solutions will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

#### 7.4.16 **PEDESTRIAN WALKWAY AT SILVERSPRINGS**

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 secure the pedestrian walkway between Silversprings Avenue and Boherboy Close as it is a source of anti social behaviour during the hours of darkness and City Council’s failure to maintain the public lighting has greatly exacerbated the problem.’

(Proposer: Cllr. T. Brosnan 14/041)

The report stated that, Closure options for this location are currently being investigated in line with Motion R.03/14 – 3.19

All public lighting in the city is included in the maintenance contract. However the light at this location has been vandalized and a new column is required. The new work has been added to the list of work to be undertaken once funds are available.

#### **7.4.17 YELLOW HATCH BOX AT KILBRACK LAWN**

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

‘That Cork City Council install a yellow hatch box at the entrance to Kilbrack Lawn and Clover Lawn, on Skehard Road.’

(Proposer: Cllr. T. Shannon 14/044)

The report stated that, The installation of a yellow box at the entrance to Kilbrack Lawn and Clover Lawn on the Skehard Road has been approved and is on a current work programme. Given the work involved on a busy roadway, the works can only be carried outside normal working hours in suitable weather conditions once weather conditions improve a suitable time will need to be agreed with the gardai.

#### **7.4.18 CLOSURE OF LANEWAY BETWEEN BOHERBOY CLOSE AND SILVERHEIGHTS AVENUE**

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

‘That the laneway between Boherboy Close and Silverheights Avenue be closed.’

(Proposer: Cll. J. Kelleher, T. Brosnan, T. Tynan, J. Kavanagh 14/047)

The report stated that, the location has had a preliminary assessment and is not suitable for a gated arrangement. This means that a full closure with transfer of ground to the adjacent properties is the only option which is technically viable in this instance. A more detailed report will be prepared over the coming month by Roads Maintenance Asset Management setting out the options for closure and the expected impact to the area as a whole.

#### **7.4.19 TRAFFIC ISSUES SARSFIELD ROAD**

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

‘That Cork City Council review significant ponding and pooling of water on the Sarsfield Road between the Wilton Roundabout and the traffic lights into Wilton Court and would extend the junction box on the western side of Sarsfield Road to include the entrance to Wilton Court on Sarsfield Road.’

(Proposer: Cllr. J. Buttimer 14/053)

The report stated that, the extension of the junction box on the western side of Sarsfield Road to include the entrance to Wilton Court on Sarsfield Road has been approved and is on a current work programme. Given the work involved is on a busy roadway, the

works can only be carried outside normal working hours in suitable weather conditions. Once weather conditions improve a suitable time will need to be agreed with the gardai.

The issue of ponding and pooling of water on this section of Sarsfield Road will be investigated and remedial works will be carried out if required.

#### 7.4.20 **COBBLED STREET SECTION ON LOWER GLANMIRE ROAD**

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

An Chomhairle considered the report of Director of Services dated 30<sup>th</sup> January, 2014 on the following motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council does not interfere in any way with the Cobbled Street section on Lower Glanmire Road nor with the nearby Horse Trough at the junction with Ship Street. The recently approved Section 38 improvement scheme did not give Council engineers the authority to destroy these singularly unique heritage features nor should it be interpreted as such since no indication of any such intention was made know under the Public Consultation nor in the papers presented to City Councillors.

The report stated that,

Improvement works are being carried out at this location as part of the proposals to upgrade pedestrian, cycle and public transport facilities between Kent Station and the Bus Station. These works include an upgraded footpath, a two way cycle track and a bus lane to serve the new entrance to Kent Station when it is opened. To facilitate this it is proposed to move the cobbles to a location just north of the new bus lane, i.e. just north of their current location. In their present location they would encroach onto the proposed cycle lanes and would not be considered as a suitable surface for cyclists. The important point here is that they are being retained in the area and they will be relaid to the same pattern.

The horse trough is being retained in its current position.

I refer to the 3 no. attached drawings.

**Drawing No.1** is an extract from the Section 38 Plan which clearly shows in differentiating colours the footpaths (grey), cycle lanes (red), bus lanes (pink) and parking/loading areas (blue). The drawing indicates no proposed parking at or near the present location of the cobbles.

It should be noted that the scheme was advertised as required in the national press on 24<sup>th</sup> May 2013. We also erected site notices in the area including one adjacent to the location of the cobbles and the parking/loading area at issue here.

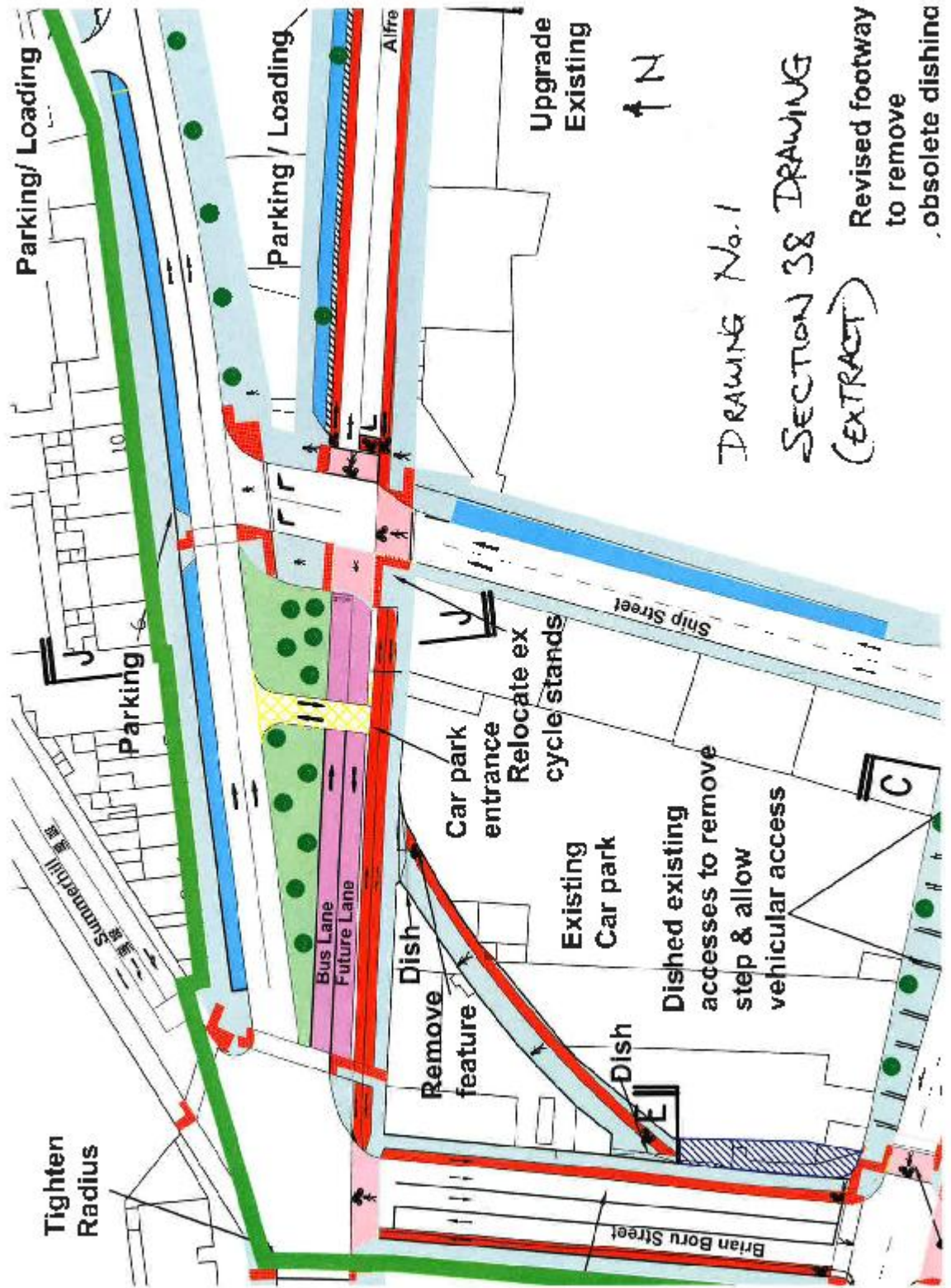
**Drawing No.2** shows the present location of the cobbles and the existing parking/loading area. This can be viewed in conjunction with Drawing No.3.

**Drawing No.3 (14866-SK31C)** shows the final design proposals including the relocated cobbles, which are in close proximity to their current location and laid to a

similar pattern in a kerbed island. Apart from the encroachment of the present cobbles onto the cycle and bus lanes as stated above, if they were to remain at the current location they would have to be relayed to a variety of levels, being partly in the cycle lane (which is at footpath level), partly in the bus lane (at road level) and partly in the new raised island with which they overlap, i.e. they would have to be taken up and relayed in any case. They would therefore be at varying levels – up at footpath/cycle lane level, down at road/bus lane level and up again at island level. Our final design proposal involves taking them up and relaying them very close to their existing location as shown on the drawing and in a defined island area, laid to a similar pattern as existing, surrounded by kerbing.

We have also reviewed the provision of parking/loading and have added three spaces at the edge of the new cobbled area as shown. These spaces are easily accessible by the pedestrian crossing provided across the bus and cycle lanes. Also the existing spaces on the east side of Ship Street remain as before and these will now be accessible via a more convenient pedestrian crossing across Ship Street than heretofore.

These bus and cycle lane layouts are a fundamental part of this entire scheme and the revised arrangements for parking/loading represent the optimum that can be achieved under the circumstances.



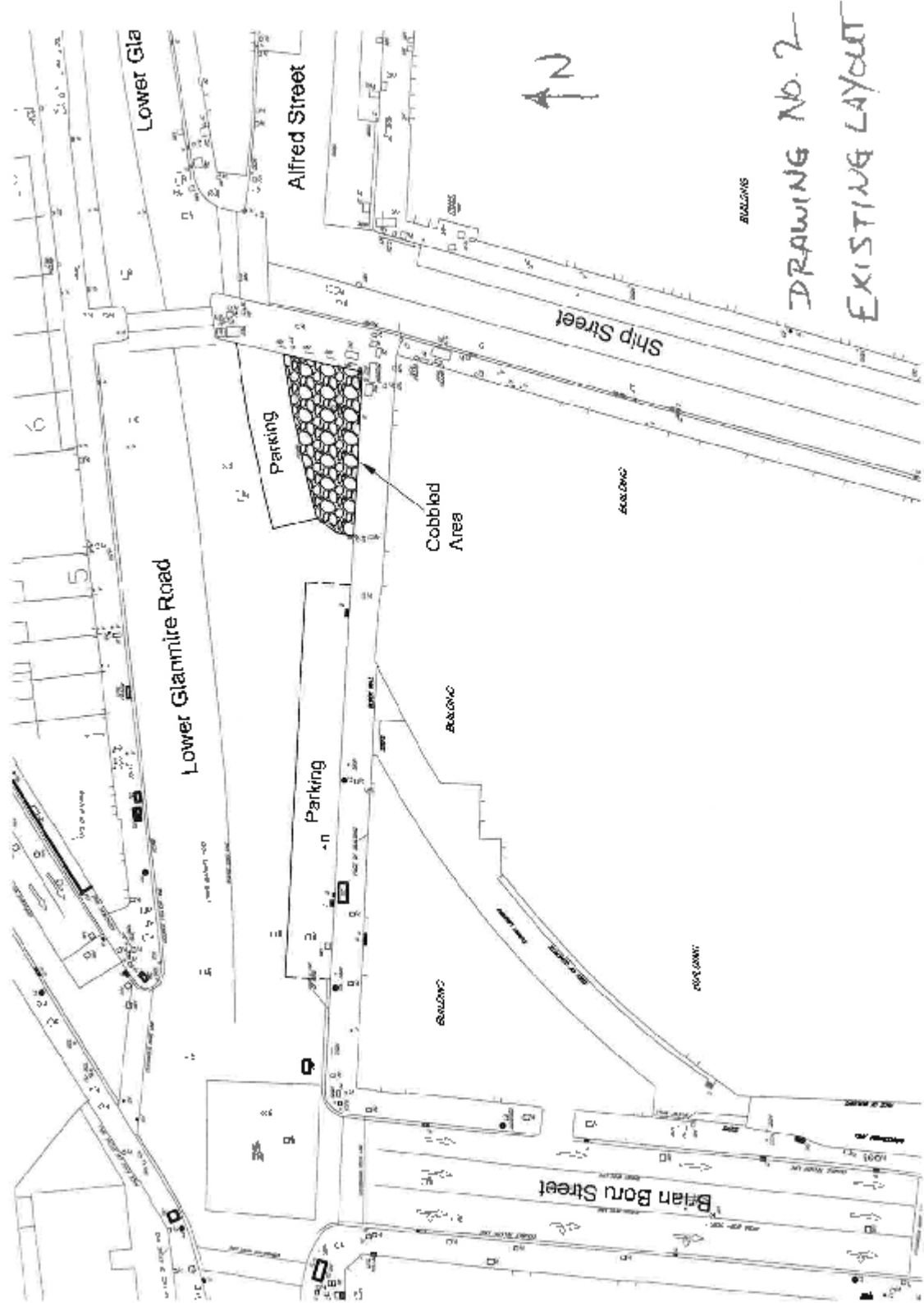
DRAWING No.1

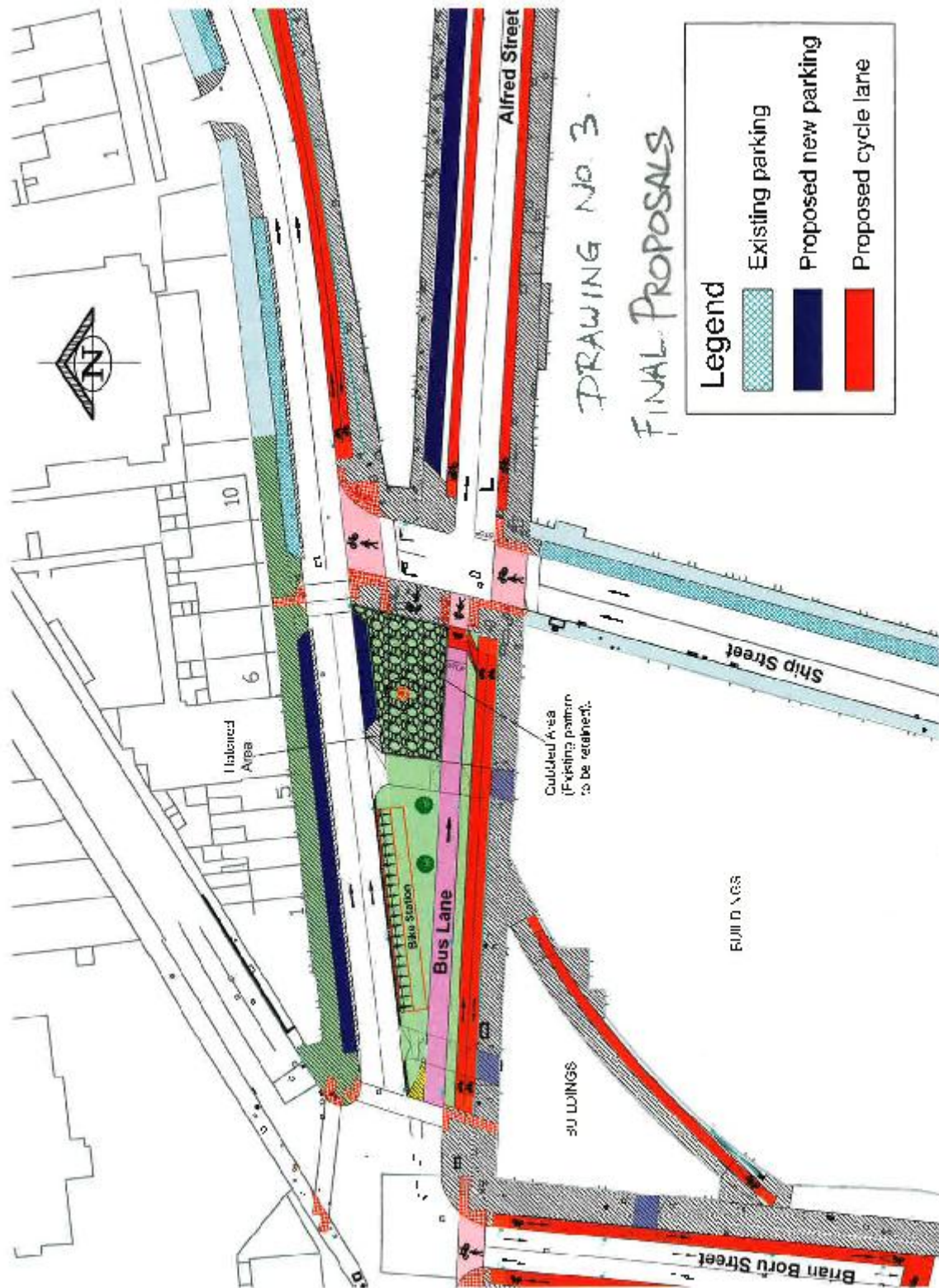
SECTION 38 DRAWING

(EXTRACT)

Revised footway to remove obsolete dishina







**The Manager advised An Chomhairle that it is proposed to relocate the cobbles to just north of the new bus lane and to retain the horse trough in its current location. He confirmed that the required consultation process in respect of the scheme had been undertaken correctly and that the project had been approved by An Comhairle. He confirmed that the scheme had attracted significant grant funding and that, coupled with the related redevelopment of Kent Station, it represented a major investment in the area. He advised that the minor changes proposed to the scheme such as the provision of additional car spaces were non material in nature and were being undertaken in response to concerns of a local business. He confirmed that, were the motion to be passed, it would not result in the scheme not proceeding as planned and that arrangements were in place to execute the contract and complete the scheme as approved by Council.**

On the proposal of Comhairleoir T. Brosnan, seconded by Comhairleoir S. Martin, A vote was called for on whether to accept the report of the Director of Services where there appeared as follows:-

**FOR:** Comhairleoirí J. Kelleher, C. Clancy, D. Cahill, L. McGonigle, D. O’Flynn, J. Corr, L. Kingston, E. O’Halloran, J. Buttimer, M. Ahern, B. Bermingham, G. Gibbons. (12)

**AGAINST:** Comhairleoirí T. Brosnan, T. Tynan, J. Kavanagh, M. Barry, P. Gosch, K. O’Flynn, T. Fitzgerald, M. Nugent, J. O’Callaghan, T. Shannon, C. O’Leary, K. McCarthy, S. Martin, M. Finn, F. Kerins, M. Shields, H. Cremin. (17)

As the numbers voting in favour of accepting the report were less than those voting against the report, An tÁrd-Mhéara declared the vote carried the report of the Director of Services rejected.

### **SUSPENSION OF STANDING ORDERS**

An Chomhairle agreed to continue the meeting to 9.00pm.

## **8. HOUSING & COMMUNITY FUNCTIONAL COMMITTEE – 3<sup>rd</sup> MARCH 2014**

An Chomhairle noted the minutes of the Housing & Community Functional Committee and considered the following recommendations from its meeting held on the 3<sup>rd</sup> March 2014.

### **8.1 DISPOSALS**

#### **SITE AT DEANROCK, TOGHER – 1.14HA/2.83 ACRES**

On the proposal of Comhairleoir B. Bermingham, a vote was called for to defer this item where there appeared as follows:-

**FOR:** Comhairleoirí J. Kelleher, T. Brosnan, T. Tynan, J. Kavanagh, M. Barry, C. Clancy, P. Gosch, K. O’Flynn, T. Fitzgerald, M. Nugent, J. O’Callaghan, D. Cahill, L. McGonigle, D. O’Flynn, C. O’Leary, K. McCarthy, J. Corr, L. Kingston, M. Finn, F. Kerins, J. Buttimer, M. Shields, M. Ahern, H. Cremin, G. Gibbons. (25)

**AGAINST:** Comhairleoirí E. O'Halloran, B. Bermingham. (2)

**ABSTAIN:** Comhairleoir S. Martin. (1)

As the numbers voting in favour of deferring this item were greater than those voting against, An tÁrd-Mhéara declared the vote carried and the item deferred.

An Chomhairle considered the reports of the City Manager dated 27<sup>th</sup> February, 2014 in relation to the following property disposals:

- a. Disposal of freehold interest in land situated at Avenue de Rennes, Mahon, Cork to Mahon Association Ltd., c/o Noonan Linehan Carroll Coffey, Solicitors, No. 54, North Main Street, Cork, by way of exchange. On the proposal of Comhairleoir K. McCarthy, seconded by Comhairleoir K. O'Flynn, the disposal was approved.
- b. Disposal of freehold interest in property known as Fairview House, Upper Fairhill, Cork to Sean Nason, c/o Murphy & Condon Solicitors, No. 69, Shandon Street, North Gate Bridge, Cork for the sum of €76.16, (plus VAT if applicable), plus costs of €675.00 plus VAT. On the proposal of Comhairleoir J. Corr, seconded by Comhairleoir J. Kavanagh, the disposal was approved.
- c. Disposal of freehold interest in the property known as No. 8, Coach Street, Cork, to Jonathan Donal Lynch and Michael Sheridan, as Trustees on behalf of The Cork Samaritans Charity, their successors and assigns, c/o McNulty Boylan Partners, Solicitors, Clarkes Bridge House, Hanover Street, Cork, for the sum of €5,245.23 (plus VAT if applicable). On the proposal of Comhairleoir K. McCarthy, seconded by Comhairleoir L. Kingston, the disposal was approved.
- d. Disposal of superior leasehold interest in the property known as No. 71, Great William O'Brien Street, Cork to Jeremiah Murphy, c/o C.F. O'Connell & Company, Solicitors, No. 55, Grand Parade, Cork for the sum of €3,000.00 inclusive of costs and V.A.T. On the proposal of Comhairleoir E. O'Halloran, seconded by Comhairleoir J. O'Callaghan, the disposal was approved.
- e. Disposal by way of lease of Café premises at Fitzgerald Park, Cork to The Natural Foods Bakery Limited, c/o Noonan Linehan Carroll Coffey, Solicitors, No. 54, North Main Street, Cork for a term of 4 years 9 months subject to an annual rent of €10,400.00. On the proposal of Comhairleoir D. Cahill, seconded by Comhairleoir J. O'Callaghan, the disposal was approved.
- f. Disposal of freehold interest in land situated at Gillabbey Park, O'Donovan Rossa Road, Cork to Cork Catholic Young Men's Society, c/o Holohan Solicitors, Water-View House, No. 16, Sundays Well Road, Cork for the sum of €52,000.00 (plus VAT if applicable) plus costs of €1,500.00 plus VAT. On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir G. Gibbons, the disposal was approved.

## 8.2 **MONTHLY REPORT**

An Chomhairle considered and approved the report of the Assistant City Manager on Housing for the month of February, 2014.

8.3 **DEVELOPMENTS AT TORY TOP ROAD, BALLYPHEHANE AND CAPPANOOLE, MAHON, CORK.**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February, 2014 on proposed developments of sites located:

- (a) On Tory Top Road, Ballyphehane, adjacent to No 62, on a site measuring 0.056 acres.
- (b) In Cappanoole, Mahon, adjacent to No. 14, on a site measuring 0.2 acres.

The report of the Assistant City Manager stated that the proposed developments consist of the construction of:

- (a) At Tory Top Road, Ballyphehane - one Two Storey Three Bedroom Detached House plus ancillary site works, with access off Tory Top Road.
- (b) At Cappanoole, Mahon - Two Two Storey Three Bedroom Semi-Detached Houses plus ancillary site works with access off Estuary Drive, Mahon.

Cork City Council advertised the above proposed developments as required by Article 81 of the Planning & Development Regulations 2001. Plans and particulars of the proposed developments were forwarded to the Ward Members for their attention at the time of advertising.

Plans and particulars of the proposed developments were made available for public inspection for the prescribed period. The period within which any submissions or observations were to be made ended on the 16<sup>th</sup> December, 2013.

Two number submissions/observations were received within the specified period in relation to the proposed development at Cappanoole, Mahon.

1. Danielle Blower, St Christopher's, Riverbank, Estuary Drive, Mahon, Cork.
2. Bernard and Tracey Wallace, Finus, Riverbank, Estuary Drive, Mahon, Cork.

The report of the Assistant City Manager summarised the submissions/observations as follows: Obstruction of view and sunlight plus invasion of privacy.

The report outlined the response to submissions/observations: The site is zoned for 'Residential, Local Services and Institutional Uses' purposes in the City Development Plan 2009-2015 (as varied) and the principle of residential development on this site is appropriate. While the site may be vacant, it is not a zoned open space.

Having regard to the nature and scale of the proposed development to its suburban location and to the proposed separation distance between the proposed dwellings and the existing adjoining dwellings, including those to the east (c 24 metres), it is not considered that the proposed development would result in an invasion of privacy or overshadowing of any adjoining residential property.

No submissions/observations were received within the specified period in relation to the proposed development at Tory Top Road.

The proposed development, including the recommendations and observations is considered

to be consistent with the proper planning and sustainable development of the area having regard to the provisions of the Development Plan.

8.4 **CAPITAL GRANT ALLOCATION HOUSING MAINTENANCE SECTION - ADAPTATION WORKS FOR TENANTS WITH DISABILITY:**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February, 2014 in relation to the Capital Grant Allocation for the Housing Maintenance Section.

The report of the Assistant City Manager stated that in the past such adaptations, both minor works and adaptations, were carried out utilising funding from Cork City Council's annual revenue budget and Internal Capital Receipts, supplemented by additional capital grant aid provided by the DECLG. In both 2013 and again for 2014, the City Manager advised Council in their consideration of the annual budget, that no City Council funding was being proposed for these works and that the level of such work would be thus totally dependent on funding provided by Central Government. Both the 2013 and 2014 annual City Council budgets were adopted by Council on this basis. In January 2013 an initial DECLG grant allocation of €135,000 was provided. Following representations from Cork City Council, a supplementary DECLG grant allocation of the same amount again was notified in August 2013. Minor works adaptations were carried out to 49 tenanted properties at a total cost of €303,719. As the DECLG will only aid up to 90% of the cost of such works, grants totalling €273,347 were drawn down and the balance of 10% cost of the works, i.e. €30,372 had to be found within the Housing budget, as no specific provision had been made by the City Council of the 10% local funding required. In addition 3 disabled tenant extensions had been commenced in 2012 in anticipation of funding availability in 2013 and these were duly completed in 2013, at a cost of €223,000. As the City Council had no alternative source of funding for these works, as a last resort Internal Capital Receipts funding had thus to be assigned to cover these costs.

By DECLG letter, dated 12<sup>th</sup> February 2014, the City Council was notified of 2014 funding allocations under Social Housing Investment Programme, 2014. Under the heading Once –Off Adaptation Works, the DECLG letter stated: *“In 2013 over €7 million was provided for adaptation works to local authority housing stock. As a result of the budgetary adjustments in 2014 allocations are not being provided in respect of these works. Approval of funding will be considered on a case by case basis.”* City Council Housing duly queried the position and in response the DECLG indicated that a submission in respect of disabled tenant adaptation works would be considered, but the DECLG were unable to provide any indicative level of funding or confirmation of any funding at all. As of February 2014, there is a backlog of 35 approved minor adaptations awaiting funding at an estimated cost in the region of €190,000. In addition there is a backlog of over 40 Priority 1 extensions awaiting funding. It is intended to submit an application as soon as possible to the DECLG for grant aid to provide for the existing backlog of 35 minor adaptations, along with a provision for approximately the same number of applications that can be expected to be received during the remainder of 2014. In addition, it is proposed to include 4 or 5 of the most long standing and urgent extensions. Members will be advised in due course regarding any DECLG response to the City Council application. It should be noted that if any DECLG funding is approved, it must be expected that the DECLG funding will be on the same basis as in previous years, that is that the grant will only extend to 90% of the construction costs

of the adaptation works. Thus if the works are to proceed, the City Council will have to provide for the remaining 10% of the cost from its own resources. As of now, no such provision has been made in the Housing Budget for 2014.

### **Energy Efficiency Insulation Works:**

The report of the Assistant City Manager also stated that the DECLG Energy Efficiency Scheme (Fabric Upgrade – Phase 1) commenced in June 2013, with the stated objective of bringing the entire social housing stock up to a minimum level of 300mm of attic insulation, along with insulation of cavity walls to housing with cavity wall construction. In 2013, the City Council utilised its full grant allocation under this scheme of €638,000 to insulate 385 attics, along with the appropriate attic pipework insulation and attic ventilation, and to provide cavity wall insulation to 211 houses. By DECLG letter, dated 12<sup>th</sup> February 2014, the City Council were notified of an allocation of €910,394 as a continuation of the Energy Efficiency scheme (Fabric Upgrade Phase 1). This allocation forms part of the initial national provision of €15 million for 2014. A total of €30 million is available for this scheme nationally and the DECLG notification stated that the remaining €15 million will be allocated to local authorities around midyear on the basis of progress achieved in implementing the scheme objectives. Proposals are thus being formulated to continue this scheme, and it is likely that the initial 2014 allocation of €910,394 will provide for approximately another 850 attic insulations to be carried out along with cavity wall insulation to approximately 350 houses. The most cost effective locations and programme for these upgrades are being worked out currently. As with the programme in 2013, which concentrated on housing stock in the North East area of the city, it is likely that best cost effectiveness and value for money will be obtained by programming the works on an area by area basis, rather than considering individual houses on a one by one basis. The existing City Council Contractor Framework will continue to be used in 2014, until the nationally procured Framework panels of Contractors become available to tender for the work sometime in quarter 2 of 2014.

### **Repair of Vacant Dwellings:**

The report of the Assistant City Manager further stated that as announced at the time of the 2014 national budget in October 2013, the DECLG intend to provide funding of €15 million for targeted measures aimed at returning up to 500 vacant properties nationally to productive use in 2014. As yet no details of how this funding is to be utilised, the criteria to be applied or how the overall funding will be allocated have yet been received. However in anticipation of this and the Fabric Upgrade programme, additional technical resources will be required to scope the works, draw up contracts, supervise, quality assure and manage any such programme. The Housing & Community Directorate are in the process of procuring a Framework panel of consultants to supplement Housing's own technical resources as required.

Members will be advised regarding this DECLG scheme when further details are to hand

8.5 **CAPITAL ALLOCATIONS FOR INFILL SCHEMES, NEW BUILD & REMEDIAL WORKS:**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February, 2014 in relation to the Social Housing Investment Programme.

The report of the Assistant City Manager stated that the national funding being made available for the Local Authority supply Programme (Construction/Acquisition) is in the region of €36 million and will cover projects already under construction or at substantial completion stage and to meet outstanding balances on House acquisitions and final accounts.

The report stated that Cork City Council has received the following allocations:

<b>Allocation – Cork City Council</b>		
<b>Subhead</b>	<b>Allocation per project</b>	<b>2014 Total Allocation for each measure</b>
<b>A.3.1 LA Housing Projects</b>		
Infills (3 Units)	800,000	
Lovers Walk	243,557	
The Meadows, Knocknacullen	475,337	
Susies Field	274,105	
		<b>1,792,999</b>
<b>A.6.1 Remedial Works</b>		
Sprigg's Road	100,000	
		<b>100,000</b>

A response has been made by a number of Approved Housing Bodies to a Call for proposals in respect of CAS and CALF construction/acquisitions and once a prioritised list of projects is received in the Department of the Environment Community & Local Government an appraisal will take place with an allocation being made on a case by case basis to the successful projects.

The report went on to state that there has been no notification received to date in respect of a call for House Acquisition for Social Housing need; likewise no allocation has yet been made for Regeneration or Remedial schemes.

8.6 **CAPITAL ALLOCATION – TRAVELLER ACCOMMODATION SPRING LANE – HALTING SITE:**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February, 2014 in relation to the Capital Allocation for Traveller Accommodation.



The report of the Assistant City Manager stated that this site is overcrowded and it is generally accepted that it requires refurbishment and a long term strategy to address the problems of overcrowding and a moderation of the facilities on the site.

Provision has been made in the Traveller Accommodation Plan to address the medium to long term accommodation requirements which are contingent on the appropriate provision being made in the City Development plan. In the interim, a detailed submission was forwarded to the Department of the Environment, Community & Local Government seeking funding to address some of the more immediate issues on the site including sanitary works, roads improvements, ponding problems and boundary fencing. An allocation of €256,687 has been received for emergency works to cover electrical upgrade within the site.

The report also stated that Mr. Joe Horan, former County Manager for South Dublin County Council, is currently engaged in a consultation process to plot a way forward for a more permanent resolution of accommodation and related initiatives on the site. The members will be advised of the outcome of this process.

#### 8.7 **GLENFIELDS ESTATE, BALLYVOLANE**

An Chomhairle considered and approved the report of the Assistant City Manager dated 28<sup>th</sup> November, 2013 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council would complete the erecting of the fencing on the back walls of houses in Glenfields Estate, Ballyvolane.’

(Proposer: Cllr. T. Gould 13/342)

The report of the Assistant City Manager stated that the rear boundary walls at this location are 1.8m high solid block walls which is the standard considered acceptable to provide adequate security. There are no funds currently available to provide additional fencing. The situation can be reviewed in early 2014 in the context of available resources for requests of this nature.

#### 8.8 **MOUNT ST JOSEPH’S ESTATE, BAKERS HILL**

An Chomhairle considered and approved the report of the Assistant City Manager dated 2<sup>nd</sup> January, 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council presents a report on the current status of Mt. St. Joseph's Estate, Bakers Hill, Gurrabraher in terms of:

1. Taking in Charge of all the estate.
2. Current status of the Public Lighting Systems in all of the estate and confirmation of certification that the public lighting system complies with Cork City Council regulations.
3. The number of vacant properties in the estate and the projected timeframe for their allocation.

4. Establish who owns the land bordering the estate and Gurrabraher Garda Station and what steps can be taken to clean it out and secure the area.
5. Are all of the problems relating to sewerage and water leakage now resolved to the satisfaction of Council and the residents.
6. Any other issues that Cork City Council is attending to.

(Proposer: Cllr T. Fitzgerald 13/346)

The report of the Assistant City Manager stated that the issues raised are dealt with as follows:

1. Taking in Charge of all the estate.

Mount Saint Joseph's Avenue /Drive / Heights / and Close Nos. 19 to 30 were developed under Part VIII and have not as yet been Taken in Charge. However Mount Saint Joseph's Close Nos. 1 to 18 were constructed under Approved Planning Permission and are currently in the process of being Taken in Charge.

2. Current status of the Public Lighting Systems in all of the estate and confirmation of certification that the public lighting system complies with Cork City Council regulations.

Arrangements are currently being made for the re-lamping of Mount Saint Joseph's Estate. Public Lighting System certification was provided on completion of construction and complies with Cork City Council's regulations pertaining at that time.

3. The number of vacant properties in the estate and the projected timeframe for their allocation.

Three dwellings are currently unoccupied. The budget for 2014 will be examined with a view to best organizing repairs to vacant properties.

4. Establish who owns the land bordering the estate and Gurrabraher Garda Station and what steps can be taken to clean it out and secure the area. (Revised on November 14<sup>th</sup> to "Area South of Mt St Josephs Heights and North of Mt St Josephs Close")

This area is in the ownership of Cork City Council and was formerly an entrance to the Presentation Brothers complex. Entrance to this area is secure. Consideration may be given to have the area cleaned, however the issue of dumping has been referred to the Area Manager, North Area Housing Office.

5. Are all of the problems relating to sewerage and water leakage now resolved to the satisfaction of Council and the residents.

Surveys have been carried out on the various services. Works have been identified and a Schedule of Works prepared to bring the estate up to an acceptable standard to enable it to be Taken in Charge. However, as a result of current financial constraints funds are not available to Cork City Council to carry out these works.

6. Any other issues that Cork City Council is attending to.

None

#### 8.9 **CORK CITY COUNCIL RENTAL INCOME**

An Chomhairle considered and approved the report of the Assistant City Manager dated 30th January, 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council which receives of the order of €18 million in rents from its tenants each year examine where all the rent revenue goes and advise why Council cannot give an even basic maintenance service to its tenants. What additional annual revenue would Council need in order to function as a good landlord’

(Proposer: Cllr. T. Brosnan 13/405)

The report of the Assistant City Manager stated that the report of the Assistant City Manager stated that the projected income from social housing rents in the adopted budget for 2014 is €19,052,000.

The allocation for expenditure on Housing Maintenance (A0101 ) in the adopted budget for 2014 amounts to €13,463,600. It should be noted, however, that the actual budget available for expenditure to maintain the social housing stock in 2014, i.e. after provision for Local Property Tax and Liability Insurance has been deducted, amounts to €12,135,600.

There is no planned maintenance budget available. Repair requests are prioritised as emergency, urgent or routine.

#### 8.10 **SPRING LANE HALTING SITE**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council immediately close the Spring Lane halting site due to the overcrowding and the health and safety issues that are occurring on the halting site.’

(Proposer: Cllr. K. O’Flynn 13/425)

The report of the Assistant City Manager stated that Spring Lane Halting Site has been considered as part of the Traveller Accommodation Plan 2014-2018 and the City Council intends to proceed with the recommendations contained therein.

#### 8.11 **SOCIAL HOUSING UNITS**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council would borrow money or secure investment to build Social Housing Units on land that Cork City Council already owns. This policy would reduce the number of individuals and families on the housing waiting list, it would also provide much needed work for unemployed trades people, it would help stimulate the local economy and the income received from rents would provided much needed funding for the Cork City Council.’

(Proposer: Cllr. T. Gould 14/003)

The report of the Assistant City Manager stated that there are 5 No. significant plots of land available for social housing as follows:

- Old Whitechurch Rd
- Boherboy Rd, Lotamore Mayfield
- Thomas Davis Street, Blackpool
- Nash's Boreen
- Gerald Griffin St.

These lands would accommodate approximately 1300 housing units. The cost estimate for these units would be approximately €200million.

The current DECLG policy for the provision of social housing is through A Social Leasing Model and not by direct funding provision to Cork City Council through grant aided construction. Additional resources will be required in the Housing & Community Directorate to pursue A Social Leasing Model with Approved Housing Bodies and this would allow discussions to take place on the effectiveness of such a model and the instruments underpinning the provision of social housing in this manner. A successful model would greatly reduce the number of individuals and families on the Housing List and provide employment in the construction sector. The desired stimulus in the local economy would be achieved.

It is unlikely that the City Council will receive sanction for borrowing to construct social housing as policy supports the leasing arrangements.

#### 8.12 **ILLEGAL DUMPING AROUND VACANT PROPERTIES**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council will ensure that rubbish illegally dumped in & around vacant City Council local authority houses be removed as speedily as possible and any measures required be implemented to prevent further dumping & vandalism to vacant housing stock.’

(Proposer: Cllr. M. Nugent 14/ 005)

The report of the Assistant City Manager stated that it is the experience that if rubbish that has been dumped in the gardens of vacant houses is cleared on a regular basis; it then accumulates again within a short period of time. Housing staff can only assume

that some residents therefore see such dumping of rubbish as a means of waste disposal by Cork City Council at no cost to themselves.

It is the view that the vast bulk, if not all, of such rubbish is dumped by residents from the immediate vicinity of the vacant units. It is not credible to suggest that rubbish bags are transported, e.g. by car, from other areas and then dumped in the gardens of vacant houses.

The amount of such dumping has increased significantly since the privatisation of refuse collection and the abolition of waivers of refuse charges. In 2013 refuse disposal charges alone cost Housing Maintenance €212,000, which figure does not include the costs of the wages of staff clearing such rubbish nor does it include the cost of Housing Maintenance vehicles transporting the rubbish to waste disposal facilities. The Housing Maintenance budget adopted by the elected members of City Council for 2014 includes an amount of €165,900 for waste disposal. Thus the adopted budget allows only for a lesser level of clearing of rubbish than pertained in 2013.

In particular cases where dumping is severe and recurring, covert surveillance has been used. With the number and spread of vacant units there are no feasible measures that can be taken to prevent such dumping.

Similarly vandalism of vacant units is increasing. Where window and door openings are steel shuttered, houses are being accessed by stripping off roof tiles or by breaking holes in the walls. Costs of security in 2013 amounted to €152,000. The adopted budget for 2014 includes an amount of €161,200 for such security, thus only the same regime and level of service can be provided.

### 8.13 **REPLACEMENT OF WINDOWS AND DOORS**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February 2014 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council would replace as a matter of urgency all single glazed windows and doors in Cork City Councils Housing stock starting with aluminum windows first. Single glazed windows are not energy efficient, the aluminum windows also cause condensation, tenants have to pay more to heat their homes and during cold spells it is impossible for tenants to keep their homes warm.’

(Proposer: Cllr. T. Gould 14/006)

The report of the Assistant City Manager stated that replacement windows are provided for under the Planned Maintenance portion of the overall Housing Maintenance budget. This budget also has to provide for replacement doors and soffit, fascias and guttering.

In 2013, an amount of €200,000 was provided for such works, a significant portion of which had to be expended on the removal and replacement of old asbestos guttering which was falling down and causing a risk to public safety.

An amount of €200,000 has again been included in the adopted Housing Maintenance budget for 2014. This allows for emergency window and door replacements only.

It is intended to apply to the DECLG for permission to replace aluminium single glazed windows under the auspices of the Energy Efficiency Fabric Upgrade Programme. However, the current guidelines for this programme, state that in the first instance, all such funding must be utilised for attic and cavity wall insulation. Thus any such window replacement would have to be considered by the DECLG as a special case.

#### 8.14 **DAMPNESS IN NAMED PROPERTY**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February 2014 on the following motion referred to the Committee by An Chomhairle:

‘That City Council would consult with the tenant living in ( **Named Property** ) in relation to the problem she is experiencing with the dampness in her house for a long time now, a contractor called a long time back to examine this and did up a report for council but this tenant has heard nothing since. I would also request that the vacant dwelling next door be turned around as soon as possible to be reallocated as this property is lying idle for years and cannot be helping matters in relation to the dampness in ( **Named Property** )’

(Proposer: Cllr. H. Cremin 14/019)

The report of the Assistant City Manager stated that the original construction of the houses of this type leaves some of the properties susceptible to cold bridging causing internal condensation and in a limited number of properties susceptible to actual penetrative dampness. In the past replastering and renewal of external rendering of gable walls of such properties has proven unsuccessful in alleviating dampness problems. Application of external wall insulation is a potential remedial measure, but the costs of same are currently out with the Housing Maintenance budget resources.

All vacant properties are repaired as speedily as possible within the constraints of current financial and staff resources. Properties are currently being ranked in terms of lowest repair costs and lettability in order to ensure that the limited resources available are targeted to optimal effect.

#### 8.15 **FAIRHILL/FAIRFIELD**

An Chomhairle considered and approved the report of the Assistant City Manager dated 27<sup>th</sup> February 2014 on the following motion referred to the Committee by An Chomhairle:

“That Cork City Council will establish a community & youth centre for the Fairhill/Fairfield area of the Northside of the city.

(Proposer: Cllr. M. Nugent 14/022)

The report of the Assistant City Manager stated that Cork City Council is willing to facilitate a meeting of all the stakeholders in the Ballyvolane/Dublin Hill area to explore the feasibility of establishing a community centre and youth club in the area. However, in the current economic climate, funding for a community centre may be difficult to secure.

The wording error in the above report was amended at the meeting where Ballyvolane/Dublin Hill was replaced with Fairhill/Fairfield.

9. **CORRESPONDENCE**

An Chomhairle noted the following correspondence:-

1. Letter from Valerie O’Sullivan dated the 6<sup>th</sup> March 2014 regarding the St. Patrick’s Day arrangements.
2. Notification from Tadhg Keating dated the 6<sup>th</sup> March 2014 regarding Special Meeting of An Chomhairle to be held on Tuesday 25<sup>th</sup> March 2014 regarding the Draft City Development Plan.
3. Letter from Eugene Griffin, Limerick City & County Council regarding the adoption of a Resolution dated the 7<sup>th</sup> February 2014
4. Letter from Geraldine Killen, Clones Town Council regarding the adoption of a Notice of Motion dated the 3<sup>rd</sup> March 2014.

10. **CONFERENCES/ SEMINARS SUMMARIES**

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

- Cllr Michael O’Connell – Local Authority Employment – Law Practice & Procedure – Rosscarbery, Co. Cork – 14/16 February 2014.
- Cllr Joe O’Callaghan – 25<sup>th</sup> Annual Tourism Conference - Folklore – Heritage - Tourism – Ennistymon, Co. Clare – 06/07 December 2013.
- Cllr Emmet O’Halloran – Branding in Political Elections A New Quality of Political Communication – Rosscarbery, Co. Cork -17/19 January 2014
- Cllr Emmet O’Halloran – Domestic Water Charges - Preparation and Practicalities - Carlingford, Co. Louth -24/26 January 2014.
- Cllr Emmet O’Halloran – Good Governance of Community, Voluntary & Charitable Organisations in Ireland – Carlingford, Co. Louth - 31 January /02 February 2014.
- Cllr Brian Bermingham – Genealogy- Tracing Your Ancestors and Family Tree Conference – Limerick – 21/22 February 2014.
- Cllr Ger Gibbons – Educating to Drive the Economy – Galway – 28 February / 01 March 2014.

11. **CONFERENCES/ SEMINARS**

On the proposal of Comhairleoir C. O’Leary, 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:-

**FOR:** Comhairleoirí J. Kavanagh, C. Clancy, P. Gosch, T. Fitzgerald, J. O’Callaghan, L. McGonigle, D. O’Flynn, J. Corr, L. Kingston, E. O’Halloran, S. Martin, J. Buttimer, M. Ahern, G. Gibbons. (14)

**AGAINST:** Comhairleoirí T. Brosnan, T. Tynan, M. Barry, K. O’Flynn, M. Nugent, D. Cahill, C. O’Leary, K. McCarthy, F. Kerins, H. Cremin. (10)

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:-

### **POWERS OF LOCAL AUTHORITIES TO STEM ANTI-SOCIAL BEHAVIOUR**

Comhairleoir B. Bermingham at the “Powers of Local Authorities to Stem Anti-Social Behaviour” seminar, held in the Manor West Hotel, Tralee, Co. Kerry, on the 14<sup>th</sup> – 15<sup>th</sup> February 2014.

### **LOCAL GOVERNMENT LAW UPDATE 2014**

Comhairleoir M. Shields at the “Local Government Law Update 2014” seminar, held in the Four Seasons Hotel, Carlingford, Co. Louth, on the 21<sup>st</sup> – 22<sup>nd</sup> February 2014.

### **INSOLVENCY SERVICE OF IRELAND**

Comhairleoir M. Ahern at the “Insolvency Service of Ireland” seminar, held in the City North Hotel, Gormanstown, Co. Meath, on the 28<sup>th</sup> February – 2<sup>nd</sup> March 2014.

### **ACCC ANNUAL CONFERENCE**

Comhairleoir M. Ahern at the ACCC Annual Conference, held in the Slieve Russell Hotel, Co. Cavan, on the 6<sup>th</sup> – 7<sup>th</sup> March 2014.

### **CHARITIES REGULATION & LEGISLATION**

Comhairleoir L. McGonigle at the “Charities Regulation & Legislation” seminar, held in the Celtic Ross Hotel, Rosscarbery, Co. Cork, on the 7<sup>th</sup> – 8<sup>th</sup> March 2014.

### **CHANGES TO THE CONSTRUCTION CONTRACTS ACT 2013 FOR LOCAL AUTHORITIES**

Comhairleoir L. McGonigle at the “Changes to the Construction Contracts Act 2013 for Local Authorities” seminar, being held in the Four Seasons Hotel, Carlingford, Co. Louth, on the 21<sup>st</sup> – 23<sup>rd</sup> March 2014.

## 12. **CONFERENCES/ SEMINARS**

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



## **DEALING WITH VACANT SPACE**

Comhairleoir G. Gibbons at the “Dealing with Vacant Space” conference at the Connacht Hotel, Old Dublin Road, Galway City on the 21<sup>st</sup> – 22<sup>nd</sup> March 2014.

## **ROLE OF THE OMBUDSMAN**

Comhairleoir J. O’Callaghan at the “Role of the Ombudsman” conference at Scotts Limerick, Ashbourne Avenue, South Circular Road, Limerick on the 21<sup>st</sup> – 23<sup>rd</sup> March 2014.

## **MEDIA SKILLS FOR COUNCILLORS**

Comhairleoir D. O’Flynn at the “Media Skills for Councillors” seminar at the Great Northern Hotel, Bundoran, Co. Donegal on the 11<sup>th</sup> – 12<sup>th</sup> March 2014.

## **RURAL DEVELOPMENT PROGRAMME (RDP) 2014-2020**

Comhairleoir D. O’Flynn at the “Rural Development Programme (RDP) 2014-2020” conference at the Westport Plaza Hotel, Westport, Co. Mayo on the 14<sup>th</sup> – 15<sup>th</sup> March 2014.

## **RETIREMENT ENTITLEMENTS & TAXATION BENEFITS FOR COUNCILLORS**

Comhairleoir J. Corr at the “Retirement Entitlements & Taxation Benefits for Councillors” conference at The Celtic Ross Hotel, Rosscarbery, Co. Cork on the 28<sup>th</sup> – 30<sup>th</sup> March 2014.

## **SOCIAL CLAUSES IN PUBLIC PROCUREMENT**

Comhairleoir J. Corr at the “Social Clauses in Public Procurement” seminar at the Westport Plaza Hotel, Castlebar Street, Westport, Co. Mayo on the 25<sup>th</sup> – 26<sup>th</sup> April 2014.

## **SUSTAINABLE DEVELOPMENT & DESIGN IN URBAN AREAS**

Comhairleoir E. O’Halloran at the “Sustainable Development & Design in Urban Areas” conference at the Celtic Ross Hotel, Rosscarbery, Co. Cork on the 14<sup>th</sup> – 16<sup>th</sup> March 2014.

### 13. **MOTIONS**

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

#### 13.1 **PEDESTRIAN CROSSING**

‘That the Council, in co-operation with UCC, provide a pedestrian crossing at the junction of Donovan’s Road and Connaught Avenue to facilitate students and local residents, utilising existing road crossings that are in place.’

(Proposer: Cllr. M. Finn 13/430)

**Roads & Transportation Functional Committee**

13.2 **TREES PRUNED**

‘That Cork City Council would arrange to have the trees at Douglas Hall Lawn pruned, as they have grown very high and pose a public safety issue for local residents.’

(Proposer: Cllr. T. Shannon 14/056)

**Environment & Recreation Functional Committee**

13.3 **AUDIT OF HOUSING UNITS IN MAYFIELD**

‘That Cork City Council undertake an Audit on all of our Housing Units in The Mayfield area as a matter of urgency in the interest of public safety. We need to identify works that need to be done and in particular issues that need to be addressed as a matter of urgency and as a matter of priority. We have a duty of care to our tenants.’

(Proposer: Cllr. J. Kavanagh 14/060)

**Housing & Community Functional Committee**

13.4 **TRAFFIC CALMING AT MERVUE LAWN**

‘That extra protection and traffic calming procedures be put in place near Mervue Lawn to prevent any further vehicle crashes or damage to property.’

(Proposer: Cllr. K. O’Flynn 14/062)

**Roads & Transportation Functional Committee**

13.5 **TRAFFIC LIGHTS BETWEEN NORTH RING ROAD , BALLYVOLANE AND BALLYHOOLEY ROAD CROSS**

‘That a right hand arrow be put at the traffic lights between, north ring road Ballyvolane/Ballyhooley Road cross. A right hand signal light, to indicate to cars going on to Ballyhooley.’

(Proposer: Cllr. K. O’Flynn 14/066)

**Roads & Transportation Functional Committee**

13.6 **STREET LIGHT**

‘To install an extra street Light next to the pathway (on centre of green) leading to S M A Church Wilton and opposite Wilton Pub. This area is very dark and many people especially the elderly use this pathway to get to Church and also Wilton Shopping Centre.’

(Proposer: Cllr. M. Shields 14/084)

**Roads & Transportation Functional Committee**

13.7 **EXTEND AN INVITATION TO POPE FRANCIS**

‘That Cork City Council would extend an invitation to Pope Francis to visit Cork.’

(Proposer: Cllr. E. O’Halloran 14/085)

**Corporate Policy Group**

13.8 **ARMY PERSONNEL TO DISTRIBUTE SANDBAGS IN THE EVENT OF FLOODING**

‘In the context of providing support and assistance to residents and businesses when flooding occurs in their areas I am proposing that in future Army personnel be deployed to distribute sandbags and other assistance as required by the Local Authority.’

(Proposer: Cllr. M. Shields 14/086)

**Environment & Recreation Functional Committee**

13.9 **INSPECT SAFETY OF TREE IN GREEN LAWN**

‘That Cork City Council inspect the safety of trees in Green Lawn following recent storms.’

(Proposer: Cllr. E. O’Halloran 14/087)

**Environment & Recreation Functional Committee**

13.10 **LOWER FRIAR’S WALK**

‘That Cork City Council would put in place traffic calming measures in Lower Friars walk’

(Proposer: Cllr. L. Kingston 14/088)

**Roads & Transportation Functional Committee**

13.11 **GREEN AREA LOWER FRIARS WALK**

‘The Cork City Council reduce the green area on the Lower Friars Walk side of Pearse Road to provide parking in the area which will then alleviate parking congestion and facilitate parking for all local amenities’.

(Proposer: Cllr. L. Kingston 14/089)

**Environment & Recreation Functional Committee**

13.12 **FOOTPATH AT NO. 1-5 DOUGLAS DRIVE, PIC-DU- JER PARK, BALLINLOUGH**

‘To fix the cracked footpath outside the house numbers 1-5 Douglas Drive, Pic-Du-Jer Park, Ballinlough.’

(Proposer: Cllr Kieran McCarthy 14/090)

**Roads & Transportation Functional Committee**

13.13 **REPLACE THE TREES THAT FELL IN THE RECENT STORMS ON BEECHWOOD PARK GREEN**

‘That the Council replace the trees that fell in the recent storms on Beechwood Park green.’

(Proposer: Cllr Kieran McCarthy 14/091)

**Environment & Recreation Functional Committee**

13.14 **PART 8 PLANNING PROPOSAL**

‘That Cork City Council officials report to Council in relation to the Part 8 planning proposal which was put before Council and approved by it on 27 February 2006. In particular can the officials please advise why they relied on drawings prepared by a third party who represented that the pitch could be moved 57m eastwards when in fact it couldn't be so moved. Furthermore, did either the City Council or the third party have the requisite consent to include all lands shown. Did Council Officials carry out a due diligence review of the third party proposal before advising council that the proposal constituted proper planning and sustainable development.’

(Proposer: Cllr. T. Brosnan 14/092)

**Planning & Development Functional Committee**

13.15 **FOOTPATH AT MARDYKE WALK AND LEE FIELDS**

‘That City Council would dish the footpaths on both sides of the road at the connection point between the Mardyke Walk and Lee Fields near Thomas Davis Bridge to facilitate wheelchair users.’

(Proposer: Cllr. H. Cremin 14/094)

**Roads & Transportation Functional Committee**

13.16 **PARKING SPACE OUTSIDE NO'S 37/38 GREENFIELDS MODEL FARM ROAD**

That City Council would allocate a parking space outside No's 37/38 Greenfields Model Farm Road for a resident to access his home as this person has serious mobility problems.

(Proposer: Cllr. H. Cremin 14/095)

**Roads & Transportation Functional Committee**

13.17 **TEXT ALERT WARNING SYSTEM**

That Cork City Council would publish a review of the efficacy of the text alert warning system currently in use.

(Proposer: Cllr. J. Buttimer 14/097)

**Corporate Policy Group**

13.18 **ASSESS TRAFFIC CALMING MEASURES IN THE RISE ESTATE, UAM VAR AND WILTON GARDENS**

That Cork City Council would assess the traffic calming measures currently in place in The Rise Estate, Uam Var and Wilton Gardens and to undertake remedial measures as required.

(Proposer: Cllr. J. Buttimer 14/098)

**Roads & Transportation Functional Committee**

14. **MOTIONS**

To consider the following motions, due notice of which has been given:-

14.1 **BANKING SECTOR**

**An Chomhairle approved the following motion.**

‘THAT Cork City Council urges the Criminal Assets Bureau to do its job and pursue those in the banking sector who acted above the law.’

(Proposer: Cllr. M. Finn 14/028)

14.2 **TANKFIELD**

**An Chomhairle agreed to refer the following motion to Housing & Community Functional Committee.**

‘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)

14.3 **GURRANABRAHER & KNOCKNAHEENY TRAINING CENTRE**

**An Chomhairle approved the following motion.**

That Cork City Council notes the recent closure of the Gurrabraher & Knocknaheeny Training Centre, Council calls on the Education Training Board (ETB) to engage with

the local community to examine the feasibility of an alternative Community Training Centre (CTC) for early school leavers in the area, Cork City Council will support such a process in any way it can.

(Proposer: Cllr. M. Nugent 14/096)

### **SUSPENSION OF STANDING ORDERS**

On the proposal of Comhairleoir P. Gosch, An Chomhairle agreed to Suspend Standing Orders to extend the meeting until 9.15pm.

#### 14. **MOTIONS DEFERRED FROM MEETING OF AN CHOMHAIRLE HELD ON THE 27<sup>TH</sup> JANUARY 2014.**

##### 15.1 **DISCLOSURE OF RESTING PLACE OF IRA VICTIMS TO THE GARDAI**

#### **An Chomhairle considered the following motion**

‘That Cork City Council on behalf of the people of Cork call on the leadership of Sinn Fein who may have any knowledge of the final resting place, of murdered victims of the Provisional IRA to disclose this information to the Gardaí/PSNI immediately.’

(Proposer: Cllr. E. O’Halloran 13/372)

#### **Comhairleoir M. Nugent proposed the following amendment to the motion:-**

“That Cork City Council calls on anyone with information regarding the “disappeared” to forward it to the Independent Commission for the location of Victims Remains (ICLVR). The story of the disappeared is one of the great tragedies of the conflict in Ireland and the families deserve the full support of everyone”.

#### **The Lord Mayor ruled that this was not a valid amendment.**

#### **Comhairleoir T. Brosnan and Comhairleoir K. O’Flynn proposed the following amendment to the motion:**

‘That Cork City Council on behalf of the people of Cork call on any political leader who may have any knowledge of the final resting place, of murdered victims of the Provisional IRA to disclose this information to the Gardaí/PSNI immediately.’

On the proposal of Comhairleoir T. Brosnan, seconded by Comhairleoir K. O’Flynn, a vote was called for on the proposed amendment where there appeared as follows:-

**FOR:** Comhairleoirí T. Brosnan, T. Tynan, M. Barry, C. Clancy, K. O’Flynn, T. Fitzgerald, M. Nugent, C. O’Leary, K. McCarthy, F. Kerins, M. Ahern, H. Cremin. (12)

**AGAINST:** Comhairleoirí J. Kavanagh, P. Gosch, J. O’Callaghan, D. Cahill, L. McGonigle, D. O’Flynn, J. Corr, L. Kingston, E. O’Halloran, S. Martin, J. Buttimer, G. Gibbons. (12)

As the vote was tied, An tArd-Mhéara had the casting vote and voted in favour of the motion as amended, accordingly the motion as amended was approved.

**AN tÁRD-MHÉARA**  
**CATHAOIRLEACH**