

MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL
HELD ON MONDAY 22nd DECEMBER 2014.

PRESENT	An Ardmhéara Comhairleoir M. Shields subsequently followed by An Leas-Ardmhéara Comhairleoir K. O'Flynn.
NORTH EAST	Comhairleoirí S. Cunningham, T. Tynan, T. Brosnan, J. Kavanagh.
NORTH CENTRAL	Comhairleoirí T. Gould, M. Barry, K. O'Flynn, L. O'Donnell, J. Sheehan.
NORTH WEST	Comhairleoirí M. Nugent, T. Fitzgerald, M. O'Sullivan.
SOUTH EAST	Comhairleoirí K. McCarthy, C. O'Leary, D. Cahill, L. McGonigle, T. Shannon N. O'Keeffe, S. O'Shea.
SOUTH CENTRAL	Comhairleoirí M. Finn, F. Kerins, P. Dinneen, T. O'Driscoll, S. Martin.
SOUTH WEST	Comhairleoirí J. Buttimer, H. Cremin, F. Dennehy, P.J. Hourican, T. Moloney.
ALSO PRESENT	Ms. A. Doherty, Chief Executive. Mr. T. Keating, Meetings Administrator, Corporate & External Affairs. Mr. C. O'Donnell, Administrative Officer, Corporate & External Affairs. Mr. T. Healy, Head of Finance, Finance. Mr. J. O'Donovan, Director of Services, Environment & Recreation. Mr. D. Buggy, Assistant City Manager, Housing & Community Mr. T. Duggan, City Architect, Architects. Mr. P. Ledwidge, Director of Services, Strategic Planning & Economic Development & Enterprise. Ms. V. O'Sullivan, Director of Services, Corporate & External Affairs. Mr. G. O'Beirne, Director of Services, Roads & Transportation. Mr. F. Keane, Project Accountant, Finance Mr. G. O'Mahony, Price Waterhouse Cooper

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

- Annette McLaughlin on the death of Eileen O'Callaghan.
- The Teehan Family on the death of Eileen Teehan.
- The Goggin Family on the death of Michael Goggin.
- The Olden Family on the death of John Olden.
- The Goulding Family on the death of Jim Goulding.
- The Roche Family on the death of Anne Roche.
- The O'Mahony Family on the death of Dolly O'Mahony.
- The McGuirk Family on the death of Domnick McGuirk.

1.2 **VOTES OF CONGRATULATIONS / BEST WISHES**

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

- Braveheart Choir for organising and planning ‘The Carols by Candlelight’ ceremony in St. Augustine’s Church fundraising for Cope and Cork Arc Cancer Support House.
- Jim Corr for his work on the Board of the Opera House.
- Cork Youth Orchestra on the hugely successful concert with Haley Westenra.
- John O’Sullivan and the Council Staff on the light in Patrick’s Street and the Lough.
- Cork Ladies Football on winning Team of the Year.
- UCC Students’ Union on the permanent flying of the Pride Flat on the UCC Campus.
- St. Luke’s Choir on the organising and staging of a successful Carol singing concert at St. Luke’s Church in aid of Marymount Hospice and Penny Dinners.

1.3 **LORD MAYORS ITEMS**

- 1.3.1 An tArdmhéara welcomed the launch of the news that Hibernia Networks has committed to landing its Tier 1 Express Fibre cable at Cork. This will provide enhanced connectivity to digital and financial markets in the US and UK for big data users such as EMC, VMWare and Apple. This connectivity is vital for the business future of the city.

1.4 **CHIEF EXECUTIVE’S ITEMS**

An Chomhairle noted the Report of the Chief Executive on the acquisition of properties at No. 8 & 9 Parnell Place.

- 1.4.2 An Chomhairle noted the report of the Chief Executive which had been tabled at the special meeting held immediately preceding the Ordinary meeting.

The Chief Executive outlined to the meeting that in order to give effect to its commitment An Chomhairle needed to approve expenditure of €8m.

On the proposal of Comhairleoir K O’Flynn and seconded by Comhairleoir J Buttimer the following Resolution was put to the floor.

Now Council hereby RESOLVES THAT

“That Cork City Council approves the expenditure of €8m towards the provision of a multi-functional event centre in Cork City in accordance with the recommendation of the Chief Executive and that in accordance with the Local Government Act 2001 (Section 106), Council Approves the raising of a loan of €4m to part fund this expenditure.”

A vote was called on the Resolution where there appeared as follows:-

FOR: Comhairleoirí S. Cunningham, T. Brosnan, J. Kavanagh, T. Gould, K. O’Flynn, J. Sheehan, M. Nugent, T. Fitzgerald, K. McCarthy, C. O’Leary, D. Cahill, L. McGonigle, T. Shannon, N. O’ Keeffe, S. O’Shea, M. Finn, F. Kerins, P. Dineen, T. O’Driscoll, S. Martin, J. Buttimer, H. Cremin, M. Shields, F. Dennehy, P.J Hourican. (25)

AGAINST: Comhairleoirí T. Tynan, M. Barry, L. O’Donnell, M. O’Sullivan. (4)

As the numbers voting in favour of the Resoluton was greater than those voting against, An tÁrd-Mhéara declared the vote carried and the Resolution approved.

An tArdmhéara vacated the chair at 7.00 p.m., An Leas-Ardmhéara Comhairleoir K O'Flynn chaired the meeting for the remainder of the meeting.

2. **MINUTES**

An Chomhairle considered and approved the minutes of the Ordinary Meeting of An Chomhairle held on the 8th December 2014.

3. **QUESTION TIME**

3.1 **SHLI SCHEME**

The following question submitted by Comhairleoir T. Shannon was deferred to the next meeting of An Chomhairle.

In relation to the SHLI scheme to ask the Chief Executive.

- . How many unsold affordable housing units are there in stock throughout the City.
- . How many have been re-designated as social under the above scheme to date.
- . Please list their addresses.
- . Of the remaining if any how many are being considered by City Council or the Dept of ECLG for the above scheme.
- . Please list their addresses.
- . How much did these affordable schemes cost City Council to develop.
- . How much interest as accrued on these schemes to date.
- . How much did the City Council receive by way of grant from the Dept for any and all of the units re-designated under the above scheme.
- . Does the grant received clear all the debts including the interest accrued.
- . If not why, and what impact does it have on the City budget.
- . How will any out standing debt be cleared.
- . What is the current market value of the remaining affordable housing units. Please give individual unit values.

3.2 **THE LAND AGGREGATION SCHEME**

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

Can the Manager confirm that under the Land Aggregation Scheme that the land banks purchased by Cork City Council for social housing were excluded by the Housing and Sustainable Communities Agency because they were deemed unsuitable.

REPLY

The Cork City Council owned lands were submitted to the Land Aggregation Scheme in 2012. The Housing and Sustainable Communities Agency (HSCA) were assigned to assess the lands for entry to the scheme. The HSCA had a number of queries relating to the sites such as issues with travellers, horses and overhead lines. These issues were

responded to by Housing in 2013. The DECLG then issued a circular 35/2013 stating that “...Furthermore, any submissions currently under consideration will not be accepted into the Scheme.”

Dan Buggy
Assistant Chief Executive
Housing & Community Services

3.3 **CURRENT STATUS OF CORK INC ALSO DETAILS OF THE NEW TOURISM STRATEGY GROUP**

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

To ask the Chief Executive to update the members of Council on the current status of Cork INC and also to outline details of the new Tourism Strategy Group recently announced in conjunction with Cork County Council and Fáilte Ireland.

What will be the make up of this body, who will be invited to be members, and what are the timelines of the Group?

REPLY

The City and County Councils are at present exploring the optimum structure which would deliver the objectives of the proposed Cork INC as set out in the report to Members of March 2014. Similar models operating in other jurisdictions are under consideration and resource challenges are also being examined.

The new joint Tourism Strategy Group will be established by Fáilte Ireland with Cork City and County Councils. Prospective membership, and operation are at present being considered. Both councils have confirmed to Fáilte Ireland that they welcome this proposal, and look forward to the establishment of the group, which will take an oversight role in the development of a joint tourism strategy for Cork City and County.

Members will be kept apprised of progress in relation to both these initiatives.

Ms. Valerie O’Sullivan,
Director of Services,
Corporate & External Affairs

3.4 **DIRECTLY ELECTED LORD MAYOR FOR CORK**

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

Can the CE tell me what steps would Cork City Council have to put in place to have directly elected Lord Mayor in Cork? How long would it take to put this in place and how soon can we start the process?

REPLY

The direct election of a Lord Mayor for Cork would require a change in national legislation as the Local Government Reform Act 2014 caters for the possible establishment of a directly elected Mayor for the Dublin Metropolitan Area only.

I am not aware of any plans to introduce this legislation and I cannot say how long the process would take.

In all probability, if such legislation was introduced, it would apply with effect from the following Local Elections.

Valerie O’Sullivan
Director of Services
Corporate And External Affairs

3.5 **PEDESTRIAN CROSSING AND ASSOCIATED TRAFFIC-CALMING MEASURES AT STONERIDGE ESTATE, BLARNEY ROAD**

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

In light of a recent accident in which a child was knocked down at Stoneridge Estate, Blarney Road, will the Chief Executive report on progress on securing the necessary funding for a pedestrian crossing and associated traffic-calming measures for the area? Will she ensure that the Executive engages with the relevant Government departments stressing the importance of the proposed works recognising that the City Council has a duty of care to its tenants in Stoneridge?

REPLY

The Transportation Division has identified the need for a pedestrian crossing on Blarney Road, near the Stoneridge Estate. Cork City Council has prepared a preliminary design that includes the provision of footpaths and a pedestrian crossing on Blarney Road, near Stoneridge Estate.

An application has been made to the NRA for 2015 Non National Road Low Cost Safety Funding. If successful, the scheme will be progressed through a Section 38 of the 1994 Road Traffic Act and onto construction in 2015.

Gerry O’Beirne,
Director of Services,
Road & Transportation.

3.6 **STAFFING CHALLENGES FACING THE CITY COUNCIL’S CITY NORTH-WEST REGENERATION TEAM**

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

Can the Chief Executive outline the staffing challenges facing the City Council’s City North-West Regeneration Team?

What efforts are being made by the Council to ensure all the necessary resources, staff or otherwise, are in place so that the Regeneration Masterplan is delivered on schedule?

REPLY

As a part of the preparation for this major project, Housing undertook an assessment of the staffing needs for the project as part of a peer reviewed Project Execution Plan which was agreed internally and with the Department of the Environment, Community & Local Government including their funding mechanisms. The plan identified a core team requirement which included the following:

Required Staff for Scheme (when fully in operation)

Project Coordinator
Project Architect
Project Engineer
Project Administrator
Social, Economic and Environmental Manager
Project liaison Officers x2
Clerical Officer/Technician
Technician

Actual Staff On Scheme (as of December 2014)

Project Coordinator
Project Administrator – (50%)
Project liaison officers x2
Clerical Officer (50%)

The Council is in the process of preparing a submission to the Department of the Environment requesting approval to recruit the required additional resources to undertake the Project.

Dan Buggy
Assistant Chief Executive
Housing & Community Services

3.7

FRAMEWORKS GOVERNING CITY COUNCIL'S REQUIREMENT TO TENDER FOR MATERIALS, PROJECTS OR WORKS

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

To ask the Chief Executive to;

Outline the policies and frameworks governing City Council's requirement to tender for materials, projects or works and to specify the price which triggers a tendering process; comment on the criteria used in the development of tender competitions and if a weighting preference can be given for local service providers; the cost of tender competitions annually?

REPLY

The Council has a Corporate Procurement Policy which is the framework under which procurement activity is carried out. This policy is based on national guidelines and legal requirements. The thresholds to be applied to all procurement in Cork City Council ranging from the purchase of routine supplies and services to more formal tendering and awarding of large complex contracts are as follows:

Order Value	Procurement Rules	Purchasing Method
Less than €500	Verbal quotes from 1 or more competitive suppliers	JDE Orders LVP Cards
€500 to €4,999	Verbal quotes from 3 or more competitive suppliers- Need for file note as evidence	JDE Orders
€5,000 to €20,000	Written quotes from 3 or more competitive suppliers	JDE Orders
€20,001 to €25,000 or to €50,000 for Public Works Contracts as required by Circular 10/14	Consider use of www.etenders.gov.ie if benefit will outweigh the cost or invite at least 3 suppliers to submit a written/electronic quotation.	Delegated Manager's Order JDE Orders
National Guidelines apply: Supplies & Services Above €25,000 Public Works contract Above €50,000 – to EU Threshold values	Advertise as part of formal process by use of www.etenders.gov.ie	Delegated Manager's Order JDE Order
EU Threshold Values apply: Supplies & Services Above €207,000 Public Works Contract Above €5,186,000	} Advertise in both the EU Official } } Journal [OJEC] and } www.etenders.gov.ie } and comply } with Provisions of EU } } Public Procurement Directives } 2004/17 } and 2004/18 apply }	Delegated Manager's Order JDE Orders

Criteria

Candidates are firstly assessed as to their suitability to carry out a particular contract and the basis of that assessment is set out in law. It involves assessing that they have the financial and technical capacity to deliver based on their past performance.

Once this hurdle is overcome contracts should then be awarded on the basis of objective criteria which ensure compliance with the principles of transparency, non-discrimination and equal treatment and which guarantee that tenders are assessed in conditions of effective competition. As a result, it is appropriate to allow the application of two award criteria only: 'the lowest price' and 'the most economically advantageous tender' (MEAT). In the latter case the relative weighting which is given to each of the criteria

chosen to determine the most economically advantageous tender must be stated in the contract notice or contract documents. Each award criteria must be related to the subject matter of the contract being tendered.

A weighting preference for local service providers purely on the basis that they are local is considered to go against the principles outlined above in terms of non-discrimination and equal treatment and in most cases would not be related to the subject matter of the contract.

The cost of tender competitions vary greatly depending on the complexity of the goods, services or works required and on which of the above threshold applies. More and more contracts that have been procured nationally are being utilised by the Council resulting in significant savings. Under Government policy it is expected that this will increase over the next few years.

**Tim Healy,
Head of Finance.**

4. **CORPORATE POLICY GROUP – 15th DECEMBER 2014**

An Chomhairle noted the minutes of the Corporate Policy Group from its meeting held on the 15th December 2014.

4.1 **FINANCIAL STATEMENT TO 30th NOVEMBER 2014**

An Chomhairle considered and approved the Financial Statement to 30th November 2014.

5. **STRATEGIC PLANNING & ECONOMIC DEVELOPMENT & ENTERPRISE FUNCTIONAL COMMITTEE –15th DECEMBER 2014**

An Chomhairle noted the minutes of the Strategic Planning & Economic Development & Enterprise Functional Committee from its meeting held on the 15th December 2014.

5.1 **INTERNATIONAL RELATIONS COMMITTEE**

5.1.1 **TWINNING GRANTS 2014**

An Chomhairle considered and approved the twinning grants outstanding from the meeting of 20th October, 2014 and the recommendations from the International Relations Committee thereon.

5.1.2 **PRESENTATION ON THE LEARNING CITIES PROJECT**

An Chomhairle resolved to support The Learning Cities Project work in having Cork City designated as UNESCO City.

6. **INTERNATIONAL RELATIONS COMMITTEE–15th DECEMBER 2014**

An Chomhairle noted the minutes of the International Relations Committee from its meeting held on the 15th December 2014.

7. **ENVIRONMENT & RECREATION FUNCTIONAL COMMITTEE – 15TH DECEMBER 2014.**

An Chomhairle noted the minutes of the Environment & Recreational Functional Committee from its meeting held on 15th December 2014.

7.1 **EUROPEAN GREEN CAPITAL 2017**

An Chomhairle considered and approved the report of the Director of Services on the European Green Capital 2017 dated 11th December 2014.

The report stated that Cork City Council has applied to the European Commission Environment Directorate to be considered for the European Green Capital Award 2017. The submission was supported by Cork County Council, Energy Cork, ESB Network, Gas Networks Ireland.

The submission was supported by Cork County Council, Energy Cork, ESB Networks, Gas Networks Ireland

The 12 parameters for assessment are as follows:-

1. Climate Change – Mitigation and Adaption
2. Local Transport
3. Green Urban Areas incorporating Sustainable Land Use.
4. Nature and Biodiversity
5. Ambient Air Quality
6. Quality of the Acoustic Environment
7. Waste Production and Management
8. Water Management
9. Waste Water Treatment
10. Eco Innovation and Sustainable Employment
11. Energy Performance
12. Integrated Environmental Management

The European Green Capital Award was launched in 2008 with the first city being awarded in 2010 (Stockholm).

Copenhagen is the current holder with Bristol (2015) and Ljubljana (2016) future incumbents. The Award is open to any City with a population of over 100,000 inhabitants in the EU, Candidate Countries, Norway, Switzerland and Liechtenstein.

The Cork submission has now been validated by the Secretariat and is currently being assessed. 12 cities have made submissions as follows:- Turkey (2), Portugal (3), Germany (1), Netherlands (2), Finland (1), Hungary (1) and Ireland (Cork). From these submissions a short list of 6 will be compiled by the Jury in Spring 2015. In June 2015,

the shortlisted cities will be invited to make presentations. The winner for 2017 will be announced at an award ceremony in Bristol in June 2015. The detailed application has been compiled by Cork City Council assisted by Brady Shipman Martin Consultants. The City Council's Co-Ordination Working Group was Kieran Lettice Energy Cork, Mary Walsh Executive Scientist and Michael O'Brien Senior Engineer. Many groups contributed to the report including the main supporters as detailed above, UCC, CIT, Irish Water, CEF, Cork Airport, Port of Cork, Cork Chamber etc.

7.2 **DOG FOULING**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council carry out a campaign to identify the areas mainly affected by dog fouling and put in place additional dog fouling bins to help avoid the problems in these areas. Identify the dog runs and then through an awareness campaign, investment in Dog Fouling Bins and additional staff to solve the problem.’

(Proposer: Cllr. S. Martin 14/250)

The report stated that the Street Cleaning and Litter Management and Recreation and Sport Sections receive complaints concerning dog fouling in various areas of the city. The Street Cleaning and Litter Management Section has included dog fouling awareness in its anti litter campaigns over the past number of years. The campaign on dog fouling awareness includes:-

- (1) An information leaflet on responsible dog ownership, including a section on dog fouling, has been issued to all holders of dog licences. This leaflet has also been issued to each Community and Residents Associations.
- (2) Dog faeces collection bags are provided free of charge to holders of dog licences within Cork City Council's administrative area.
- (3) Dog faeces disposal units have been provided in major parks and walkways.
- (4) "No dog fouling signs" have been provided on footpaths, walkways, public parks and open spaces.
- (5) Information on dog fouling has been included in Cork City Council's anti litter media campaign including cinema, press and radio.
- (6) A "Sminky Shorts" animated short on dog fouling was commissioned in 2013.

The Council does not differentiate anymore between different types of bins, `encouraging dog owners to dispose of dog litter in normal bins .Funding for bins and additional staff has not been provided for in the 2015 budget.

7.3 **ILLEGAL DUMPING**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That in a bid to stop the ongoing practice of filthy, illegal dumping by mainly private tenants in areas close to the city centre island - which is impacting on tourist spots (despite the great efforts of council cleansing staff) - contact is made with, and responsibility for refuse put on, the property owners. Fines should be issued if they do not provide for refuse services at their properties.’

(Proposer: Cllr. M. Finn 14/314)

The report stated that the legal obligations of owners of rented accommodation in respect of waste are set out in section 75 of Waste Management Act 1996 as inserted by Section 52 of the Protection of the Environment Act 2003. Section 75 (2) states “A charge made by a Local Authority under sub-section (1) shall be of such amount as the Authority considers appropriate and shall be payable by and recoverable from the person for whom the service is provided, or, where the services in respect of premises (a) in case the premises are not owned by a Local Authority and comprise of more than one dwelling, the owner of the premises, and (b) in any other case, the occupier of the premises”. This means in effect that the landlord or owner of a rented premises containing more than one dwelling, (for example apartments) is the person legally responsible for the charge rather than the occupier. Any change to the Waste Management Act 1996 as amended is a matter for the Oireachtas. Cork City Council no longer has a waste collection service.

A number of options are available for the disposal of waste including using licensed waste contractors, sharing with neighbours and using licensed facilities including public amenity sites. Cork City Council investigates any incidents of dumping and proceedings are issued under the Litter Pollution Acts 1997 to 2009 if evidence is found in the dumped material or where a member of the public witnesses dumping and prepared to act as a witness.

7.4 **BYE-LAWS GOVERNING THE TIMES FOR WASTE COLLECTION**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That conscious of the ongoing upset and annoyance caused to some householders in the city, bye-laws governing the times for collection of waste/recycling etc be changed from 5am to a more resident friendly time (eg 6.30/7am).’

(Proposer: Cllr. M Finn 14/326)

The report stated that Cork Corporation (Presentation of Waste in Wheel Bins) Bye Laws, 2000 regulate the presentation of household and commercial waste presentation for collection and disposal. Sections 7, 8 and 9 outline the times that waste may be presented for collection. Cork City Council has no bye-laws regulating the times of waste collection. The Waste Management (Collection Permit) Regulations 2007 and Waste (Collection Permit) (Amendment) Regulations 2008 regulate the waste collection activities of individuals, companies and partnerships. Offaly County Council was designated as the Nominated Authority for the processing of all waste collection permit applications with effect from the 1st February 2012. The Department of Environment,

Community and Local Government are considering amending the conditions attached to waste collection permits and this may include times for collection in residential areas.

7.5 **RESURFACE DOUGLAS SWIMMING POOL CARPARK AND ROAD**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That Douglas Swimming Pool Carpark and Road be resurfaced as per the capital money put aside for it at last December’s budget’.

(Proposer: Cllr. K. McCarthy – 14/322)

The report stated that the car park and roadway serving the Gus Healy Swimming Pool and adjoining park will be resurfaced early in the New Year.

7.6 **BASKETBALL COURT AREA ON STEPHEN STREET**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That a report be issued on the plan to turn the basketball court area on Stephen Street (now derelict) into a recreational area - for children or allotments - with controlled access for local residents adjoining the location only.

(Proposer: Cllr. M. Finn 14/330)

The report stated that a feasibility report including technical and budgetary costings will be prepared and brought before the next meeting for consideration.

7.7 **SKATEBOARD PARK IN TRAMORE VALLEY PARK**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That an elaborate skate board park be developed in Tramore Valley Park.’

(Proposer: Cllr K. McCarthy 14/389)

The report stated that the skateboarders in the City area are well catered for at present with facilities located at Tory Top Park in Ballyphehane, and at the Mardyke (another located at the Regional Park at Ballincollig). The skate park at the Mardyke was constructed by the Council following consultation with skateboarders and met their criteria in terms, of a purpose built concrete facility near to the City Centre. The skateboard, which cost over €300k, has been very well used since and is one of the best of its kind in the country, and caters for the needs of Cork skaters.

There are no plans to duplicate such a facility at Tramore Valley Park. However, the Council is constructing a quality BMX Track and a Pump Track in the park which will provide a major attraction for young people with an interest in the sport.

7.8 **REMOVE TREE OUTSIDE 132 CONNOLLY ROAD**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That the Tree outside 132 Connolly Road be removed as its roots have seriously damaged the footpath and it's also unsightly in its present position.’

(Proposer: Cllr. T. O’Driscoll 14/406)

The report stated that this matter will be investigated and appropriate remedial work will be undertaken where necessary.

7.9 **DOG PARK BE INCLUDED IN THE PROPOSED TRAMORE VALLEY PARK**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That a Dog Park be included in the proposed Tramore Valley Park.’

(Proposer: Cllr. T. O’Driscoll 14/368)

The report stated that the provision of a dog park will be considered in the context of the final plan for the Park.

7.10 **AMENDMENTS REQUIRED TO CORRECT THE AGENDA AS ISSUED**

An Chomhairle noted that due errors contained in the minutes of the Environment & Recreation functional Committee 15th December 2014, the agenda as issued was incorrect.

An Chomhairle considered and approved the following corrections to the agenda.

(a) **MOTION SUBMITTED BY COMHAIRLEOIR K. O’FLYNN**

The following Motion submitted by Comhairleoir K.O’Flynn is dealt with at item 7.11

ERECT A FENCE BETWEEN HAWTHORN MEWS AND GLENTHORN, DUBLIN HILL

‘That Cork City Council erects a fence between Hawthorn Mews and Glenthorn, Dublin Hill.’

An Chomhairle agreed to remove this from item 7.10.

(b) **MOTION SUBMITTED BY COMHAIRLEOIR T. TYNAN**

Comhairleoir T. Tynan noted that the following motion had been left off the Agenda in error.

This motion had been considered by the functional committee on 15th December but had been omitted from the functional meeting minutes in error.

PEDESTRIANISED PATHWAY BETWEEN SILVERSPRINGS LAWN AND ASHMOUNT

‘That Cork City Council would install a pedestrianised pathway between Silversprings Lawn and Ashmount as a matter of urgency.’

(Proposer: Cllr. T. Tynan 14/256)

An Chomhairle agreed to consider this motion under this item 7.10.

7.10 **AS CORRECTED**

(i) **REPAIR AND REPLACE PERIMETER PALISADE RAILINGS BETWEEN ASHMOUNT AND SILVERSPRINGS LAWN**

‘That the Perimeter Palisade Railings between Ashmount and Silversprings Lawn which were recently knocked down be repaired and replaced.’

(Proposer: Cllr. J. Kavanagh – 14/292)

(ii) **PEDESTRIANISED PATHWAY BETWEEN SILVERSPRINGS LAWN AND ASHMOUNT**

‘That Cork City Council would install a pedestrianised pathway between Silversprings Lawn and Ashmount as a matter of urgency.’

(Proposer: Cllr. T. Tynan 14/256)

An Chomhairle considered the Report of the Director of Services,

The report stated that the fence in question separates a green area on the western side of Ashmount with Silversprings Lawn. The Council, following requests from Ashmount residents, attempted to repair damaged fencing in recent months but withdrew following protests from residents of Silversprings Lawn.

Since then, myself and other officials have met Ashmount residents and Silversprings Lawn residents separately, and have had two joint meetings to try and resolve the matter.

Ashmount residents position

The residents claim that their estate is a cul-de-sac with no provision to allow pedestrian access from Silversprings Lawn. They also claim anti-social behaviour problems caused by those accessing the estate through gaps in the fencing.

Silversprings Lawn position

The residents claim that there was always a right-of-way between both estates and, that on completion of Ashmount, the contractor should have removed the palisade fencing. They also claim that the green area which the fence divides provides the only play area for their children, and that repairing the fence prevents easy access to the bus for the elderly and access to nearby playing pitches (Mayfield GAA/Mayfield Soccer Club) for younger members of the estate.

As stated, two joint meetings were also arranged, where progress was made but no final resolution.

Recommendation

The Council Planning Files TP reference 23842/99 shows a condition providing for a wall to be provided where the current fence is positioned, with provision of an ope and footpath allowing pedestrian access to both estates. With this in mind, I recommend that the current fence is repaired as it does not allow for safe access and that a new gated ope with footpath be provided at a new location, a short distance from present unofficial gap in the fence. The gate would be open from dawn to dusk each day, it being locked at dark preventing use of Ashmount as a short cut by those intent on anti-social behaviour. This can be achieved at a modest cost. I also recommend regular meetings between both residents groups to monitor issues of concern, possibly attended initially by Council officials and community gardaí.

On the proposal of Comhairleoir J. Kavanagh, a vote was called, for or against the Report of the Director of Services where there appeared as follows:-

FOR: Comhairleoirí S. Cunningham, T. Tynan, T. Gould, M. Barry, L. O'Donnell, M. Nugent, M. O'Sullivan, C. O'Leary, S. O'Shea, M. Finn, F. Kerins, H. Cremin. (12)

AGAINST: Comhairleoirí T. Brosnan, J. Kavanagh, K. O'Flynn, J. Sheehan, T. Fitzgerald, K. McCarthy, D. Cahill, L. McGonigle, T. Shannon, N. O' Keeffe, P. Dineen, T. O'Driscoll, J. Buttimer, F. Dennehy, P.J Hourican. (15)

As the numbers voting in against the Report were greater than those voting in favour of the motion, An Leas-Ardmhéara declared the vote defeated and the Report not approved.

On the proposal of Comhairleoir J. Kavanagh, seconded by Comhairleoir P. Dineen the following motion was put to the floor:

(i) **REPAIR AND REPLACE PERIMETER PALISADE RAILINGS BETWEEN ASHMOUNT AND SILVERSPRINGS LAWN**

‘That the Perimeter Palisade Railings between Ashmount and Silversprings Lawn which were recently knocked down be repaired and replaced.’

(Proposer: Cllr. J. Kavanagh – 14/292)

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

FOR: Comhairleoirí T. Brosnan, J. Kavanagh, K. O’Flynn, J. Sheehan, T. Fitzgerald, K. McCarthy, D. Cahill, L. McGonigle, T. Shannon, N. O’Keffee, P. Dineen, T. O’Driscoll, J. Buttimer, F. Dennehy, P.J Hourican. (15)

AGAINST: Comhairleoirí S. Cunningham, T. Tynan, T. Gould, M. Barry, L. O’Donnell, M. Nugent, M. O’Sullivan, C. O’Leary, S. O’Shea, M. Finn, F. Kerins, H. Cremin. (12)

As the numbers voting in favor of the Motion ‘*that the Perimeter Palisade Railings between Ashmount and Silversprings Lawn which were recently knocked down be repaired and replaced*’ were greater than those voting against the motion, An Leas-Ardmhéara declared the motion carried

An Chomhairle agreed, therefore, not to proceed with the motion of Cllr. T. Tynan.

7.11 **ERECT A FENCE BETWEEN HAWTHORN MEWS AND GLENTHORN, DUBLIN HILL**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That Cork City Council erects a fence between Hawthorn Mews and Glenthorn, Dublin Hill.’

(Proposer: Cllr. K. O’Flynn 14/262)

The report of the Director of Services dated 11th December 2014 was also considered. The report stated that the Council is aware of difficulties within neighbourhoods posed by the erection of fences, satisfying some residents but also discommoding others by preventing pedestrian walkway to local services.

In the absence of local agreement, and budgetary provision, the Council has no plans to erect fencing as proposed.

7.12 **ACCESS TO INCHIGAGGIN LANE, MODEL FARM ROAD ON MARATHON DAY**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘The residents of Inchigaggin Lane, Model Farm Road are concerned because on Cork City Marathon Day little or no provision is made for them to egress or access their properties. They maintain that if they are away from home when the road is closed they are unable to return from 9.30-17.00 hours. I am requesting that this problem is taken on board by the organizers in conjunction with The Gardai and dealt with taking into account the residents concerns.’

(Proposer: Ard-Mhéara Cllr M. Shields 14/286)

The report stated that the City Council is aware of the impact of the City Marathon race on residents of Inchigaggin Lane and puts measures in place to facilitate access and egress each year, writing to each resident giving details of nearby road restrictions and contact numbers but also ensuring that residents can leave and return to their dwellings at all times, stewards being briefed accordingly. The present arrangements will be reviewed to ensure minimal inconvenience on the day.

7.13 **TREES ON WALKWAY THAT LEADS TO MODEL FARM ROAD**

An Chomhairle considered and approved the report of the Director of Services dated the 11th December 2014 on the following Motion which was referred to the Committee by An Chomhairle.

‘That City Council would cut down / cut back some of the trees on the pedestrian walkway that leads to model farm road at the Carrigrohane road entrance thus making it more pedestrian friendly.’

(Proposer: Cllr. H. Cremin 14/310)

The report stated that the trees on the Curraheen Walkway will be inspected and any necessary remedial works done in the coming months.

SUSPENSION OF STANDING ORDERS

On the proposal of Comhairleor J. Buttimer, An Chomhairle approved the Suspension of Standing Orders to allow the meeting to proceed beyond 8pm.

8. **SPECIAL MEETING OF ENVIRONMENT & RECREATION FUNCTIONAL COMMITTEE – 15TH DECEMBER 2014.**

An Chomhairle noted the minutes of the Special Meeting of Environment & Recreational Functional Committee from its meeting held on 15th December 2014.

9. **CORRESPONDENCE**

An Chomhairle noted the following correspondence:-

- Letter from Office of the Taoiseach dated the 5th November 2014 regarding the Motion which was adopted at Council concerning water meters.

10 **CONFERENCE/ SEMINAR SUMMARIES**

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

- Cllr. Terry Shannon: AILG Training Workshop on Planning – Wexford 6th November 2014.
- Cllr. Terry Shannon: LAMA Autumn Seminar – Buncrana ,Co. Donegal 17th 18th October 2014
- Cllr Sean Martin : Training for Elected Members, Finance & Budgeting – Carlow – 16th September 2014.
- Cllr Sean Martin : AILG Training Workshop on Planning – Wexford 6th November 2014.

11. **CONFERENCES/ SEMINARS**

An Chomhairle approved attendance at the following Conferences/Seminars:-

Comhairleoiri T. Shannon, S. Martin at the ‘The Finance Act 2014’ seminar at the Four Seasons Hotel, Carlingford, Co. Louth on the 23rd – 25th January 2015.

12. **TRAINING**

There was no submissions for attendance at training courses

13. **MOTIONS**

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

13.1 **STREET FESTIVAL AT ELIZABETH FORT**

An Chomhairle approved the referral of the Following Motion to the Tourism Arts & Culture Functional Committee

‘That a street festival, centred around Elizabeth Fort, be commissioned to mark the re-opening of Barrack Street following a multi-million makeover.’

(Proposer: Cllr. M. Finn 14/383)

Tourism Arts & Culture Functional Committee

13.2 **TRAFFIC SURVEY ON WALLACE AVENUE, BALLINLOUGH**

An Chomhairle approved the referral of the Following Motion to the Roads & Transportation Functional Committee

‘That Cork City Council in consultation with local residents carry out a traffic survey on Wallace Avenue, Ballinlough with a view to installing traffic calming measures.’

(Proposer: Cllr. T. Shannon 14/417)

Roads & Transportation Functional Committee

13.3 **TRAFFIC SURVEY IN BROWNINGSTOWN EAST**

An Chomhairle approved the referral of the Following Motion to the Roads & Transportation Functional Committee

‘That Cork City Council in consultation with local residents carry out a traffic survey in Browningstown East, with a view to installing traffic calming measures.’

(Proposer: Cllr. T. Shannon 14/418)

Roads & Transportation Functional Committee

13.4 **RESURFACE STRETCH OF BANDON ROAD FROM GREEN STREET TO LOUGH ROAD**

An Chomhairle approved the referral of the Following Motion to the Roads & Transportation Functional Committee

‘That the stretch of Bandon Road from Green Street to Lough Road be resurfaced, which would effectively complete the resurfacing of the roadway from the end of Barrack Street to Denroche’s Cross.’

(Proposer: Cllr M Finn 14/432)

Roads & Transportation Functional Committee

13.5 **SPEED LIMIT OF 30KM/HR ON THE CROSS DOUGLAS ROAD**

An Chomhairle approved the referral of the Following Motion to the Roads & Transportation Functional Committee

‘That Cork City Council would introduce a speed limit of 30km/hr on the Cross Douglas Road. The residents on this road have long requested that speed ramps would be installed to reduced the speed that traffic travels in what is essentially a residential area. In the recent past there have been two significant RTAs on the Road and in a measure to reduce the speed of traffic, I propose that the speed limit here would be reduced to 30km/hr’

(Proposer: Cllr. L. McGonigle 14/446)

Roads & Transportation Functional Committee

13.6 **DOUBLE YELLOW LINES BE PLACED ADJACENT TO THE GREEN AREA OF ARDMANNING LAWN OPPOSITE HOUSE NUMBERS 11 TO 15**

An Chomhairle approved the referral of the Following Motion to the Roads & Transportation Functional Committee

‘That double yellow lines be placed adjacent to the Green area of Ardmanning lawn opposite House numbers 11 to 15 as residents are finding it very difficult to exit from their driveways due to parked cars.’

(Proposer: Cllr. T. O’Driscoll 14/449)

Roads & Transportation Functional Committee

13.7 **SYNCHRONISED TRAFFIC LIGHTS ON THE SOUTH CITY QUAYS**

An Chomhairle approved the referral of the Following Motion to the Roads & Transportation Functional Committee

‘That traffic lights on the South City quays be synchronised so that vehicles using this route can move through as quickly as possible.’

(Proposer: Cllr. T. O’Driscoll 14/450)

Roads & Transportation Functional Committee

13.8 **WASTE COLLECTION COMPANIES AT CHURCHFIELD INDUSTRIAL ESTATE**

An Chomhairle agreed to refer the following Motion to the Strategic Planning & Economic Development & Enterprise Functional Committee.

‘That in relation to the operations of waste collection companies at Churchfield Industrial Estate, Cork City Council acknowledges the following:

A widespread community campaign highlighting ongoing significant issues of concern, Previously adopted City Council motions stating that Churchfield Industrial Estate is an unsuitable location for such companies and the services they provide, Continuing Environmental Protection Agency (EPA) engagement with Country Clean Ltd who have stated that the companies site is a 'national priority' for the agency, That the EPA have recently initiated court action against Country Clean LTD.

In light of the above Cork City Council will now initiate a process that will lead to the revocation of Country Clean's planning permission to operate at their current location, in this process Council will engage with the company and other relevant stakeholders to locate an alternative suitable location.’

(Proposer: Cllr. M. Nugent, K.Collins 14/451)

Strategic Planning & Economic Development & Enterprise Functional Committee.

13.9 **DEVELOP A CORK.IE APP**

An Chomhairle approved the referral of the Following Motion to the Tourism, Arts & Culture Functional Committee

‘Following on from the Cork.ie website, that the Council develop a Cork.ie app.’

(Proposer: Cllr. K. McCarthy 14/453)

Tourism, Arts & Culture Functional Committee

13.10 **INFORMATION PANEL ON THE OLD TOLL BOOTH IN ST LUKE'S CROSS**

An Chomhairle approved the referral of the Following Motion to the Roads & Transportation Functional Committee

‘That the Council erect an information panel on the old toll booth in St Luke's Cross.’

(Proposer: K. McCarthy14/454)

Roads & Transportation Functional Committee

13.11 **ORDER AN URGENT INVESTIGATION INTO THE ONGOING PROBLEMS WITH THE DISTRICT HEATING SYSTEM FOR THE FLATS AT ÁRDBHAILE AND GLENAMOY LAWN, MAYFIELD**

An Chomhairle approved the referral of the Following Motion to the Housing & Community Functional Committee

‘Council calls on the Chief Executive to order an urgent investigation into the ongoing problems with the district heating system for the flats at Árdbhaile and Glenamoy Lawn, Mayfield. Despite a three month long overhaul of the system during Summer 2013, the system fails to provide adequate heating to dozens of City Council tenants when it is most needed. The lack of heating is causing hardship to and is potentially damaging to the health of tenants, particularly young children and older people. This situation needs to be sorted out as a matter of utmost urgency.’

(Proposer: Cllr. T. Tynan 14/455)

Housing & Community Functional Committee

ITEMS REFERRED FROM ITEM 14

An Chomhairle agreed that the following motions from Item No. 14 should be referred as follows:

14.3 **FULLY IMPLEMENT THE RECOMMENDATIONS FROM THE REPORT OF CONGREGATED SETTINGS FOR PEOPLE WITH AN INTELLECTUAL DISABILITY**

‘That Cork City Council calls on Government to fully implement the recommendations from the Report of Congregated Settings for people with an intellectual disability; that the HSE funds additional capital and revenue costs arising from the meeting of HIQA standards and inspections for day and residential centres for people with intellectual disability and that Cork City Council and other local authorities fulfil their obligations with respect to inclusion and integration by establishing and giving effect to specific allocation criteria for housing to people with intellectual disability.’

(Proposer: Cllr. J. Buttimer 14/456)

An Chomhairle referred this Motion to the Housing & Community Strategic Policy Committee

14.4 **EXTENSION TO THE CITY BOUNDARY**

‘That Cork City Council , in the absence of a coherent and agreed process for giving effect to an extension of a boundary review, that a cross party representative group would be established to meet with the Minister for Environment and Local Government to discuss plans and mechanisms for advancing a significant extension to the city boundary.’

(Proposer: Cllr. J. Buttimer 14/457)

An Chomhairle referred this Motion to the Planning Strategic Planning, Economic Development and Enterprise Strategic Policy Committee

14. **MOTIONS**

An Chomhairle agreed to defer this Item to the next Meeting of An Chomhairle.

14.1 **ARTICLE 9.4 OF THE EU WATER FRAMEWORK DIRECTIVE**

‘This Council calls on The Minister for the Environment, Community and Local Government, Minister Alan Kelly, to act in accordance with Article 9.4 of the EU Water Framework Directive which provides a specific exemption to Ireland from domestic water charging and which is embedded in Ireland’s 2008 River Basin Management Plan. This plan is due for its 7 year renewal on the 1st January 2015 and we are calling on the Minister, as is within his power and responsibility, to retain the exemption when he submits Irelands River Basin Management Plan and strategy. Further, we ask that the contents of this motion be forwarded to the Minister as a matter of urgency and that it be copied to all other County and City Councils.’

(Proposer: Cllr. T. Moloney 14/447)

14.2 **VOIDS HOUSING PROGRAMME**

‘That Cork City Council requests that the Government fund the Voids housing programme 100% for 2015, and this is signed off on in January 2015 so as to have the greatest impact on the housing voids in Cork City.

This would have the effect of having 500 Void homes (approx) finished by Easter to be given back to families in Cork and would also free up 500 rented homes having a net effect of 1000 homes coming available in the city by Easter 2015 if the government funds this programme 100%.

It is in the government’s interest that Cork City Council complete all void houses in the Cork City area as quick as possible as it will mean they are paying less direct monies in rent allowance where landlords gain, government loses.

The money that Cork City Council saves if the government does pay 100% of the cost of the voids could be ring fenced for housing maintenance.’

(Proposer: Cllr. T. Moloney 14/448)

14.5 **SCOIL ÍOSAGAIN NS, FARRANREE**

‘That Cork City Council supports the campaign of parents, pupils and staff of Scoil Íosagain NS, Farranree seeking the replacement of their School Warden when the current warden retires shortly, Council will continue to engage with the Department of

Environment stressing the urgency of filling the position in January.’

(Proposer: Cllr Mick Nugent 14/458)

15. **MOTIONS DEFERRED FROM MEETING OF THE 29TH NOVEMBER & 8TH DECEMBER 2014**

An Chomhairle agreed to defer this Item to the next Meeting of An Chomhairle.

15.1 **NATIONAL REVIEW BE UNDERTAKEN TO ASCERTAIN IF SEGREGATION ON GENDER GROUNDS AT PRIMARY AND SECONDARY LEVEL IN OUR EDUCATION SYSTEM CAN BE SUSTAINED**

‘That a National Review be undertaken to ascertain if segregation on gender grounds at Primary and Secondary level in our Education system can be sustained or justified as it does sponsor gender based discrimination in our society.’

(Proposer: Cllr. T. Brosnan 14/423)

15.2 **IRISH WATER**

‘That Irish Water be wound up. It is an ill conceived FG / Lab super quango set up without a proper national debate.’

(Proposer: Cllr. T. Brosnan 14/424)

**AN tÁRD-MHÉARA
CATHAOIRLEACH**