

**MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL**  
**HELD ON MONDAY 10<sup>th</sup> SEPTEMBER 2018**

<b>PRESENT</b>	Ard-Mhéara Comhairleoir M. Finn.
<b>NORTH EAST</b>	Comhairleoirí S. Cunningham, T. Tynan, T. Brosnan, J. Kavanagh.
<b>NORTH CENTRAL</b>	Comhairleoirí T. Gould, F. Ryan, K. O'Flynn, L. O'Donnell, J. Sheehan.
<b>NORTH WEST</b>	Comhairleoirí M. Nugent, T. Fitzgerald, K. Collins, M. O'Sullivan.
<b>SOUTH EAST</b>	Comhairleoirí K. McCarthy, C. O'Leary, D. Cahill, L. McGonigle, N. O'Keefe.
<b>SOUTH CENTRAL</b>	Comhairleoirí F. Kerins, T. O'Driscoll, S. Martin.
<b>SOUTH WEST</b>	Comhairleoirí J. Buttimer, H. Cremin, F. Dennehy, P.J. Hourican, T. Moloney.
<b>ALSO PRESENT</b>	Mr. P. Ledwidge, Deputy Chief Executive Mr. J. G. O'Riordan, Meetings Administrator, Corporate & External Affairs. Ms. U. Ramsell, Staff Officer, Corporate & External Affairs. Mr. P. Moynihan, Director of Services, Corporate & External Affairs. Ms. R. Buckley, Head of I.C.T. and Business Services. Ms. V. O'Sullivan, Director of Services, Environment & Recreation Directorate. Mr. D. Joyce, Director of Services, Transition Directorate. Mr. B. Geaney, Director of Services, Housing & Community Mr. T. Duggan, City Architect. Mr. N. Murtagh, Senior Engineer, Environment & Recreation. Mr. B. O'Hare, Management Accountant. Mr. L. Casey, Senior Executive Parks Superintendent, Environment & Recreation. Mr. N. O'Donnabháin, Senior Executive Estates Officer, Corporate & External Affairs.

An tArd-Mhéara recited the opening prayer.

1. **VOTES OF SYMPATHY**

- The Jones Family on the death of Pat Jones.
- The Coughlan Family on the death of Peter Coughlan.
- The Carey Family on the death of Cllr. John Carey.
- The O'Connell Family on the death of Ted O'Connell.
- The Murphy Family on the death of Dominick Murphy.
- The Keane Family on the death of Joan Keane.
- The O'Gorman Family on the death of John O'Gorman.

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

- Sean Coleman on the occasion on his 60<sup>th</sup> Birthday.
- Senior Camogie Team on winning the all Ireland Final.
- The Intermediate Camogie Team on winning the All Ireland Final.
- 2<sup>nd</sup> Cork Scouts Group in Ballypheane on their National Phoenix Award.

3. **LORD MAYOR'S ITEMS**

3.1 **FIRST CONFERENCE OF EUROPEAN CAPITALS OF CULTURE/UNITY OF DIVERSITY**

An Chomhairle considered and approved the visit of An tArd-Mhéara to Florence from 5<sup>th</sup> to 7<sup>th</sup> November 2018 to attend the First Conference of European Capitals of Culture/Unity in Diversity.

3.2 **CIVIC RECEPTION**

An Chomhairle approved An tArd-Mhéara's proposal to host a Civic Reception for the All Ireland Senior and Intermediate Camogie teams and the Irish Womens Hockey Team.

3.3 **MEETING DATE FOR LOCAL ADJUSTMENT FACTOR**

An tArd-Mhéara proposed and An Chomhairle approved that the Local Adjustment Factor of the Local Property Tax meeting would be held on Monday 24<sup>th</sup> September 2018 at 5.00 p.m. The Ordinary Meeting of An Chomhairle scheduled for that date would follow thereafter.

3.4 **LORD MAYOR'S COFFEE MORNING**

An tArd-Mhéara reminded An Chomhairle of the forthcoming Lord Mayor's Community Coffee Morning in aid of Marymount Hospice which would be held on Thursday 20<sup>th</sup> September 2018 from 10.00 a.m. to 12.30 p.m. in the Council Chamber, City Hall.

**Note 1: PROPOSAL TO SUSPEND STANDING ORDERS**

Comhairleoir F. Ryan proposed and Comhairleoir K. McCarthy seconded that Standing Orders would be suspended "to facilitate information be provided to Council on the notice to vacate issued to the residents of tent camp on Patrick's Quay". A vote was called for where there appeared as follows:-

**FOR:** Comhairleoirí S. Cunningham, T. Tynan, J. Kavanagh, F. Ryan, L. O'Donnell, J. Sheehan, M. Nugent, T. Fitzgerald, K. Collins, M. O'Sullivan, K. McCarthy, C. O'Leary, D. Cahill, L. McGonigle, N. O'Keeffe, M. Finn, F. Kerins, T. O'Driscoll, S. Martin, J. Buttimer, H. Cremin, F. Dennehy, P.J. Hourican, T. Moloney. (24)

**AGAINST:** Comhairleoir T. Brosnan (1)

As the numbers voting in favour was greater by the two thirds majority of those present and voting, in accordance with Section 29 of the Standing Orders, An tArd-Mhéara

declared the vote carried and the matter was deferred for consideration to the end of the meeting.

**Note 2:** Comhairleoir S. Cunningham proposed and Comhairleoir M. Nugent seconded that Standing Orders would be suspended to discuss matters 10.8.1 and 10.8.2 both of which referred to the Tank Field.

An Chomhairle approved and further agreed that these matters would be discussed following Item 7 Question Time on the Agenda.

Comhairleoir J. Buttimer wished to have it recorded that his preference was for the Motion to be considered at the end of the meeting.

#### 4. **CHIEF EXECUTIVE'S ITEMS**

##### 4.1 **PARK BY PHONE - DATA BREACH**

The Chief Executive referred to the recent Park by Phone – Data Breach.

The Head of I.C.T. and Business Services updated An Chomhairle on the relevant details.

The Chief Executive advised members that she would update An Chomhairle further in due course.

On the proposal of Comhairleoir K. McCarthy, seconded by Comhairleoir J. Buttimer An Chomhairle requested an in-house meeting to discuss the Data Breach, and the security of data generally.

##### 4.2 **MATERIAL CONTRAVENTION**

The Chief Executive advised An Chomhairle that a Material Contravention relating to Bessboro would be brought before An Chomhairle in due course.

#### **DEPUTY J. O'BRIEN**

An tArd-Mhéara welcomed Deputy Jonathan O'Brien T.D. who was in attendance in the public gallery.

#### 5. **PRESIDENTIAL ELECTION**

An Chomhairle considered the nomination of Senator Joan Freeman as a candidate for the Presidential Election. A vote was called for where there appeared as follows:-

**FOR:** Comhairleoirí T. Tynan, T. Brosnan, K. O'Flynn, L. O'Donnell, J. Sheehan, T. Fitzgerald, K. McCarthy, N. O'Keeffe, M. Finn, S. Martin, F. Dennehy, P.J. Hourican, T. Moloney (13)

**AGAINST:** Comhairleoirí F. Ryan, M. O'Sullivan. (2)

**ABSTAIN:** Comhairleoirí S. Cunningham, J. Kavanagh, T. Gould, M. Nugent, K. Collins, C. O'Leary, D. Cahill, L. McGonigle, F. Kerins, J. Buttimer, H. Cremin. (11)

As those voting in favour was greater than those voting against, An tArd-Mhéara declared the vote carried and the nomination of Senator Joan Freeman as candidate for the Presidential Election approved.

On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir L. McGonigle, An Chomhairle further agreed to adopt the following Resolution:-

“RESOLVED THAT under Section 16 of the Presidential Elections Act 1993, Cork City Council hereby nominates Senator Joan Freeman to be a candidate for the Presidential election.”

## 6. **MINUTES**

On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir T. Fitzgerald, An Chomhairle considered and approved the minutes of:-

- Ordinary Meeting of An Chomhairle held 9<sup>th</sup> July 2018, subject to the following:-
  - It was noted that the Questions and Responses had not been included in the original notification sent to the Elected Members. The relevant Questions and Responses had been included in a copy of the Minutes which had been circulated prior to the meeting.

On the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir T. Gould, An Chomhairle considered and approved the minutes of:-

- Special Meeting of An Chomhairle held 3<sup>rd</sup> September 2018.

## 7. **QUESTION TIME**

### 7.1 **ENHANCEMENT OF KENNEDY PARK AND THE PUBLIC REALM ALONG MONAHAN ROAD**

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

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

(Cllr. Kieran McCarthy)  
Deferred from meeting of  
9<sup>th</sup> July 2018

## **REPLY**

City Council has approved funding under the Housing Local Infrastructure Activation Fund for a landscape enhancement scheme for Kennedy Park and Monahan Road.

A study is presently underway to review finished ground levels for the South Docks, details design for Kennedy Park will commence on the completion of this review and will include full consultation with residents and all stake holders.

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

## 7.2 **PLANS FOR ST. KEVIN'S AND OUR LADY'S HOSPITAL BUILDING**

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

To ask the Chief Executive if there are any detail plans in relation to the grounds of St. Kevin's and Our Lady's Hospital in terms of the health and safety of St. Kevin's building and the possibility of developing a local area plan in the Sunday's Well, Shanakiel area with a possibility of integrating the grounds under the plans of the North West Regeneration Programme.

(Cllr. Tony Fitzgerald)

### **REPLY**

Both of these properties have been on the Derelict Sites Register since 2017. Issues of health and safety are matters for the property owners. In relation to St. Kevin's, Cork City Council is actively facilitating the development of the site. There are no plans to prepare a local area plan. The absence of a local area plan is not inhibiting the redevelopment of these properties.

Patrick Ledwidge  
Director of Services  
Strategic Planning and Economic Development

## 7.3 **FIRE SERVICE**

**The following question submitted by Comhairleoir K. O'Flynn was deferred to the next meeting of An Chomhairle to be held 24<sup>th</sup> September 2018:-**

- a. Could the CE please confirm how many times the fire services have been called out to Ellis's Yard to quench fire at the illegal dump there in 2011, 2012, 2013, 2014, 2015, 2016, 2017 & 2018?
- b. How many Garda escorts have been required to gain access? In this time.
- c. How many assaults that have been inflicted upon our fire fighter and support staff have been reported?
- d. How much has been spent on the clean-up of the site since 2008?
- e. How much has it cost to clean-up this yard in 2018?
- f. Has the CE consulted with the environmental health services and carried out a risk analysis of carcinogenic chemicals that may have been dumped?

g. Is CE aware of any dangers to fire services in dealing with such chemicals?

h. Has there been a chemical and environmental inspection of the site?

(Cllr. Kenneth O'Flynn)

#### 7.4 **DESTINATIONS FROM THE CRUISE SHIPS**

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

What are the top five destinations for tourists from the Cruise Ships?

(Cllr. Sean Martin)

#### **REPLY**

While it is obvious that the passengers from visiting cruise liners are visible in their numbers in the city centre it is impossible to quantify their top five chosen destinations.

A percentage of passengers book on shore tours in advance via their travel agents or contractors recommended by Port of Cork. Cruise passengers are provided with a Top Attractions brochure by the Cruise Ambassadors which highlights the 16 attractions in the City.

Eighty Six cruise ships will have been boarded by Cruise Ambassadors in Cork in 2018 averaging 2,000 passengers each.

Feedback from the attractions and the traders to date has indicated an increase in footfall in visitors for 2018.

Paul Moynihan,  
Director of Services,  
Corporate & External Affairs Directorate.

#### 7.5 **REBUILDING IRELAND HOME LOANS**

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

Can the CEO tell me how many Rebuilding Ireland home loans are after been applied for from Cork City Council. How many have been approved so far and what is the approximate waiting time to be approved.

(Cllr. Kenneth Collins)

#### **REPLY**

94 Rebuilding Ireland Home Loan Applications have been received by Cork City Council for the period 01/02/2018 to 29/08/2018.

7 Approvals from Cork City Council have issued to Applicants.

56 refusals have been notified to Applicants.

Notification of Decisions will issue to 28 applicants in September.

3 Files were returned to applicants because of missing documentation or non qualification.

There is an approximate waiting time of 10 weeks from the time of application to a provisional approval or refusal.

B. Geaney,  
Director of Services,  
Housing & Community.

#### 7.6 **BISHOPSTOWN PLAYGROUND**

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

Can the CE inform the Council now that the building of the new Bishopstown Playground has started – do we have completion and opening dates for same?

(Cllr. Henry Cremin)

#### **REPLY**

A lot of preliminary work in advance of the playground installation was carried out by the City Council in recent months at Bishopstown Park including construction of a new car parking area, road resurfacing and realignment from Chestnut Grove in to the Park, tree planting etc. Following tender process, a contractor has been on site since mid summer with an expected completion date of December 2018.

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

#### 7.7 **COUNCIL HOUSING DEVELOPMENT IN GERALD GRIFFIN ST.**

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

Can the CE update the Council on the progress in relation to the Council housing development in Gerald Griffin St. Ground works appear to have being completed but further construction on the development appears to have stopped.

(Cllr. John Sheehan)

#### **REPLY**

The Council completed substantial deep underground civic engineering enabling works to facilitate the housing development at Gerald Griffin Street. These works were extensive and complex and comprised mainly of a major diversion of the main trunk sewer serving the Northside of the City which involves structural piling and permanent diversion of utility services. The enabling works were a necessary and complex major stage in the building project and diversions/substructures were essential to facilitate the final main building contract and de-risk it commercially. As a result of progress made in this Phase 1 and the modified underground formation, the main contract drawings and documentation

needed to be designed and updated accordingly by the City Architects Department. The Council expects to be inviting tenders for the main building contract in October with a view to commencing construction in late 2018 and provisional funding has already been approved by the Department of Housing, Planning & Local Government. Substantial progress has actually been made and infrastructure installed which will now save time and potential delays downstream on the project.

B. Geaney,  
Director of Services,  
Housing & Community Services.

## 7.8 **COMPULSORY PURCHASE OF THE FORMER OFFICERS HOUSES**

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

Can the CE please proceed to the Compulsory purchase of the former Officers Houses (9 in all) to help meet the demand for housing citizens. Senior Officials in the Dept of Defence have wastefully allowed these houses decline to a disgraceful condition. Alternatively, can City Council acquire the houses under the Derelict Sites legislation?

(Cllr. Tim Brosnan)

### **REPLY**

Cork City Council's Housing Directorate has engaged with the Military Authorities in Collins Barracks and the Department of Defence with regard to the nine vacant houses and surrounding lands at the Camp Field, Old Youghal Road. The Council has been advised that following an examination of their future requirements/proposed use of the Camp Field going forward, the Military Authorities have identified a need for the retention of that portion of the camp field for use by the Defence Forces. This includes the location of eight vacant semi-detached houses.

They have however, identified an alternative site in the Camp Field, the former General Officer Commanding (GOC's) house and garden, which has development potential. It was agreed that Cork City Council would prepare a feasibility study for the location of housing at this location in order to inform further discussions with the Department of Defence and the Military Authorities at Collins Barracks.

Brian Geaney,  
Director of Services,  
Housing & Community Directorate.

## 7.9 **PUBLIC HOUSING DEVELOPMENTS**

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

Can the CE report on progress of the various public housing developments, those that have got Part 8 approval since 2016, those that are in the planning process and if any new schemes are imminent.

(Cllr. Mick Nugent)



## REPLY

The following table outlines the current status of the various housing developments:

PROJECT	NO. OF UNITS	STATUS
Churchfield Place East	3	Under construction
Deanrock	65	Under construction
Gerald Griffin Street	41	Enabling works have been completed. The Tender for the housing construction is due to be advertised in October 2018.
Shandon Street/John Philpott Curran Street	9	The Tender for the housing construction is due to be advertised in September 2018.
Ard Aobhinn	5	Under construction
Church Road	43	Under construction
Corcoran's Quay	3	Under construction
Tramore Road	4	Under construction
High Street	9	Under construction
Woods Street	16	At contract award stage
Barrack Street	32	At contract award stage
Arus Mhuire	30	Under construction
Farranree	5	Under construction
White Street	43	Under construction
Blarney Street	25	Under construction
St. John's Well	6	Tenders are under review
CNWQR – Phase 2A	47	Under Construction
CNWQR – Phase 2C	24	Part 8 report due to the HFC/Council in September 2018
CNWQR – Phase 1C	41	Part 8 planning application has been advertised
CNWQR – Phase 2B	38	Part 8 planning application has been advertised
The Meadows	52	Under construction
28-29 Dublin Street	10	Under construction
Ceanncora Lawn	1	Completed
Boherboy Road	147	Planning received. Submission made to DHPLG for funding under the Serviced Sites Initiative
Green Lane, Blackpool	112	Part 8 planning application has been advertised
Good Shepherd Services, Grattan Street	33	Planning received. Stage 4 Tender submission made to DHPLG for approval
Cork Simon Community, St. Joachim and Anne's, Anglesea Street	8	Planning received. Stage 3 submission made to DHPLG for approval
Respond CLG, 17-25 Thomas Davis Street, Blackpool	28	Stage 3 submission for DHPLG approval being prepared
Turnkey: 258-259 Blarney Street	2	Completed
Turnkey: 1-3 Sheridan Court	3	Completed

Family Hub, Western Road	19	Completed
Turnkey: 37-39 Dublin Street	5	Completed
<b>Total Number of Units</b>	<b>909</b>	

In addition to the above, it should be noted that the Housing & Community directorate are progressing with a competitive dialogue procurement process. The outcome of the process should result in the delivery of further housing developments, with construction commencing on these projects in late 2018 and the first half of 2019. These projects would be subject to the required funding being provided by the DHPLG. The Council is also advancing further housing projects on City Council owned infill sites.

B. Geaney,  
 Director of Services,  
 Housing & Community Services.

#### 7.10 **PLANNING GUIDELINES AND REGULATIONS**

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 furnish a report on the planning guidelines and regulations regarding the leasing or renting of private parking spaces, the controls, powers and responsibilities that Cork City Council have to regulate this activity, if planning permission is required, the extent of the practice in Cork and if the income from such activity is subject to declaration to Revenue and is subject to tax?

(Cllr. John Buttimer)

#### **REPLY**

There are no planning guidelines or regulations regarding the leasing or renting of private parking spaces attached to private residential properties. The lease or renting of such spaces, depending on the particular circumstances, may constitute a material change of use and may require planning permission.

The controls, powers and responsibilities that Cork City Council has to regulate these matters, if planning permission is required, is set out under Part VIII of the Planning and Development Act, 2000 as amended which relates to enforcement.

The Strategic Planning and Economic Directorate has no information regarding the extent of this practice in Cork. Matters relating to Revenue and tax are beyond the scope of the planning code.

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

7.11 **DRAWINGS ALONG SKEHARD ROAD**

**The following question submitted by Comhairleoir N. O’Keeffe was withdrawn:-**

Can the CE please provide drawings and layout of main drains running along Skehard Road from the Church Road Junction to the Credit Union Junction, particularly the drains servicing the McGrath Park houses along the road.

(Cllr. Nicholas O’Keeffe)

7.12 **OPENING OF TRAMORE VALLEY PARK**

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

To ask the CE for an update on the opening of Tramore Valley Park?

(Cllr. Kieran McCarthy)

**REPLY**

It was agreed at the Environment & Recreation Functional Meeting last Monday 3<sup>rd</sup>, that a Special Meeting of the Committee would be arranged in the next 2 weeks where a full update on Tramore Valley Park will be provided to Members.

Valerie O’Sullivan  
Director of Services  
Environment & Recreation

**Note 3: SUSPENSION OF STANDING ORDERS (Ref:- Note 2 on Page 3)**

10.8.1 **TANK FIELD**

Comhairleoir J. Kavanagh informed An Chomhairle that he wished to withdraw the following Motion, and leave was given for him to do so.

‘In view of the fact that the officials did not forward my Motion 16.12 (as listed on Agenda of May 28<sup>th</sup>) in relation to the Tank Field to the Planning Functional Committee, as they were directed to do by the Council at its meeting of 28<sup>th</sup> May 2018, and in view of the consequences of this action, that has not enabled the Planning Functional Committee to consider the issue, the Council hereby directs the Chief Executive Officer, under Section 47 of the Local Government Reform Act 2014, to formally notify, if possible, by an appropriate legal notice, the Department of Education and Skills and instruct them to desist from taking any actions that may restrict in any way the options open to Cork City Council in relation to the future of the Tank Field, until the Cork City Council has considered the issue fully in the Planning Functional Committee and, furthermore, in particular, it directs the Chief Executive to cease all proposed developments on the Tank Field until a final decision on Motion 16.12 is agreed.’

(Proposer: Cllr. J. Kavanagh 18/214)

## 10.8.2 DISPOSAL OF LANDS IN THE TANK FIELD

An Chomhairle considered the report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 3<sup>rd</sup> September 2018 on the following Motion referred to the Committee by An Chomhairle:-

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

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

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

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

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

‘The report of the Director of Services stated that at the time of approval of the relevant disposal notices by Council to the Department of Education and Brian Dillons Hurling and Football Club in March and October of 2005 respectively and at the time of the Part VIII Planning in February 2006 Cork City Council was the owner of the lands at the Tank Field. The greater part of the Tank Field was then and is held by Cork City Council in fee simple under and by virtue of a Deed of Conveyance dated the 9<sup>th</sup> of October 2001, made between The Unknown and The Unascertained Owner of the Fee Simple and other Intermediate Interest(s) (if any), the Chief Clerk of the Circuit Court of the one part and The Lord Mayor Aldermen and Burgesses of Cork of the other part.

As advised by the Law Agent the area of land alleged to have been in the ownership of the property company that developed the Mayfield Heights housing estate was at the time of the Disposal Notices held in possessory title by Cork City Council for over 40 years. Cork City Council had been in possession and occupation of the lands since the mid to late

1960's. This land was subsequently the subject of the Iona Road – Murmont Road Compulsory Acquisition Order No. 1 of 2013 (“Order No. 1”) measuring an area approx. 3456sqm or 0.85 acres. The purpose of Order No. 1 was to improve Cork City Council’s existing title by acquiring a freehold interest in the subject lands.

While the CPO was objected to and the matter duly referred to An Bord Pleanala for determination the Council was informed by the Board on the 18<sup>th</sup> July 2013 that “... The Board hereby informs you that it has received no valid objections to this compulsory purchase order within the period provided for making objections and it is now open to you to confirm/refuse to confirm the order...” The Board upheld the Council’s view that no valid objections were made as the objections were not made by owners, lessees or occupiers of the Compulsory Purchase Order lands, i.e. entitles that constitute a category of person upon whom such a notice is to be served. Cork City Council therefore pursuant to its powers in that behalf duly confirmed the CPO.

At the time of approval of the Part VIII Planning in February 2006 Cork City Council was the owner of the lands at the Tank Field. As such the consent or otherwise of other parties was not required to advance the Part VIII process and seek Council approval for same. In preparing the original Part VIII Planning the City Council relied on drawings submitted by qualified and experienced consultants acting for Brian Dillon’s Hurling and Football Club who were and continue to use the Tankfield as a local sports and community facility. It is not uncommon for lands zoned Public Open Space in the City to incorporate public sports facilities and grounds across the city and as such no material contravention of the existing City Development Plan occurred.

I am satisfied that the lands in question were within City Council ownership and control allowing the relevant disposal notices and Part VIII to be prepared and brought before Council for approval. As such the necessary legislative procedures were carried out validly and appropriately and so no further legal advice is required. The relevant lands have been disposed of to both the Club and the Department of Education as provided for in the referenced Disposal Notices.”

Following a debate and on the proposal of Comhairleoir J. Kavanagh, seconded by Comhairleoir J. Buttimer, An Chomhairle agreed to delete all words after “Part 8” in the final paragraph of the Motion.

An Chomhairle approved the amended Motion to read as follows:-

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

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

- Councillors were not told that (i) a significant portion of the lands were not included in the County Registrar’s order, and (ii) also importantly, they were not told that this land

formed part of the statutory 10% green area of Mayfield Heights housing estate (located across the road from The Tank Field).

- Furthermore, it should be noted that members were informed that Council retrospectively claimed ownership of this 10% green area by means of Possessory Title (Squatters Rights), even though it subsequently was acknowledged that no such Possessory Title had been registered, as is required by law.
- It is also an issue of concern that the information contained in the subsequent Part 8 Certification which stated that the development does not contravene the Development Plan for the City of Cork, despite the fact that it was proposing to utilise a significant area in a manner not in accordance with its Public Amenity Zoning.

In view of the above, can I propose that Cork City Council resolves to seek independent legal advice into the validity of the aforementioned Disposal Order, and the associated Part 8.'

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

## 8. **PARTY WHIPS – 3<sup>rd</sup> SEPTEMBER 2018**

An Chomhairle considered and noted the minutes of Party Whips from its meeting held 3<sup>rd</sup> September 2018.

### 8.1 **LORD MAYOR'S ITEMS**

#### 8.1.1 **STANDING ORDERS REVIEW GROUP**

An Chomhairle considered and approved the meeting of the Review Group in advance of the next Party Whips meeting scheduled for 1<sup>st</sup> October 2018 and to include the revision of the Civic List.

### 8.2 **DEPUTY LORD MAYOR DATABASE**

An Chomhairle considered and noted that 13 Elected Members had reverted and an appropriate Deputy Lord Mayor Database was now in place.

### 8.3 **SECTION 40 OF THE DATA PROTECTION ACT 2018**

An Chomhairle considered and approved the "Declaration" option in preference to the "Verification form" and further agreed that contact would be made with the Data Protection Commissioner on guidelines for Elected Members.

### 8.4 **ANY OTHER BUSINESS**

On the proposal of Comhairleoir K. O'Flynn, seconded by Comhairleoir J. Buttimer, An Chomhairle considered and approved the Budget 2019 meeting scheduled for 15<sup>th</sup> November 2018 at 5.30 p.m.

## 9. **ENVIRONMENT & RECREATION FUNCTIONAL COMMITTEE – 3<sup>rd</sup> SEPTEMBER 2018**

An Chomhairle considered and noted the minutes of the Environment and Recreation Functional Committee from its meeting held 3<sup>rd</sup> September 2018.

9.1 **BONFIRE NIGHT**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation dated 30<sup>th</sup> August 2018 on Bonfire Night.

9.2 **BALLYPHEHANE GAA CLUB**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation dated 30<sup>th</sup> August 2018 on the Ballyphehane GAA Club.

9.3 **COMMUNITY MAINTENANCE GRANTS SCHEME 2018**

On the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir K. O’Flynn, An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation dated 30<sup>th</sup> August 2018 on the Community Maintenance Grants Scheme 2018.

9.4 **REMOVE SHARP NEEDLE BIN FROM THE STEPS OFFWELLINGTON ROAD**

An Chomhairle considered the report of the Director of Services, Environment & Recreation dated 30<sup>th</sup> August 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council in conjunction with the HSE immediately remove the sharps needles bin which has been located on the steps off Wellington Road for the past year. Local Residents are becoming increasingly concerned at the location of this bin and are adamant that it be moved immediately.’

(Proposer: Cllr. J. Kavanagh 17/308)

The Report of the Director of Services stated that the City-wide initiative to provide sharps-specific bins is delivered in partnership with the HSE. As such, we have a significant interest in addressing public concern with regard to litter and hazardous waste arising from drug use. This initiative revolves around an evidence-based dataset generated between Cork City Council and the HSE, and a network of sharps-specific bins has been deployed in locations identified from the above information where chronic litter of this nature is established. Upon roll out of the bin infrastructure for sharps, a significant drop in litter associated with drug misuse has been noted at these locations; and bins are being used. The HSE services these bins and maintain a record of use of bins with a view to optimising deployment of bin resource. Recent correspondence with the HSE indicates that this bin in the Wellington Road area should remain in situ.

An Chomhairle agreed to refer this Report back for further consideration to the Environment and Recreation Functional Committee.

9.5 **AIR QUALITY MONITORING ACROSS THE CITY**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘Following the recent air quality monitoring undertaken by the Centre for Research into Atmospheric Chemistry (CRAC) in St. Patrick’s Street and surrounding streets in conjunction with 96FM and the disturbing figures revealed therein, that Cork City Council would institute regular air quality monitoring across the city. These should include measurement of particulates as well as Nitrogen Dioxide (NO<sub>2</sub>) and Ozone. This should be done using a combination of fixed permanent monitoring stations at key locations and regular spot checks using portable air monitoring equipment at points around the city as required.’

(Proposer: Cllr. T. Tynan 18/158)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that Cork City Council currently has two air monitoring stations, one at the Kinsale Road Civic Amenity Site and the second located in Bishopstown. As part of the ‘SMART Cities’ initiative, Cork City Council recently started a pilot project to trial additional air monitoring devices in the City Centre. The results from this trial are now being reviewed. Following this analysis, recommendations on how best to proceed with the possible development of an air quality monitoring programme will be made.

#### 9.6 **AIR QUALITY SURVEY IN MAYFIELD AREA**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘In light of heavy diesel powered goods vehicles travelling from Silver spring’s Hotel through to Ballyvolane Service Station, including in particular the Tinker’s Cross Mayfield Shopping Centre area, that Cork City Council would employ the services of the Centre for Research into Atmospheric Chemistry (CRAC) to carry out an air quality survey in the area. Surveys to be carried out at peak traffic times on a similar basis to the survey recently carried out in St. Patrick’s Street and surrounding streets by CRAC under the auspices of 96FM.’

(Proposer: Cllr. T. Tynan 18/157)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that as part of the ‘SMART Cities’ initiative, Cork City Council recently started a pilot project to trial additional air monitoring devices in the City Centre. The results from this trial are now being reviewed. Following this analysis, recommendations on how best to proceed with the possible development of an air quality monitoring programme will be made. Cork City Council may consider moving one or both of these additional air monitoring devices from the City Centre to alternative locations, such as the Mayfield area. Employing the services of an organisation such as CRAC have budgetary and management implications which have not been factored into 2018.

#### 9.7 **AIR QUALITY MONITORS IN THE CITY CENTRE**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-



‘That the Council install air quality monitors in the City Centre.’

(Proposer: Cllr. K. McCarthy 18/172)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that Cork City Council currently has two air monitoring stations, one at the Kinsale Road Civic Amenity Site and the second located in Bishopstown. As part of the ‘SMART Cities’ initiative, Cork City Council recently started a pilot project to trial additional air monitoring devices in the City Centre (McCurtain Street). The results from the trial are now being reviewed. Following this analysis, recommendations on how best to proceed with the possible development of an air quality monitoring programme will be made.

9.8 An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motions referred to the Committee by An Chomhairle:-

9.8.1 **REPORT ON THE FISH KILL AT THE LOUGH**

‘That Cork City Council would as soon as is practicable publish a full and comprehensive report on the recent fish kill at the Lough and going forward would make quarterly reports to the Environment Functional Committee on monitoring of the Lough.’

(Proposer: Cllr. J. Buttimer 18/179)

9.8.2 **RESTORE WATER QUALITY IN THE LOUGH**

‘That Cork City Council seek funding to take necessary measures to clean out the Lough and restore water quality at a time when fish stocks have been seriously depleted and again consider the location of proper fountains throughout the lake as aerating measures.’

(Proposer: Cllr. M. Finn 18/182)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that a full report on the outbreak of Carp Edema Virus at the Lough was presented to the last Functional Meeting of 5<sup>th</sup> June, together with a copy of the specialist fish veterinary report – copy attached. The most likely cause of the disease outbreak at the Lough was the use of infected fishing equipment.

Since early May, no further fish kills have been reported at the lake. On the recommendations of Inland Fisheries Ireland, no fishing has been allowed, with signage erected around the path perimeter. IFI are anxious that the ban on fishing continue to minimise the risk of the disease being carried to other waters. Similarly, IFI are not in favour of any short term re-stocking due to risks to other local waters and the Fish Vet report also indicated this would be high risk measure.

Further testing on the remaining fish stock will be carried out by the Marine Institute. Contact has been made with the UCC Zoology Department regarding a complete ecological assessment of the lake.

The Parks Department carries out testing of the water from six different points twice a week and the water quality is good. A further two water jets were installed in June near the

Slipway to further aerate the water during hot weather. Barley straw has been placed around the perimeter of the island in recent years each April, the decaying straw releasing toxins which help prevent algae bloom. The straw is removed each September.

A quarterly Report on the Lough would be provided to the Committee as requested.

9.9 **OVERGROWN EMBANKMENTS AT MOUNT ST. JOSEPH'S AVENUE AND DRIVE**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council will tend to overgrown embankments at Mount St. Joseph’s Avenue & Drive, Bakers Hill.’

(Proposer: Cllr. M. Nugent 18/193)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that the overgrowth onto Mount St. Joseph’s Avenue & Drive was cut back during the past week.

9.10 **PUBLIC LIGHTING SCHEME IN KENNEDY PARK, VICTORIA ROAD**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council would allocate sufficient funds in the 2019 Budget to install a Public Lighting Scheme in Kennedy Park on Victoria Road.’

(Proposer: Cllr. T. Shannon 18/099)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that City Council has approved funding under the Housing Local Infrastructure Activation Fund for a landscape enhancement scheme for Kennedy Park and Monahan Road which will include the installation of public lighting. A study is presently underway to review finished ground levels for the South Docks, detail design for Kennedy Park will commence on the completion of this review.

9.11 **REMOVAL OF TREES OUTSIDE 30 AVENUE DE RENNES**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council commits to the removal of two trees outside number 30 Avenue De Rennes which are of concern to the resident on a number of fronts including the over grown, blocking out of day light in the front of the property, damage to property from the encroaching roots, recent storms has given rise to health and safety issues.’

(Proposer: Cllr. C. O’Leary 18/163)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that the Hornbeam trees at Avenue De Renne were planted at the request of residents approximately fifteen years ago and add to the visual appeal and attractiveness of the avenue. In the context removal is not appropriate, however, remedial pruning will be carried out to address the above concerns.

An Chomhairle further agreed that V. O'Sullivan, Director of Services and Comhairleoir C. O'Leary would arrange to meet on site, at a mutually agreeable date and time.

9.12 **INSTALL FLOWER BEDS AT AUDLEY PLACE, OUR LADY'S WELL**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

'That the Council install flower beds at Audley Place, Our Lady's Well and clean up the dumped rubbish on the Fever Hospital Steps ultimately making the space more of a tourist and community quarter.'

(Proposer: Cllr. K. McCarthy 18/171)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that litter and dumped rubbish is collected at Audley Place, Fever Hospital Steps and Lady's Well as part of the scheduled collection in that area and, on other occasions as required. Seasonal floral planting will be considered in line with available resources.

9.13 **ENVIRONMENT GROUP IN KNOCKNAHEENY/HOLLYHILL**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

'That Cork City Council assist in the setting up of an Environmental group in Knocknaheeny/Hollyhill similar to the group in Farranree.'

(Proposer: Cllr. M. Nugent 18/175)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that the Environment & Recreation Directorate will provide any necessary assistance and advice to the community to help enable them to establish an Environmental Group.

9.14 **CLOSURE OF LANE BETWEEN PARK COURT AND MEELICK PARK**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

'That Cork City Council would arrange for the Closure of the Laneway between Park Court & Meelick Park as this has led to anti-social behaviour in the area. This motion is

brought on foot of a petition and consultation with Local residents in the area and with the Gardaí.’

(Proposer: Cllr. K. O’Flynn 18/166)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that it was agreed by Ward Members that consideration of requests for lane closures in the Meelick Park area would be considered by Ward Members in the first instance.

A Ward Meeting will be arranged shortly at which the matter will be raised.

9.15 **STREET CLEANSING SCHEDULE**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

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

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

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that Cork City Council have had to ‘stand down’ all the mechanised sweepers due to the current hosepipe ban (extended until end Oct 2018), and have re-assigned staff to other duties, including the City Centre rosters.

9.16 **PLAYGROUND ON URSULINE CONVENT GROUNDS**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘That the City Council re-commits to the concept of having a playground on the Ursuline Convent grounds, as proposed in the original plans for the Blackrock Pier Regeneration project.’

(Proposer: Cllr. K. McCarthy 18/121)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated the most suitable location for a state of the art playground to serve Blackrock, Ballintemple and the South Docklands is Marina Park. A site has been identified within the park, development of the playground is identified for Marina Park Phase 2. Phase 1 works are scheduled to commence in October. Detail design for phase 2 including the playground will commence when the necessary resources are available. City Council is committed to the enhancement of the Ursuline Convent Ground and will explore options to finance same under the Urban Regeneration Development Fund. City Council is still awaiting final transfer of the lands from the receiver of this development.

9.17 **WORK TO BE CARRIED OUT ON CLASHDUV PARKS WALK WAY**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘Considering the number of years Clashduv Park walk way has been left in such poor repair and the fact that funding has been secured out of the 2018 Capital Budget for works to be done in Autumn 2018. I request that these works be fast tracked and carried out within the next couple of weeks so as the community will be able to enjoy this facility fully in the summer months.’

(Proposer: Cllr. T. Moloney 18/181)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that works have commenced on upgrading the paths at Clashduv Park and are scheduled for completion in January/February 2019.

9.18 **PRUNE TREES ON WELLINGTON ROAD**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council in the interest of Public Safety undertake immediate action to prune trees on Wellington Road as they are dangerously overgrown and seriously impede street lighting such as to endanger the safety of pedestrians and cyclists. The trees need to be trimmed back like those on Clashduv Estate.’

(Proposer: Cllr. T. Brosnan 18/198)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that the above trees will be added to the schedule of tree works for remedial pruning. Any trees endangering the public will be attended to immediately.

9.19 **FENCING AT ARDCULLEN ESTATE, HOLLYHILL**

An Chomhairle considered and approved the report of the Director of Services, Environment & Recreation on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council would replace fencing at the left side entrance to ArdculLEN Estate, Hollyhill with well appointed bollards which could protect the green area. The green area could then be developed as an amenity linked to the area around the nearby reservoir, earmarked for development as amenity under the Regeneration Masterplan, by a pedestrian crossing.’

(Proposer: Cllr. M. Nugent 18/201)

The report of the Director of Services dated 30<sup>th</sup> August 2018 stated that an estimate for landscape enhancement works at ArdculLEN Estate is included in the 2019 Draft Parks Capital Programme for consideration, the replacement of the fence with bollards will be considered should funding be secured.

10. **STRATEGIC PLANNING, ECONOMIC DEVELOPMENT & ENTERPRISE FUNCTIONAL COMMITTEE – 3<sup>rd</sup> SEPTEMBER 2018**

An Chomhairle considered and noted the minutes of the Strategic Planning, Economic Development and Enterprise Functional committee from its meeting held 3<sup>rd</sup> September 2018.

10.1 **INTERNATIONAL RELATIONS COMMITTEE**

10.1.1 **TWINNING GRANT APPLICATION 2018 – ADDITIONAL INFORMATION SUBMITTED**

An Chomhairle considered and approved the grant of €3,000 in respect of the production “Gerros, Minos & him” as part of the 2018 Quarter Block Party.

10.2 **MOTION REFERRED TO INTERNATIONAL RELATIONS COMMITTEE FROM COUNCIL 9<sup>th</sup> JULY, 2018**

**SIGNPOST LISTING TWINNED CITIES**

An Chomhairle considered and approved the report of the Director of Services, Corporate & External Affairs dated 30<sup>th</sup> August 2018 on the following Motion referred to the Committee by An Chomhairle:-

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

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

The report of the Director of Services stated that the Corporate and External Affairs Directorate will be reviewing all existing twinning signage in conjunction with the revised boundary. This motion will be considered as part of this review.

10.3 **HOUSING ESTATES**

An Chomhairle considered and noted the report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 3<sup>rd</sup> September 2018 on Housing Estates for Q2 2018.

10.4 **PLANNING STATISTICS**

An Chomhairle considered and noted the report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 3<sup>rd</sup> September 2018 on the number of planning applications determined and deferred for Q1 & Q2 2018.

10.5 **PLANNING ENFORCEMENT STATISTICS**

An Chomhairle considered and noted the report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 3<sup>rd</sup> September 2018 on the Planning Enforcement Statistics for period for Q2 2018.

10.6 **UP-DATE ON SIGNIFICANT DECISIONS**

An Chomhairle considered and noted the report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 3<sup>rd</sup> September 2018 on the Significant Developments for Q2 2018.

10.7 **DERELICT SITES QUARTERLY REPORT**

An Chomhairle considered and noted the report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 3<sup>rd</sup> September 2018 on the Derelict Sites Quarterly Report.

10.8 **MOTIONS REFERRED TO THE COMMITTEE BY AN CHOMHAIRLE**

See Note 3 earlier in these Minutes at pages 11, 12, 13 and 14.

10.8.1 **TANK FIELD**

See Note 3 earlier in these Minutes at pages 11, 12, 13 and 14.

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

See Note 3 earlier in these Minutes at pages 11, 12, 13 and 14.

11. **FINANCE & ESTIMATES FUNCTIONAL COMMITTEE – 4<sup>th</sup> SEPTEMBER 2018**

An Chomhairle considered and noted the minutes of the Finance and Estimates Functional Committee from its meeting held 4<sup>th</sup> September 2018.

11.1 **FINANCE RELATED REPORTS**

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

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

11.2 **MOTIONS**

11.2.1 **4X4 VEHICLES FOR EMERGENCY STAFF**

An Chomhairle considered and approved the report of the Head of Finance dated 29<sup>th</sup> August 2018 referred to the Committee by the Roads and Transportation Functional Committee:-

‘That Cork City Council invests in a fleet of 4X4’s and make available these type of vehicles to emergency staff such as Community Wardens, Plumbers, Electricians to combat our adverse weather conditions.’

(Proposer: Cllr. K. Collins 18/083)

The report of the Director of Services stated that the Council has a broad selection of vehicles in use across its various Directorates. These cover a range of vehicle types and capacities. The vehicles are the subject of review with due regard to the work related requirements of each Directorate including those associated with severe weather events. The Council liaises with other response agencies in order to ensure optimum use of vehicles and equipment in the event of emergencies or adverse weather occurrences.

12. **CORRESPONDENCE**

An Chomhairle noted correspondence received.

13. **CONFERENCE/SEMINAR SUMMARIES**

None received.

14. **CONFERENCES/ SEMINARS**

An Chomhairle considered and approved attendance at the Following Conference/Seminars:-

- Comhairleoir T. O’Driscoll to attend the Let’s Talk Tourism to be held in Killarney on the 9<sup>th</sup> November 2018.

15. **TRAINING**

An Chomhairle considered and approved the attendance at the following Training:-

- Comhairleoir S. Martin to attend the AILG Module 4 The new ePlanning and the National Building Management Project (Southern Region) to be held in Silversprings Hotel on 15<sup>th</sup> September 2018.
- Comhairleoirí S. Martin and J. Buttimer to attend the Autumn Training Seminar to be held in River Island Hotel, Castleisland, Co. Kerry on 28<sup>th</sup> – 29<sup>th</sup> September 2018.

16. **CHIEF EXECUTIVE’S MONTHLY MANAGEMENT REPORT**

An Chomhairle considered and noted the Chief Executive’s Monthly Management Report for June 2018.

17. **MOTIONS**

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



17.1 **POLICY ON OWNERSHIP OF COMMON DRAINS**

‘To ask can Cork City Council look at their policy in relation to ownership of private common drains. Is there a chance that IW will be taking these into public ownership.’

(Proposer: Cllr. S. Martin 18/165)

**Environment & Recreation Functional Committee**

17.2 **TREE OUTSIDE 6 ILEN COURT, DEANROCK ESTATE**

‘That City Council would trim back the branches of a tree right outside No. 6 Ilen Court Deanrock Estate as a matter of urgency as these tree branches are on top of this property presently.’

(Proposer: Cllr. H. Cremin 18/226)

**Environment & Recreation Functional Committee**

17.3 **INFILL HOUSING AT CUSHING PLACE, FARRANREE**

‘That Cork City Council will build infill housing at Cushing Place Farranree to counteract the illegal dumping and antisocial behaviour that is taking place.’

(Proposer: Cllr. K. Collins 18/233)

**Housing & Community Functional Committee**

17.4 **LANDS AT THE REAR OF AVONMORE PARK AND MOUNT BROSNA, MAYFIELD**

‘That Cork City Council undertake to clean up and develop and draw up an area plan for the lands at the rear of Avonmore Park and Mount Brosna in Mayfield by doing the following:-

- Remove all the Rubbish from all this area.
- Cut all the grass and remove all the weeds and overgrowth and most importantly, landscape the area in exactly the same way as the adjacent Glenamoy Lawn is finished.
- Repair all the lighting fittings along the pathway.
- The residents have expressed interest in helping to develop and maintaining this area and also the allocation of allotments. There is a significant interest in this.
- Residents have asked if the clean up of this area and pathway could be enhanced further by the introduction of benches along this pathway and they have requested that this newly developed enhanced area be called "Mayfield Memorial Gardens" in memory of all those affected by suicide in the Mayfield area. People who have previously used this area as a public dumping ground would hopefully have more respect for the area in its new guise.

The residents are very much in favour of the potential development of this area of waste land and are very keen to put it to good use and of positive benefit to our local Community.'

(Proposer: Cllr. J. Kavanagh 18/237)

**Environment & Recreation Functional Committee**

17.5 **INFILL HOUSING AT LAGAN GROVE**

'That Cork City Council construct infill public housing on the existing Lagan Grove pathway to the South of Lagan Grove, and on the pathway known locally as the "Tarry Path" to the rear of Mount Brosna, Avonmore Park and Glenamoy Lawn.'

(Proposer: Cllr. T. Tynan 18/238)

**Housing & Community Functional Committee**

17.6 **REPORT ON CORK LIMESTONE**

'That Cork City Council compile a report on the quantity of Cork Limestone available in Cork for further projects. The report should identify the quality of the limestone and areas within the city where it could be used.'

(Proposer: Cllr. T. Fitzgerald 18/239)

**Roads & Transportation Functional Committee**

17.7 **TRAFFIC AT THE MARINA**

'That Cork City Council follows through on its commitment to close part of the Marina to traffic at weekends, to start with Sundays. As the main works of the village are complete which was the deadline from a previous Motion.'

(Proposer: Cllr. D. Cahill 18/240)

**Roads & Transportation Functional Committee**

17.8 **FENCING AT FAIRFIELD, FARRANREE**

'That Cork City Council installs fencing around the Fairfield similar to Popham's Park Farranree to prevent antisocial behaviour and to protect the many users of this popular amenity.'

(Proposer: Cllr. Kenneth Collins 18/241)

**Environment & Recreation Functional Committee**

17.9 **RELAUNCH OF CORK CITY ORBITAL ROUTE**

‘That the Cork City orbital route be relaunched as part of the strategy to encourage motorists to avoid the core city centre streets whenever possible.’

(Proposer: Cllr. T. O’Driscoll 18/242)

**Roads & Transportation Functional Committee**

17.10 **TREES IN WILLOW BANK, CHURCH ROAD, BLACKROCK**

‘That the trees in Willow Bank, Church Road, Blackrock would as soon as possible be trimmed as they are currently grossly overgrown.’

(Proposer: Cllr. D. Cahill 18/243)

**Environment & Recreation Functional Committee**

17.11 **EXTEND AREA OF ARCHITECTURAL CONSERVATION**

‘That City Council would extend the Area of Architectural Conservation to include areas of Glasheen Road which is very similar to Magazine Road. The area of most concern runs from Landscape Terrace to the entrance to Croaghta Park which are/were for the most part all terrace houses and are now in danger of being destroyed by developers changing house frontages and removal of railings, extensions etc.’

(Proposers: H. Cremin, T. Moloney 18/247)

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

17.12 **CHILDREN AT PLAY SIGN AT UPPER DOYLE ROAD, TURNERS CROSS**

‘That Cork City Council erect a Children at play sign at Upper Doyle Road, Turners Cross.’

(Proposer: Cllr. F. Kerins 18/251)

**Roads & Transportation Functional Committee**

17.13 **TREE PLANTING PROGRAMME**

‘That the Council put in place a significant tree planting programme within the 2019 budget’

(Proposer: Cllr. K. McCarthy 18/252)

**Environment & Recreation Functional Committee**

17.14 **REVIEW OF OPW LOWER LEE SCHEME**

‘At the meeting of the passing of the Morrison’s Island Part 8 it was tentatively agreed by some Party Whips that a review of the overall proposed OPW Lower Lee scheme be

implemented. I am calling that a review be discussed again at a Party Whips meeting with a view to possible implementation.'

(Proposer: Cllr. K. McCarthy 18/253)

#### **Party Whips**

#### 17.15 **FORMER SOURCE HEALTH AND FITNESS COMPLEX**

'That Cork City Council, further to my recent request to the CE would make every effort to purchase the former Source Health and Fitness Complex as a public leisure facility for the North East area of the city and that it should be managed by Leisureworld which has a proven track record in running similar facilities in Bishopstown and Churchfield.'

(Proposer: Cllr. T. Brosnan 18/254)

#### **Environment & Recreation Functional Committee**

#### 17.16 **UNUSED FIELDS NORTH OF MAYFIELD COMMUNITY SCHOOL**

'That Cork City Council look to secure the two unused fields north of Mayfield Community School with view to constructing Social and Affordable Housing to meet the demand for housing in the area.'

(Proposer: Cllr. T. Brosnan 18/255)

#### **Housing & Community Functional Committee**

#### 17.17 **TRAFFIC CALMING MEASURES AT O'MAHONEY'S AVENUE, ST. LUKE'S**

'That appropriate traffic calming measures be examined and implemented on O'Mahoney's Avenue, St. Luke's. The street is being used as a shortcut by a great number of drivers and poses a threat to the health and safety of residents and pedestrians. Residents' vehicles have also been damaged by speeding motorists.'

(Proposer: Cllr. S. Cunningham 18/257)

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

#### 17.18 **ROAD SIGNAGE AT O'MAHONEY'S AVENUE, ST. LUKE'S**

'That road signage be erected on O'Mahoney's Avenue, St. Luke's to inform road users that a right-hand turn through Mayfield, Montenotte and St. Luke's Cross is not permitted. Such signage was removed in the past and should be re-installed.'

(Proposer: Cllr. S. Cunningham 18/258)

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

17.19 **STEPS AT BLAIR'S HILL, SUNDAY'S WELL**

'That Cork City Council survey Blair's Hill, Sundays Well to determine if steps there can be gated to enhance community safety on a schedule agreeable to local residents.'

(Proposer: Cllr. M. Nugent 18/259)

**Roads & Transportation Functional Committee**

17.20 **HOMELESS PERSONS UNIT, DRINAN ST.**

'The Cork City Council report on the services provided and budget available to the Homeless Persons Unit at Drinan St. and the Council's role in same. Council to clarify if the unit is to be relocated to a more suitable premises that is fit for purpose in addressing the ever growing numbers of the public needing support.'

(Proposer: Cllr. M. Nugent 18/260)

**Housing & Community Functional Committee**

18. **MOTIONS**

18.1 **V.A.T. RELIEF TO CITY RETAILERS**

An Chomhairle agreed to defer consideration of this Motion to the next meeting of An Chomhairle which would be held on 24<sup>th</sup> September 2018:-

'That Cork City Council calls on the government to target city retail with the same V.A.T. relief as is being given to the hotel sector. VAT Relief should be used in a targeted fashion to take pressure off sectors who are finding it difficult.'

(Proposer: Cllr. S. Martin 18/156)

18.2 **CAMS REFERRALS FROM THE NORTH LEE CATCHMENT AREA**

An Chomhairle considered and approved the following Motion:-

'That Cork City Council calls on the HSE to put in place measures to ensure that CAMS referrals from the North Lee Catchment area are dealt with without having to send all vulnerable children to A/E.'

(Proposer: Cllr. J. Sheehan 18/248)

18.3 **RETENTION OF HISTORY AS A JUNIOR CYCLE SUBJECT**

An Chomhairle considered and approved the following Motion:-

'That Cork City Council supports the retention of History as a Junior Cycle subject and calls on the Education Minister to review plans to drop it as a core subject.'

(Proposer: Cllr. M. Finn 18/256)

**SUSPENSION OF STANDING ORDERS TO DISCUSS THE RESIDENTS OF  
TENT CAMP ON PATRICK'S QUAY**

**See Note 1 on Page 2 of these Minutes.**

Pursuant to the earlier suspension of Standing Orders, An Chomhairle considered the following Motion, which had been proposed by Comhairleoir F. Ryan and seconded by Comhairleoir K. McCarthy “to facilitate information be provided to Council on the notice to vacate issued to the residents of tent camp on Patrick’s Quay”.

The Chief Executive outlined the situation in detail and also clarified a number of issues for the benefit of the Elected Members.

An Chomhairle raised a number of queries to which the Chief Executive responded.

This concluded the business of the meeting

**ARD-MHÉARA  
CATHAOIRLEACH**