

**MINUTES OF ORDINARY MEETING OF CORK COUNTY BOROUGH
COUNCIL HELD ON 16TH JULY 2001**

- PRESENT:** An t-Ard-Mheára, Comhairleoir T. O'Driscoll
- NORTH EAST:** Comhairleoirí T. Brosnan, B. Kelleher T.D. and J. Kelleher
- NORTH CENTRAL:** Seanoir N. O'Flynn T.D., Comhairleoirí K. Lynch, B. Allen T.D. and C.O'Leary
- NORTH WEST:** Comhairleoirí T. Falvey, C. Burke, M. O'Connell and J. O'Brien.
- SOUTH EAST:** Seanoir T. Shannon, Comhairleoirí D. Clune T.D., J. Corr, J. O'Flynn, D. Counihan and J. Minihan
- SOUTH CENTRAL:** Seanoir C. O'Connell, Comhairleoirí S. Martin, D. Cregan and D. Boyle
- SOUTH WEST:** Seanoir J. Dennehy T.D., Comhairleoirí M. Shields, B. Bermingham and P.J. Hourican

Apologies received from:- Seanoir M. Quill
Comhairleoir M. Aherne

ALSO PRESENT:- Mr. J. Gavin, City Manager & Town Clerk
Mr. D. Buggy, Assistant City Manager (Housing)
Mr. M. Riordan, Assistant City Manager (Eng.)
Mr. J. Kennelly, Director of Services
Ms. M. Loughed, Director of Services
Mr. R. McDowell, City Planning Officer
Mr. N. Hegarty, City Architect
Ms. A. Bogan, Senior Planner
Ms. N. Mulcahy, A/Admin. Officer, Town Clerk's Dept.
Mr. N. Fitzpatrick, A/Admin. Officer, Planning Dept.
Ms. L. Teahan, Executive Planner
Mr. Ml. Tierney, A/ Snr. Staff Officer, Town Clerk's Dept.

An t-Ard-Mheára recited the opening prayer.

1. VOTES OF SYMPATHY

An Chomhairle unanimously extended the following votes of sympathy:-

To the McCarthy family on the death of Denis McCarthy

Mrs Mary Cregan on the death of her sister.

The O'Keeffe family on the death of Madge O'Keeffe.

2. **MINUTES**

- (a) Minutes of Ordinary Meeting of An Chomhairle held on 25th June 2001 were considered and approved.
- (b) Minutes of Annual Meeting of An Chomhairle held on 2nd July 2001 were considered and approved.

3. **QUESTION TIME**

3.1 **REMOVAL OF ESB AND TELECOM POLES**

In response to question submitted by Comhairleoir S. Martin, the following written reply was circulated which stated that:- (a) discussions have been held with ESB and Eircom about diversions and provisions needed to enable re-routing of supply and thus facilitate removal of poles. The most appropriate and cost effective solution has not as yet been finalised. However, I am hopeful that progress can be made in the near future with a target completion of diversion in September.

(b) A nameplate for Melrose was included in the last order and delivery of this order has been made. Arrangements are currently being made for the erection of the nameplate.

3.2 **AREA OFFICER FOR KNOCKNAHEENY**

In response to question submitted by Comhairleoir Ml. O'Connell, the following written reply was circulated which stated that in relation to the provision of housing service, a five year plan has recently been completed and will be considered at the next Strategic Policy Committee and Housing Committee meetings. Most of the issues contained in the question will be clarified at those meetings.

In relation to Question 7 and 10:

The proposed management of the implementation of the Knocknaheeny Masterplan has not been determined.

Adequate accommodation will be provided to facilitate consultation with the local community on matters relating to the Knocknaheeny Masterplan.

3.3 **MEASURES TAKEN TO CUT BACK TREES**

In response to question submitted by Comhairleoir M. Shields, the following written reply was circulated which stated that there is a standard procedure where Notices are issued to owners of premises where overgrowth extends beyond their boundary line, and obstructs pedestrians on footpaths. These are issued on receipt of complaints from members of the public, following inspection by the Building and Street Inspectors.

In situations such as that mentioned above, the Parks Dept. can remove the offending growth where vegetation obscures Traffic lights.

3.4 **TRAFFIC COUNTS AT THE RISE AND C.I.T.**

In response to question submitted by Seanoir J. Dennehy T.D., the following written reply was circulated which stated that traffic counts are carried out on all sites under investigation for traffic calming, the analysis of which enable an appropriate design of Traffic Calming Measures to be undertaken. Following the introduction of Traffic Calming, further traffic counts are carried out to evaluate the effectiveness of the Traffic Calming Measures and to monitor their performance/identify traffic performance by Volume and Speed.

Due to increased number of requests for Traffic Calming throughout the city, there is a considerable demand for traffic counts/monitoring, and this work must therefore be prioritised and planned. The most recent traffic count at The Rise, Bishopstown was in July 2001 and the previous traffic count was in June 2000. The vehicle counts were taken at The Rise (2nd Junction West)

June 2000	-	9520 vehicles over 24 hours
July 2001	-	6196 vehicles over 24 hours

A further traffic count will be taken in the last quarter of 2001.

3.5 **REMOVAL OF PYRAMID AT BOYNE CRESCENT, BALLYVOLANE**

In response to question submitted by Comhairleoir T. Brosnan, the following written reply was circulated which stated that The “Pyramid” was designed by Ms. Julie Kelleher. The work was erected 4/5 years ago. It was funded by the “Department of the Environment Per Cent for Art Scheme” and cost £20,000. This included Artists fee, Public Arts advisory fee and building and installation costs. The estimated cost of repair now is £1,000. This would be funded from Public Monuments Code 6493.

Ms. Kelleher confirms that extensive consultation took place with the residents on the form and location of the artwork.

Two years previously a brass plaque was missing and was replaced, this is the only recorded damage.

Condition:

A small area of approx. 12 no. tiles are missing at the base.

A small amount of leaching occurs at some joints.

A small amount of algae discolouring is occurring on one side.

There are no missing fittings.

Apart from the damaged area of tiles, the structure is in good condition.

The grassed area surrounding the Pyramid is in good condition – a small isolated area to one side of the “Pyramid” is bare.

There was no evidence of litter of “dirt” or damage to trees when inspected.

Consultation:

At a meeting of Michael Purcell of our office and Brendan O’Farrell of 59, Boyne Crescent, Mr. O’Farrell stated that there were complaints from a small number of residents, that the anti-social behaviour is not continuous and may have been a “one off” occurrence. However, there is concern it can reoccur, especially during the summer months.

Provision of a “buffer” ribbled surface around the “Pyramid’s” base may alleviate the problem of congregation.

He agreed restoration of the “Pyramid” should go ahead and will monitor the situation closely.

Two long term residents, who live adjacent to the “Pyramid” maintained there is no problem with anti-social behaviour associated with or around the “Pyramid”. The felt it makes a positive contribution to their area.

Full Restoration:

The structure is concrete block with concrete infill on a mass concrete base and its removal will be a major undertaking. Considerable damage will be caused to the immediate parkland area. Considerable reinstatement of the park area will need to be undertaken.

It is estimated that removal will cost in the region of £2,000.

Relocation will entail demolition and total rebuild involving costs approaching those of the original commission.

Recommendation:

As far as I can ascertain, the piece is generally liked by residents and visitors to the area, it has good presence and gives good definition to its location and has not been systematically vandalised.

It is on Cork City's Sculpture Trail and, as an integral part of the project, holds the residents personal "time capsules".

I recommend full restoration and an instruction given to start work immediately.

Julie Kelleher's approval has been given to these works.

3.6 **BERLINGFORD DRIVE, CHURCH ROAD**

In response to question submitted by Seanoir T. Shannon, the following written reply was circulated which stated that:- (a) The site in question is being considered by Cork Corporation for housing purposes.

(b)&(c) Preliminary layout is now being prepared to assess development feasibility.

(d) There has been no formal consultation to date with the residents of Berlingford Drive in relation to this site. Full public consultation for development proposals will require to be undertaken in accordance with the provisions of Part X of the Local Government (Planning & Development) Regulations, 1994.

3.7 **HOW MANY HAZARDOUS SITES IN CITY AREA**

In response to question submitted by Comhairleoir D. Boyle, the following written reply was circulated which stated that I wish to advise that National Hazardous Waste Plan has now been finalised by the EPA.

Section 7.4 of the plan deals with the issue of sites which, because of current or historical activities with them may be contaminated.

The EPA estimates from a desk top study approx 487 such sites nationally.

Of the 487 such sites, 84 are operating sites.

Section 7.5 sets out a methodology of identification and assessment of such sites and sites known or suspected to have been used for the disposal of hazardous waste in the past should be incorporated into a register to be maintained by the local authority.

In order to compile such a register of sites where hazardous waste disposal activities have been carried out a number of detailed steps must be followed.

These are outlined in Box 7.2 Page 81 of the Plan.

UK experience indicate an initial cost of approx £40,000 to compile such a register with ongoing maintenance costs of approx £8,000 PA.

It is proposed to submit a proposal for funding for 2002 estimates to enable setting up such a register.

The compilation of such a register will enable Cork Corporation advise if and where such sites are located.

4. **ADOPTION OF HIGHER EDUCATION GRANTS SCHEME 2001**

An Chomhairle considered the report of the Assistant Town Clerk dated 12th July 2001 on the Higher Education Grants Scheme 2001 and it was agreed on the proposal of Comhairleoir J. Corr, seconded by Seanoir J. Dennehy T.D., to adopt the scheme.

5. **HOUSING STRATEGY**

An Chomhairle agreed to defer the consideration of the report on Housing Strategy to a Special Meeting of Council to be held on Tuesday, 24th July 2001.

6. **SUSPENSION OF STANDING ORDERS TO DISCUSS THE SINNOTT CASE**

Comhairleoir D. Boyle proposed and Seanoir C. O'Connell seconded that Standing Orders be suspended to discuss the decision of the Supreme Court in the Jamie Sinnott case. A vote was called for where there appeared:-

FOR:- Seanoirí C. O'Connell and J. Dennehy T.D., Comhairleoirí J. Kelleher, K. Lynch, B. Allen T.D., T. Falvey, C. Burke, M. O'Connell, J. O'Brien, D. Clune T.D., J. Corr, J. O'Flynn, J. Minihan, D. Boyle, B. Bermingham and P.J. Hourican - 16

AGAINST:- An t-Ard-Mheára, Seanoir T. Shannon, Comhairleoirí D. Counihan, S. Martin and M. Shields – 5

As more than two thirds of members present supported the motion, An t-Ard-Mheára declared the motion carried.

On the proposal of Comhairleoir D. Boyle, seconded by J. Minihan, An Chomhairle approved the following:-

“That this Council calls for all necessary legislative and constitutional guarantees to be brought into being to allow for the full educational potential to be reached for each of our citizens, in particular for those with special needs.”

7. **NOMINATION OF REPLACEMENT TO GENERAL COUNCIL OF COUNTY COUNCILS**

On the proposal of Comhairleoir J. Corr, seconded by Seanoir J. Dennehy T.D., An Chomhairle nominated Comhairleoir L. Burke T.D. as a replacement for Comhairleoir D. Cregan to the General Council of County Councils following Comhairleoir Cregan's resignation from that body.

8. **CORRESPONDENCE**

Correspondence as circulated was noted.

9. **CONFERENCES**

An Chomhairle approved the attendance at the following Conferences:-

9.1 **DESIGNING CITIES**

An Chomhairle approved the attendance of Comhairleoirí D. Clune T.D. and D. Boyle at the Designing Cities on 26th June 2001 in The Millennium Hall, City Hall, Cork.

9.2 **THE GENERAL COUNCIL OF COUNTY COUNCILS**

An Chomhairle approved the attendance of Comhairleoirí B. Bermingham and B. Allen T.D. at the General Council of County Councils on 5th – 7th July in the Dolmen Hotel, Carlow.

9.3 **DOUGLAS HYDE CONFERENCE**

An Chomhairle approved the attendance of Seanoirí T. Shannon, J. Dennehy T.D., and Seanoir C. O'Connell and Comhairleoirí J. O'Flynn and M. O'Connell at the Douglas Hyde Conference on 20th – 22nd July 2001 at Ballyagherreen, Roscommon.

9.4 **INTERNATIONAL HUMBERT SCHOOL**

An Chomhairle approved the attendance of Seanoirí T. Shannon and C. O'Connell and Comhairleoirí J. Corr, B. Bermingham, M. O'Connell and J. Kelleher at the International Humbert School on 22nd – 26th August 2001 at Ballina, Co. Mayo.

9.5 **THE SHERKIN ISLAND ENVIRONMENTAL CONFERENCE**

An Chomhairle approved the attendance of An t-Ard-Mheára, Comhairleoir T. O'Driscoll, Seanoir D. McCarthy, Comhairleoirí D. Wallace, J. O'Flynn, and B. Kelleher T.D. at the Sherkin Island Environmental Conference on 3rd & 4th May 2001 in Carrigaline, Co. Cork.

9.6 **TENTH WILLIAM CARLTON SUMMER SCHOOL**

An Chomhairle approved the attendance of Comhairleoir T. Falvey at the Tenth William Carlton Summer School on 6th – 10th August at Clogher.

1. **MOTIONS**

The following motions due notice of which has been given were referred to the next meeting of the appropriate Committee:-

1.1 **RESURFACING OF TORY TOP ROAD JUNCTIONS**

That Cork Corporation immediately resurface Tory Top Road/Connolly Road Junction, Tory Top Road/Pearse Road Junction and Clareville/Nuns Walk Junction."

(Proposer: Comhairleoir S. Martin - Ref. 00/221)
- Roads Transportation & Safety Committee

1.2 **PARKING SPACES**

That this council's planning policy be changed to insist that when the provision of parking spaces is a requirement for the granting of planning permission a condition should be included to prevent the sale of these parking spaces."

(Proposer:- Comhairleoir Ml. Ahern – 01/177)
- Development & Planning – Strategic Policy Committee

1.3 **COURTOWN PARK**

That the road in Courtown Park be resurfaced. This road is very unsafe with large pot holes.

(Proposer:- Comhairleoir D. McCarthy – 01/183)
- Roads Transportation & Safety Committee

1.4 **GOOD SHEPHERD CONVENT**

That Cork Corporation calls on the developers of the Good Shepherd Convent who have already obtained full planning permission under Planning Reference TP24660/00 and who have submitted a further two applications for further development, to prepare a detailed Environment Impact Study which should be submitted to the Planning Department, Cork Corporation prior to any further Planning Permissions being granted.

(Proposer:- Comhairleoir C. Burke- 01/193)
-Planning & European Affairs Committee

1.5 **CHILDREN AT PLAY SIGN**

That this Council provide, free of charge, “Children at Play” signs to all local authority housing estates.”

(Proposer:- Comhairleoir J. O’Brien – 01/198)
- Roads Transportation & Safety Committee

1.6 **PROVISION OF ADEQUATE LIGHTING AT KNOCKNAHEENY**

That Cork Corporation ask the E.S.B. to carry out a survey in Knocknaheeny and in particular Killala Gardens in relation to the provision of adequate lighting. We have had a situation over the past couple of months where roads and streets have been left in darkness for months on end, which has left some residents in fear of leaving their homes by night in fear of being attacked.”

(Proposer:- Comhairleoir Ml. O’Connell – 01/200)
- Roads Transportation & Safety Committee

1.7 **PROPER INTEGRATION OF TENANTS**

That Cork Corporation in an effort to achieve proper integration of tenants would limit at 20% the number of houses that the Corporation would purchase in any private estate.

(Proposer:- Comhairleoir D. Wallace – 01/202)
- Housing & Community Services– Strategic Policy Committee

1.8 **FORUM ON FLOURIDATION**

That Cork Corporation heed the findings of the Forum on Flouridation and act accordingly in the interests of the safety of the people of Cork and the rest of the country.”

(Proposer:- Comhairleoir K. Lynch – 01/203)
- Environment – Strategic Policy Committee

1.9 **RESIDENTS ONLY PARKING ZONES**

That this Council recommends to the Manager the desirability to investigate and establish, in consultation with the residents, the need for Resident only Parking Zones surrounding the Cork Institute of Technology, including Glencairn Estate, Rossa Avenue, and Uam Var, and University Hospital, including Wilton Avenue, Bishopstwon Avenue, Laburnum Park, ensuring the highest possible quality of life for Residents living in these car saturated areas.”

(Proposer:- Comhairleoir B. Bermingham – 01/204)
- Roads Transportation & Safety Committee

1.10 **BYE-LAW FOR WHEELCHAIR ACCESSIBILITY**

That Cork Corporation would introduce a bye-law which would require every premises in the City Centre to be wheelchair accessible.”

(Proposer: Comhairleoir K. Lynch – 01/205)
- Development & Planning – Strategic Policy Committee

1.11 **BALLINCOLLIG BY-PASS**

That Cork Corporation in accordance with the wishes of the residents of Bishopstown would support the change of plan to the Ballincollig By-Pass to include a road from Deasy’s Bridge to Inchigaggin with a slip road to Cork Institute of Technology. That the Corporation would co-operate with other public bodies eg. Cork County Council, C.I.T., etc to the purchase of the extra land needed for the construction of the proposed roads.

(Proposer:- Comhairleoir M. Shields – 01/206)
- Roads Transportation & Safety Committee

1.12 **CLOSURE OF ALL PROBLEM PRODUCING PEDESTRIAN WAYS**

That a submission be made to the Department of the Environment for sufficient funding to carry out a City Wide closure of all problem producing pedestrian ways as with the present approach it will take too many years to achieve our objective.”

(Proposer:- Seanoir J. Dennehy T.D. – 01/207)
- Roads Transportation & Safety Committee

1.13 **DEANWOOD AVENUE**

That Deanwood Avenue, Togher Road be included in next years resurfacing programme.

(Proposer:- Seanoir J. Dennehy T.D. – 01/208)

- Roads Transportation & Safety Committee

1.14 **RESURFACING SILVERHEIGHTS AVENUE**

That Cork Corporation make provision in the 2002 Estimate of Expenses for resurfacing Silverheights Avenue, Silverheights Drive and Silverheights Road as all three are now subject to increased traffic flows and are deteriorating quite rapidly.”

(Proposer:- Comhairleoir T. Brosnan – 01/211)

- Roads Transportation & Safety Committee

1.15 **IMBALANCE OF PUBLIC HOUSING IN CITY AREAS**

That Cork Corporation would for the foreseeable future concentrate its house purchasing on the southside of the city in order to redress the present imbalance in the location of public housing.”

(Proposer:- Comhairleoir T. Brosnan – 01/212)

- Housing & Community Services – Strategic Policy Committee

1.16 **VEHICLE WEIGHT RESTRICTION**

That a general vehicle weight restriction limit be placed on all residential roadways within this city.

(Proposer:- Comhairleoir D. Boyle – 01/213)

- Roads & Transportation – Strategic Policy Committee

1.17 **REGISTER OF ALL TELECOMMUNICATION STRUCTURES IN THE CITY**

That this Council produce a public register of all telecommunication structures (masts and antennae) that exist in this city, highlighting the appropriate planning status of each structure.

(Proposer:- Comhairleoir D. Boyle – 01/214)

- Planning & European Affairs Committee

1.18 **PAINTING OF OVER-HEAD RAILWAY BRIDGE, LOWER GLANMIRE ROAD**

That Iarnród Éireann be requested to paint the over-head railway bridge on the Lower Glanmire Road in bright fluorescent colours, which will be clearly visible to drivers of lorries and large vehicles.”

(Proposer:- Comhairleoir J. Kelleher – 01/215)

- Roads Transportation & Safety Committee

AN CATHAOIRLEACH