

**MINUTES OF ORDINARY MEETING OF CORK COUNTY BOROUGH
COUNCIL HELD ON 24TH SEPTEMBER, 2001**

- PRESENT:-** An t-Ard-Mhéara, Comhairleoir T. O'Driscoll
- NORTH EAST:** Comhairleoirí T. Brosnan and. B. Kelleher T.D.
- NORTH CENTRAL:**Seanoir N. O'Flynn T.D., Comhairleoirí K. Lynch, D. Wallace and C. O'Leary
- NORTH WEST:** Seanoir D. McCarthy, Comhairleoirí C. Burke, Ml. O'Connell and J. O'Brien.
- SOUTH EAST:** Seanoir T. Shannon, Comhairleoirí D. Clune T.D., J. Corr, J. O'Flynn and J. Minihan.
- SOUTH CENTRAL:**Seanoir C. O'Connell, Comhairleoirí S. Martin and D. Boyle.
- SOUTH WEST:** Seanoir J. Dennehy T.D., Comhairleoirí M. Shields, M. Ahern, B. Bermingham and P.J. Hourican
- ALSO PRESENT:** Mr J. Gavin, City Manager & Town Clerk
Mr M. Riordan, Director of Services, Corporate Affairs
Mr D. O'Mahony, Director of Services, Environment Dept.
Mr Ml. O'Brien, Snr. Engineer, Environment Dept.
Mr Jack O'Leary, Snr. Engineer, Water Dept.
Ms. B. Dillon-Hall, Snr. Exec. Officer
Mr. G. O'Sullivan, Admin. Officer, Town Clerk's Dept.

Apology received from:- Comhairleoir D. Counihan

An t-Ard-Mheára recited the opening prayer.

1.1 VOTES OF SYMPATHY

An Chomhairle unanimously extended the following votes of sympathy:-

To the wife and family of the late Anthony Dineen, Sandown Crest., Togher.

To the O'Flynn family, Church Road, Carrigtwohill on the death of their father Donal.

An Chomhairle also stood in silence in honour of the memory of the victims of the New York atrocities.

1.2 VOTE OF CONGRATULATIONS

An Chomhairle unanimously extended a vote of congratulations to Nemo Rangers U-21 Football team on winning the County Championship.

1.3 **CIVIC RECEPTIONS**

An Chomhairle unanimously agreed to host civic receptions for the following:-

The Cork Minor Hurling Team on the occasion of their All-Ireland success.

Comhaltas Ceolteoirí Eireann on the occasion of their anniversary (November).

2. **MINUTES**

Minutes of Ordinary Meeting of An Chomhairle held on 10th September 2001 were considered and approved.

3. **QUESTION TIME**

3.1 **RED ABBEY**

In response to question submitted by Comhairleoir S. Martin, the following written reply was circulated which stated that the proposals have already been submitted to Council on 17th May 2001 for information on funding being sought under the City Regeneration sub-measure of The Urban & Village Renewal Measure under the Southern and Eastern Operational Programme 2000-2006. This funding was approved by the Department of Environment & Local Government. The measure includes the proposal for work to be carried out at Red Abbey, as outlined in the submission, i.e. drawing up a re-paving, landscaping and public lighting scheme appropriate to the setting of a national monument, and it's use as an amenity area.

At present work is ongoing on drawing up an appropriate scheme, and consultation with local residents will take place before the scheme is finalized which should be in about 3 weeks time.

3.2 **TAKING OVER OF PRIVATE ESTATES**

In response to question submitted by Comhairleoir D. Counihan, the following written reply was circulated which stated that no open spaces have been taken-in-charge by the Corporation under the Roads Act 93.

The provisions of the Roads Act 93 do not allow for the Corporation to take open spaces in charge. The provisions of Section 11 of the Roads Act, 1993 relating to the `Taking in Charge` of roads do not include open spaces. The position will be rectified when section 180 of the Planning & Development Act, 2000 is brought into effect.

In this regard, please note that a Commencement Order in respect of this section has yet to be made by the Minister for the Environment & Local Government.

3.3 **FOOT BRIDGE FOR MERCHANTS QUAY**

In response to question submitted by Comhairleoir L. Burke T.D., the following written reply was circulated which stated that the Master Plan for the Docklands Development is due to come before Council in October this year.

It is recommended that consideration of the above pedestrian bridge be deferred until Council has considered this Plan.

3.4 **CONSULTATION IN REGARD TO CLAMPING**

In response to question submitted by Comhairleoir J. Minihan, the following written reply was circulated which stated that Cork Corporation has been aware for some time that our Parking Enforcement Policy needed strengthening. It has become apparent to us that the £15 parking ticket was becoming less and less effective as £15 has become a very affordable sum of money in recent years for many motorists.

This had led to increased levels of non-compliance, which has had a number of negative effects:

- a) A reduction in the turnover of parking spaces, thereby causing difficulty for people wanting to transact business in the city
- b) A reduction in income from Pay Parking which is used to fund other works as well as paying for the operation and maintenance of the parking system
- c) Problems with traffic flow due to obstruction by illegally parking vehicles
- d) Problems with commercial deliveries.

We have, in recent years, received representations from various quarters regarding the extent of illegal parking and the lack of enforcement. In fact the Cork Business Association and the Chamber of Commerce made their dissatisfaction regarding enforcement known to the Manager on a number of occasions.

In line with standard practice in other countries and also in Dublin and Galway it was decided to introduce tow-away and clamping in an effort to improve compliance and address the problems mentioned above.

Tow-away was introduced in June 2000 and was used solely for obstruction offences. Generally speaking, tow-away would be deemed too punitive for pay parking offences. The introduction of the tow-away was announced through advertising in the newspapers and on the radio. Queries by the public following this advertising were dealt with by the Traffic Section. Queries were not received from either the Cork Business Association or the Chamber of Commerce.

The issue of compliance with the pay parking bye-laws was still to be dealt with and this had now been done through the introduction of clamping. Bearing in mind the representations which had been made by these two bodies and their apparent acceptance of the effectiveness of the tow-away it was genuinely considered that they would find the introduction of clamping acceptable. As a result we did not consult directly with either body but we did advertise its introduction extensively:

- a) Details were carried in local newspapers on a number of occasions
- b) A local radio station carried considerable coverage and in fact devoted an entire programme to the subject on which a representative from the Traffic Section outlined the reasons for the introduction of clamping and the way in which it would be operated
- c) 1,600 warning notices were issued to illegally parked vehicles over a four week period which drew considerable media reaction.

During this time no direct representations were received from either the Cork Business Association or the Chamber of Commerce regarding reservations they seem to have. It is however accepted that representations were received from elected representatives.

Tenders were not sought for the current Clamping contract for the following reasons:

- a) From both an economic and operational point of view it is desirable to have tow-away and clamping carried out by one contractor. As there was a tow-away contract in place, which had been awarded as a result of a public tender, it was decided to negotiate a short term clamping contract with the tow-away contractor. Both contracts expire on the 31st December 2001.
- b) A short-term contract also gives us an opportunity to evaluate the operation and make any changes we consider necessary or desirable when going for a longer- term contract.

We intend seeking tenders in the coming months for a long term (3 to 5 years) contract for tow-away and clamping. This contract will commence on 1st January 2002.

3.5 **DEANROCK ESTATE, TOGHER**

In response to question submitted by Comhairleoir D. Clune T.D., the following written reply was circulated which stated that the overall position in relation to anti-social behaviour is being reviewed after the recent High Court decision which found that the action taken by Cork Corporation was valid and proper.

The specific procedures currently being implemented in relation to Deanrock are as follows:

- (a) A Forum has been set up between the Residents Association and Housing Personnel to explore ways of using housing as a means to encompass social inclusion.
- (b) Where unruly behaviour by members of households is accepted as causing a nuisance and/or danger, an exclusion order against these people will be sought and, if granted will be implemented.
- (c) Other cases of anti-social behaviour of a more serious nature are currently being examined and if sufficient evidence can be established, court proceedings will be instituted.
- (d) The Tenant Liaison Officer is being used to improve the relationship between the tenants and the Housing Officials and regular review meetings are taking place.

3.6 **GMS BASE STATION, MUSGRAVE PARK**

In response to question submitted by Seanoir C. O'Connell, the following written reply was circulated which stated that an Enforcement Notice under Section 31 of the Local Government (Planning & Development) Act 1963 has been served upon Meteor Mobile Communications, Esat Digifone and the Munster Branch of the I.R.F.U. directing them to remove the unauthorised telecommunications antennae and ancillary equipment before 5th October, 2001.

Both Meteor Mobile Communications and Esat Digifone have lodged Planning applications (ref. T.P.25331/01 & T.P.25536/01) to retain the said equipment. These applications are being considered at present and decisions thereon are anticipated within the next fortnight.

3.7 **LIST THE NUMBER OF CARS THAT HAVE BEEN CLAMPED**

In response to question submitted by Comhairleoir T. Brosnan, the following written reply was circulated which stated that clamping was introduced on the 29th August after a four week warning period. From that date up to 15th September a total of 175 vehicles were clamped – an average of 11 per day. The following is a breakdown of the various types of offences involved.

Bus Stop	12
Pedestrian Street	8:
Within 5metres of junction	9 Note: In cases of substantial risk to pedestrians the vehicle would be removed rather than clamped.
Vehicular entrance	7 Note: It is policy to remove vehicles for this offence on foot of a complaint from the property owner. Clamps were put on in these situations with the knowledge of the owner and most were promptly removed to the pound. A few motorists did return before the tow truck arrived and these were then released on payment of the clamping fee.
Pedestrian Crossing	18 Note: In cases of substantial risk to pedestrians the vehicle would be removed rather than clamped.
Footpath	5 Note: In cases of substantial risk to pedestrians the vehicle would be removed rather than clamped.
'No Parking' Sign	21
Double Yellow Lines	6
Loading Bay	3
	2.
No Parking Disc	39 Note: A minimum of 30 minutes grace is given to vehicles not displaying a parking disc. To date all vehicles clamped for this offence have had <u>a minimum of one hours grace</u>

Expired Parking Disc

44 Note: A minimum of 45 minutes grace is given to vehicles with an expired disc. To date all vehicles clamped for this offence have had a minimum of one hours grace

Disabled Bay

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Summary

Disc Parking Offences (with minimum of one hour's grace)	83 (47%)
Other Offences	92 (53%)

It should also be borne in mind that 'Other Offences' are also dealt with by the towaway. When this is taken into account the percentages are:-

Disc Parking	26%
Other Offences'	74%

3.1 EXTENSION TO HOUSES FOR DISABILITY AND OVERCROWDING

In response to question submitted by Comhairleoir K. Lynch, the following written reply was circulated which stated that Claims for recoupment of expenditure of £1,241,408.27 are currently being processed by the Department of the Environment & Local Government in respect of extensions to Local Authority dwellings. Having contacted the Department of the Environment & Local Government, I can confirm that these claims are being dealt with.

Currently there are 11 no. applications for extensions being considered. 22 no. cases have been approved and will now be brought forward to construction.

3.2 KINSALE ROAD LANDFILL

- (a) In response to question submitted by Seanoir T. Shannon, the following written reply was circulated which stated that the ponds in question form part of the infrastructural development required by EPA licence.
- (b) Pond adjacent to Nemo Rangers pitches is to accommodate reed beds and surface water retention pond. This facility is under construction at present.
- (c) Ponds in centre of site.
This pond (divided into 3 cells) is for leachate storage prior to pretreatment. This facility will have a floating cover in place prior to commissioning. (Area of this site is approximately 1 acre).

3.3 **NUMBER OF NEW TAXIMETER PLATES**

- In response to question submitted by Comhairleoir D. Boyle, the following written reply was circulated which stated that **Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations ,2000** came into effect on 21 November 2000.
- To date Cork Corporation have issued **253** new Taxi Plates (this figure includes **9 Wheelchair Accessible Taxi Plates**)
- **Year of Manufacture of vehicles licensed:**

Year of Manufacture:	No. of Vehicles:
2001	12
2000	31
1999	20
1998	30
1997	23
1996	36
1995	34
1994	21
1993	22
1992	14
1991	4
1990	2
1989	1
1988	2
PRE 1987	1
TOTAL	253

4. **PROPOSED DISPOSAL OF SITE AT SOUTH CITY LINK ROAD**

An Chomhairle considered disposal of site at South City Link Road to Leeway 20/20 for the purpose of providing a Material Recovery Facility and ancillary waste management services. A discussion took place on the matter and at its conclusion City Manager addressed Council and stated that while he fully understands concerns of local residents, he noted also that Council had taken a formal decision in March of 2000 to proceed with a Material Recovery Facility on the Kinsale Road Site. He then advised Council, in accordance with his legal obligations, that in the event of any financial loss arising from a decision not to proceed with the disposal that members voting against the disposal may be liable to surcharge.

Members speaking against the disposal referred to earlier commitments which they said were given to residents in the Kinsale Road area who had long suffered from the impact of the Landfill there. With regard to the Resolution passed by the Council in March 2000, the members said that they misunderstood the nature of the proposed facility.

A vote was then called on the proposed disposal where there appeared:-

FOR:- Comhairleoirí C. Burke and P.J. Hourican - 2

AGAINST:- An tArd-Mheára, Seanoirí N. O'Flynn T.D., D. McCarthy, T. Shannon, C. O'Connell and J. Dennehy T.D., Comhairleoirí T. Brosnan, B. Kelleher T.D., K. Lynch, D. Wallace, C. O'Leary, M. O'Connell, J. O'Brien, D. Clune T.D., J. Corr, J. O'Flynn, J. Minihan, S. Martin, D. Boyle, M. Shields, M. Ahern and B. Bermingham - 22

An tArd-Mheára declared that the decision of An Chomhairle is that the disposal shall not be carried out.

5. **PROPOSED VARIATION (NO.2) TO THE CORK CITY
DEVELOPMENT PLAN REVIEW 1998 FOR THE PURPOSE OF
INSERTION OF THE CORK PLANNING AUTHORITIES JOINT
HOUSING STRATEGY**

An Chomhairle agreed to defer consideration of this matter to its next Ordinary Meeting.

6. **DISPOSALS**

An Chomhairle approved the following disposals of land:-

(i) Property Disposals

- (a) Plot of ground adjacent to 10, Parklea Court, Model Farm Road, Cork to Bridget O'Donovan c/o Paul O'Donoghue & Solicitors for the sum of £100.00 plus costs.
- (b) Site approx. 2.67 Hectares and grant of right of way over lands situated at Carrigrohane Road, Cork to the Trustees of Casement Celtic Football Club by way of a sporting lease for 99 years at an annual rent of £5.00 per annum.
- (c) Disposal of fee simple of premises situated at Centre Park Road, Cork to Maxol Limited c/o Alva Rice, Rice Jones, Solicitors, 29, Dawson Street, Dublin 2 for the sum of £85,000.00.
- (d) Site approx. 19.5 sq. metres situated adjacent No. 19, Glenryan Road, Cork to Eugene Barrett c/o Colm Burke, Solicitors, Washington Street, Cork for the sum of £250.00 plus costs.

(ii) Fee Simple Interest

GR2262 – 2, St. Theresa's Road, Off Cathedral Road, Cork

Acquired under the Griffin Estate C.P.O 1944 from George William Dunscombe, Larkfield, Killiney, Co. Dublin by Deed of Conveyance dated the 22nd of February, 1946.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to Denis Varian of that address for the sum of £5.00 plus costs. Disposal will be by way of Transfer Order.

GR2973 – 61, Edward Walsh Road, Togher, Cork

Acquired under Housing Order No. 1 of 1959 from Patrick Long, Ardmanning, Togher, Cork by Deed of Transfer dated the 10th of February, 1961.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to Bridie McSweeney c/o Moynihan, Mulvihill & Co., Solicitors, 6, Cornmarket Street, Cork for the sum of £5.00 plus costs. Disposal will be by way of Transfer Order.

GR2986 – 161, Cathedral Road, Cork

Acquired under 1933 Housing Order from Henry Cecil Franks, Westfield, Monrath, Co. Laois by Deed of Conveyance the 28th of May, 1945.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to John O'Sullivan c/o O'Flynn Exhams & Partners, Solicitors, 58, South Mall, Cork for the sum of £5.00 plus costs. Disposal will be by way of Transfer Order.

GR2982 – 22, Hazel Road, Togher, Cork

Acquired under Deanrock/Vicars Avenue C.P.O. No. 3 of 1965 from Henry Walton Hosford, Classis, Ballincollig, Co. Cork by Deed of Conveyance dated the 20th of May, 1968.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to Daniel and Eileen Healy c/o Noonan Linehan Carroll Coffey, Solicitors, 54, North Main Street, Cork for the sum of £5.00 plus costs. Disposal will be by way of Transfer Order.

GR2977 – 20, Closes Road, Fairhill, Cork

Acquired by Agreement from Frederick J. Sheedy, 41, St. Georges Court, Kensington, London W7 by Deed of Conveyance dated the 18th of January, 1939.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to Michael Horgan c/o J. W. O'Donovan, Solicitors, 53, South Mall, Cork for the sum of £5.00 plus costs. Disposal will be by way of Transfer Order.

GR2978 – 5, Plunkett Road, Ballyphehane, Cork

Acquired under the Housing Order No. 1 of 1951 from James F. Hennessey and Frances Hennessey, 12, Georges Quay, Cork by Deed of Transfer dated the 11th of July, 1956.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to Edward and Mary Domeney c/o P. J. O'Driscoll & Sons, Solicitors, 73, South Mall, Cork for the sum of £5.00 plus costs. Disposal will be by way of Transfer Order.

GR1581 – 19, St. Philomena’s Road, Cathedral Road, Cork

Acquired under the Griffin Estate C.P.O. 1944 from George Wm. Dunscombe, Larkfield, Killiney, Co. Dublin by Deed of Conveyance dated the 22 of February, 1946.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to Elmarie Cronin and Martin Collins c/o Patricia Mallon & Co., Solicitors, 13, Sheares Street, Cork for the sum of £5.00 plus costs. Disposal will be by way of Transfer Order.

GR2944 – 2, Popham’s Road, Farranree, Cork

Acquired by Agreement from Timothy Murphy, 2, Lucan Place, Western Road, Cork by Deed of Transfer dated the 20th of November, 1936.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to Noreen McCarthy c/o Daly Derham & Co., Solicitors, 32, Washington Street, Cork for the sum of £5.00 plus costs. Disposal will be by way of Transfer Order.

GR2795 – 73, Spring Lane, Blackpool, Cork

The Superior Leasehold Interest of No. 73, Spring Lane, Blackpool, Cork was acquired by the Corporation by Agreement from Gouldings Chemical Ltd., Fitzwilton House, Wilton Place, Dublin by Deed of Assignment dated the 15th of January, 1982.

It is proposed to dispose of the leasehold interest of the above-mentioned premises to Kathleen O’Brien c/o Henry P.F. Donegan & Son, Solicitors, 74, South Mall, Cork for the sum £100.00 plus costs. Disposal will be by way of normal assignment.

7. PLANNING AND DEVELOPMENT FUNCTIONAL COMMITTEE

7.1 HOUSING ESTATES

In accordance with the recommendation of the Planning and Development Functional Committee from its meeting held on 17th September 2001, An Chomhairle approved the report of the Director of Services (City Engineer) for Roads & Transportation ‘Housing Estates – September 2001’ dated 13th September 2001.

7.2 **BYE-LAWS IN RELATION TO WHEELCHAIR ACCESS IN THE CITY CENTRE**

In accordance with the recommendation of the Planning & Development Functional Committee from its meeting held on 17th September 2001, An Chomhairle approved the report of the City Manager and Town Clerk dated 13th September 2001 on the following motion which was referred to the Committee by An Chomhairle:-

“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)

The report stated that the Building Regulations 1997/2000 (**Part M**) provide for wheelchair access in new and alterations to existing buildings. While it is a very commendable objective to require every premises in the city centre to be wheelchair accessible, in practical terms it would not be feasible due to the physical constraints involved.

7.3 **SUBMISSION OF ENVIRONMENTAL IMPACT STATEMENT IN RESPECT OF THE DEVELOPMENTS AT THE GOOD SHEPHERD CONVENT**

In accordance with the recommendation of the Planning & Development Functional Committee from its meeting held on 17th September 2001, An Chomhairle approved the report of the City Manager and Town Clerk dated 13th September 2001 on the following motion which was referred to the Committee by An Chomhairle:-

“That Cork Corporation calls on the developers of the Good Shepherd Convent who have already obtained full planning permission under Planning Reference T.P. 24660/00 and who have submitted a further two applications for further development, to prepare a detailed Environmental Impact Study which should be submitted to the Planning Department, Cork Corporation prior to any further Planning Permissions being granted.”

(Proposer: Comhairleoir C. Burke – Ref. 01/193)

The report stated that three planning applications have been received in respect of the Good Shepherd Convent property at Convent Avenue, Sundays Well, Cork.

These are summarised as follows:

- T.P.24660/00 - Permission was granted for 99 no. apartments in November 2000 subject to conditions. This decision was not appealed to An Bord Pleanála.
- T.P.24748/00 - Permission was sought on the 8th November 2000 for 18 no. apartments in a new structure. The existing Good Shepherd Home was to be converted to provide an additional 4 no. apartments. An Environmental Impact Statement was submitted with this application.
- T.P.24763/00 - Permission was sought on the 17th November, 2000 for 35 no. apartments. This application was deferred for Further Information in February, 2001. An Environmental Impact Statement was received in respect of this application.

The site area of the entire Good Shepherd lands is approximately 3 hectares.

The European Communities (Environmental Impact Assessment) Regulations 1999 require an Environmental Impact Statement to be submitted for sites having an area exceeding 10 hectares in built up areas, and for residential developments in excess of 500 units. Discretionary powers are available to Planning Authorities in respect of developments which approximate (but do not exceed) the mandatory thresholds. Given that these thresholds were not exceeded or were not in close proximity by any or all of the above applications, it is not within the statutory power of Cork Corporation to ask for mandatory E.I.S. to be submitted in respect of these developments at Good Shepherd Convent.

7.4 **CONDITION OF PLANNING IN RESPECT OF THE SALE OF CAR PARKING SPACES**

In accordance with the recommendation of the Planning & Development Functional Committee from its meeting held on 17th September 2001, An Chomhairle approved the report of the City Manager and Town Clerk dated 13th September 2001 on the following motion which was referred to the Committee by An Chomhairle:-

“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)

The report stated that the Corporations car parking policies and standards relating to residential developments are contained in paragraph 7.8 of the 1998 Cork City Development Plan Review. The Plan states that where provided for inner city apartments that such car spaces shall be for the use of occupants of the apartments and shall not be rented out to non-residents.

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

An Chomhairle considered the recommendation from the Planning & Development Functional Committee from its meeting held on 17th September 2001 that An Chomhairle approve the report of the City Manager & Town Clerk dated 13th September 2001 on the following motion which was referred to the Committee by An Chomhairle:-

“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)

Following discussion it was agreed on the proposal of Comhairleoir Boyle, seconded by Comhairleoir Lynch to write to the regulator to seek the information referred to in the motion.

8. **ENVIRONMENT FUNCTIONAL COMMITTEE**

8.1 **SANITARY AND OTHER SCHEMES**

In accordance with the recommendation of the Environment Functional Committee from its meeting held on 17th September 2001, An Chomhairle noted the report of the Director of Services on Sanitary and other schemes for month of July and August 2001.

8.2 **ENVIRONMENT STATUS REPORT**

In accordance with the recommendation of the Environment Functional Committee from its meeting held on 17th September 2001, An Chomhairle approved the Environment Status Report. The report covered the main areas of activity in the Environment Section and included a detailed report on air quality for the year 2000/2001.

8.3 **BRING SITES**

In accordance with the recommendation of the Environment Functional Committee from its meeting held on 17th September 2001, An Chomhairle noted the report on provision of Bring Sites and recycling matters generally.

8.4 **UNWANTED CARS**

In accordance with the recommendation of the Environment Functional Committee from its meeting held on 17th September 2001, An Chomhairle approved the report of the Director of Services dated 13th September 2001 on the following motion which was referred to the Committee by An Chomhairle:-

“That this Council establish a drop-off depot in the City where people can bring unwanted cars.”

(Proposer:-Comhairleoir J. O’Brien – 01/197)

The report stated that if a drop off depot was put in place the following items would have to be attended to: Procurement of a suitable site; Planning Permission; probably a Permit under the Waste Management Act 1996; Securing and developing the site; Operating the site in accordance with relevant Legislation, in particular with Planning Permission and Waste Permit, Water Pollution Act; Setting up a staffing and operation regime; Delivery of vehicles to scrap merchants or other facilities; Funding for procurement and continued operation.

There are merchants operating in the Cork City area, who collect abandoned cars and deliver them to dismantlers and scrap merchants. Also, unwanted cars can be delivered directly by the owners to dismantlers or scrap merchants.

The setting up of a drop off depot for unwanted cars would introduce an unnecessary element in the arrangements for dealing with unwanted or abandoned cars.

The procurement and operation of a drop off depot for unwanted cars by Cork Corporation would be an intervention in an activity, which is not necessary and not its responsibility furthermore the cost of setting up and operating such a facility cannot be justified.

Accordingly I do not recommend that Cork Corporation establish a drop off point. However, I will keep the matter under review.

8.5 **WASTE MANAGEMENT**

An Chomhairle considered the following motion which was referred to it for discussion from the meeting of the Environment Functional Committee held on 17th September 2001:-

“That this Council express its extreme disappointment at the failure of the government, through the Department of the Environment and Local Government to instigate successful policies in the areas of Waste Management, Greenhouse Gases Reduction, Water Quality and Local Government Reform.”

(Proposer:-Comhairleoir D. Boyle – 01/195)

On the proposal of Comhairleoir Boyle, seconded by Comhairleoir Lynch, An Chomhairle adopted the motion.

8.6 **TO AMEND THE HEALTH (FLUORIDATION OF WATER SUPPLIES) ACT 1960**

An Chomhairle considered the following motion which was referred to it for discussion from the meeting of the Environment Functional Committee held on 17th September 2001:-

“That Cork Corporation would call on the Government and Minister for Health to amend the Health (Fluoridation of Water Supplies) Act 1960, so as to allow the local authorities to make the final decision on whether drinking water should be fluoridated.”

(Proposer:- Comhairleoir K. Lynch – 01/218)

On the proposal of Comhairleoir Lynch, seconded by Comhairleoir Boyle, An Chomhairle adopted the motion.

8.7 **REPEAL THE HEALTH (FLUORIDATION OF WATER) ACT**

An Chomhairle considered the following motion which was referred to it for discussion from the meeting of the Environment Functional Committee held on 17th September 2001:-

“That this Council accords with the views expressed and agreed by Kildare and Meath County Councils that the government repeal the Health (Fluoridation of Water) Act.”

(Proposer:- Comhairleoir D. Boyle – 01/250)

An Chomhairle agreed on the proposal of Comhairleoir Boyle seconded by Comhairleoir Lynch to write to the Minister on the matter in accordance with the terms of Motion 01/218.

8.8 **WASTE MANAGEMENT (AMENDMENT) ACT**

An Chomhairle approved the following motion which was referred to it from the meeting of the Environment Functional Committee held on 17th September 2001:-

“That this Council urgently debate the decision of the City Manager to invoke the Waste Management (Amendment) Act to institute this Council’s Waste Management Plan, without any further recourse to the elected members of this Council”

(Proposer:- Comhairleoir D. Boyle - 01/270)

8.9 **CMP DAIRY**

An Chomhairle considered the following motion which was referred to it for discussion from the meeting of the Environment Functional Committee held on 17th September 2001:-

“That this Council express its deep disappointment at the decision of CMP Dairy to cease glass milk bottle production, recognising this decision as being extremely retrograde, that will add significantly and unnecessarily to the mountain of waste which this City has to deal with, and that further this Council should seek to convince CMP Dairy to reverse this wrong decision.”

(Proposer Comhairleoir D. Boyle – 01/271)

An Chomhairle agreed on the proposal of Comhairleoir Boyle, seconded by Comhairleoir Lynch to write to CMP expressing regret at its decision to cease glass milk bottle production.

9. **NOMINATION OF MEMBERS TO RECREATION, AMENITY AND CULTURE FUNCTIONAL COMMITTEE**

An Chomhairle agreed the nomination of the following members to the Recreation, Amenity and Culture Functional Committee:-
Seanoirí T. Shannon, M. Quill and C. O’Connell and Comhairleoirí D. Clune T.D., B. Allen T.D., P.J. Hourican, B. Bermingham, S. Martin, T. Brosnan, D. Wallace, B. Kelleher T.D., J. Kelleher, M. Ahern, M. O’Connell and D. Boyle.

10. **CORRESPONDENCE**

Correspondence as circulated was noted.

11. **CONFERENCES**

An Chomhairle approved the attendance at the following Conferences

11.1 **BLACKWATER VALLEY TOURISM**

An Chomhairle approved the attendance of Seanoirí D. McCarthy and C. O'Connell, Comhairleoirí L. Burke T.D. and M. O'Connell at the Blackwater Valley Tourism held on 21st – 23rd September 2001.

11.2 **SERVICE FOR PEOPLE WITH DISABILITY**

An Chomhairle approved the attendance of Comhairleoirí D. Wallace and C.O'Leary at the Service for People with Disability Conference to be held at Co. Cavan on 3rd – 4th October 2001.

11.3 **GETTING BEST VALUE FROM PUBLIC ENTERPRISE**

An Chomhairle approved the attendance of Comhairleoirí D. Wallace and C.O'Leary at the Getting Best Value from Public Enterprise Conference to be held at Letterkenny, Co. Donegal on 7th – 9th October 2001.

11.4 **WASTE MANAGEMENT CONFERENCE**

An Chomhairle approved the attendance of Comhairleoir T. Brosnan at Waste Management Conference to be held at Community Centre, Cloone, Co. Leitrim on 12th – 13th October 2001.

11.5 **LOCAL GOVERNMENT ACTION FOR THIRD WORLD DEVELOPMENT**

An Chomhairle approved the attendance of Comhairleoir T. Brosnan and Comhairleoir M. Shields at Conference on Local Government Action for Third World Development to be held at Killaloe, Co. Clare on 4th – 6th October 2001.

11.6 **GLOBAL WARMING**

An Chomhairle approved the attendance of Comhairleoir M. Shields at Global Warming Conference to be held at Carrick-on-Shannon on 19th October 2001.

12. **MOTIONS**

The following motions due notice of which had been given were referred to the next meeting of the appropriate Committee for reports;-

12.1 **RESURFACING ON SOUTH DOUGLAS ROAD**

“That the Roundabout intersecting with Capwell Road and South Douglas Road be resurfaced and also the junction of Curragh Road, South Douglas Road and Evergreen Road be resurfaced.”

(Proposer: Comhairleoir S. Martin – Ref. 00/232)
- Roads Functional Committee

12.2 **BEAUMONT COTTAGES**

“That Cork Corporation would provide funds in the Estimates 2001-2002 to enable the re-surfacing of the entire road network in Beaumont Cottages, Ballintemple, be carried out. Also to cut back the green area and install capping stones around its margin. This work was promised to be undertaken by officials of the Corporation to both residents and myself in February of 2000 and is now urgently in need of attention”.

(Proposer:- Seanoir T. Shannon – 01/225)
- Roads Functional Committee

12.3 **POINTS SYSTEM FOR ALLOCATION OF HOUSES AND FLATS**

“That Cork Corporation introduce a points systems for the allocation of houses and flats. Each person on the housing list should know where they rank on the list and approximately how long they will be waiting to be accommodated.”

(Proposer:- Seanoir T. Shannon – 01/246)
- Housing – Strategic Policy Committee

12.4 **BYE-LAWS FOR HEDGE GROWTH AND TREE GROWTH**

“That Cork Corporation institute a policy in relation to hedge growth and tree growth, whether we institute by-laws covering height or make policy in relation to cutting of overgrown hedging in private or rented accommodation that the owner is made liable or charged accordingly by Local Authority for work done.”

(Proposer:- Comhairleoir S. Martin – 01/256)
- Environment –Strategic Policy Committee

12.5 **HETTYFIELD MEWS**

“That Cork Corporation would provide appropriate signage to ensure motorists are aware of the concealed exit from Hettyfield Mews at the junction of Lake Lawn/Well Road, Douglas, Cork.”

(Proposer:- Comhairleoir D. Clune T.D. – 01/264)
- Roads Functional Committee

12.6 **TRAFFIC LIGHTS FOR NUNS
WALK/CLAREVILLE/REENDOWNEY PLACE JUNCTION**

“That the Roads Engineering Department examine the traffic situation at the Nuns Walk/Clareville/Reendowney Place junction with a view to installing traffic lights as a means of stopping vehicles speeding through the junction and ignoring the white road lines, which are now almost non-existent.”

(Proposer:- Seanoir J. Dennehy T.D. – 01/265)
- Roads Functional Committee

12.7 **HORGANS BUILDINGS**

“That Horgans Buildings be made a cul-de-sac area.”

(Proposer:- Seanoir D. McCarthy – 01/267)
- Roads Functional Committee

12.8 **CORK AIRPORT**

“That Council, in light of the publication by the Commission for Aviation Regulation of the maximum levels of Airport charges that may be levied by the Airport Authority (Aer Rianta) in respect of Dublin, Shannon and Cork Airports, requests the Minister for Public Enterprise Mary O’Rourke T.D. to intervene as follows:

1. Under Section 10 (L) of the Aviation Regulation Bill 2000, the Minister issue a directive to the Regulator that the published charges to Dublin Airport cannot be lower than Cork or Shannon.
2. Notes from the Regulator’s report that the Commissioner has failed to take account of the regional dimension and under Section 33(D) of the Aviation Regulation Bill 2000, the Minister should challenge the commission for failing to deal fairly with the contribution of Cork Airport to the Region:

3. And that Council co-ordinate a campaign with our colleagues from Clare to ensure that both Cork and Shannon Airports are not at a competitive disadvantage and that future infrastructural developments are not long fingered.”

(Proposer:- Comhairleoir J. O’Flynn – 01/278)
- Development & Planning – Strategic Policy Committee

12.9 **REVITALISATION PLAN FOR BLACKPOOL**

“In view of the recent report of the Blackpool Traders Association Ltd. which highlights the level of dereliction in the Blackpool area that Cork Corporation would appoint a designated officer to oversee the speedy implementation of the revitalisation plan for the area in consultation with local interests”

(Proposer:- Comhairleoir K. Lynch – 01/283)
- Planning & Development Functional Committee

12.10 **PEDESTRIAN CROSSING AT PARNELL TERRACE**

“That this Council agrees that pedestrian crossings at Parnell Terrace on the Pouladuff Road and at Bandon Road near the gates of the Lough Church be provided as a matter of urgency.”

(Proposer:- Seanoir C. O’Connell – 01/284)
- Roads Functional Committee

12.11 **RESURFACING OF IONA ROAD**

“That Cork Corporation make financial provision in the Estimate of Expenses for 2002 for the resurfacing of Iona Road, Mayfield.”

(Proposer:- Comhairleoir T. Brosnan – 01/285)
- Roads Functional Committee

12.12 **TO CURB ANTI-SOCIAL BEHAVIOUR**

“That this council recognises that all residents in “Council Estates” are entitled to live in a peaceful and tranquil environment. That this council recognises that 99% of residents in “Council Estates” contribute to such an environment. That this council also recognises that a very small number of residents of “Council Estates” engage in Anti-Social behaviour which seriously devalues the quality of life for their fellow residents and in many instances puts people lives and homes at risk.

That in the light of the above a forum be convened by Corporation Housing Officials, inviting Gardaí, Council Representatives and Officers of Residents Associations to set down measures to stop Anti-Social Behaviour.”

(Proposer:- Comhairleoir M. Ahern – 01/287)

- Housing –Strategic Policy Committee

12.13 **FAIR TRADE PROCUREMENT POLICY**

“That this Council adopt a Fair Trade procurement policy as advocated by Oxfam Ireland”

(Proposer:- Comhairleoir D. Boyle – 01/289)

- Development & Planning – Strategic Planning Committee

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