

**MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL HELD ON
MONDAY 11th FEBRUARY 2002**

- PRESENT:-** An tArd-Mheara, Comhairleoir T. O'Driscoll.
- NORTH EAST** Seanoir M.Quill, Comhairleoiri T. Brosnan, L. Burke T.D.
B. Kelleher T.D and J. Kelleher.
- NORTH CENTRAL** Comhairleoiri K. Lynch, B. Allen T.D.
and D. Wallace.
- NORTH WEST** Seanoir D, McCarthy, Comhairleoiri T. Falvey, C. Burke,
M.O'Connell, and J.O'Brien.
- SOUTH EAST** Seanoir T. Shannon, Comhairleoiri D. Clune T.D. J. Corr,
J. O'Flynn, D. Counihan, J. Minihan.
- SOUTH CENTRAL** Seanoir C. O'Connell, Comhairleoiri S. Martin D. Cregan,
D. Boyle.
- SOUTH WEST** Seanoir J. Dennehy T.D., Comhairleoiri M. Shields, M. Ahern,
B. Bermingham, P.J Hourican.
- ALSO PRESENT** Mr. J. Gavin, City Manager
Mr. M. Riordan, Director of Services Corporate Affairs
Mr. J. O'Donovan, Director of Services Planning & Development
Mr. T. Fleming
Ms. U. Ramsell, Senoir Staff Officer Corporate Affairs

An tArd Mheara recited the opening prayer.

1. **STATEMENT BY THE LORD MAYOR OF CORK**

The Lord Mayor read the following statement:-

Immigrants and Asylum Seekers

In the light of recent publicity relating to issues of Immigrants and Asylum Seekers, I am issuing the following statement as Lord Mayor and First Citizen of Cork.

The City Development Board led by the City Council has since April, 2000 been preparing an Integrated Strategy for the Economic, Social and Cultural Development of Cork which is now nearing completion. This Strategy sees Cork as a multi-faceted community with many, at times, competing identities. It emphasises the need to understand these communities if we are to build on our strengths and address our weakness.

Creating a sense of network and relationships between and across our many identities will strengthen the sense of “One City, Many Communities” that we want to nurture.

In this regard one of the central goals of the Strategy is that Cork will have a comfortable environment for all people irrespective of race, religion or culture. The strategy has an objective of raising the awareness of the contribution of existing and incoming communities to the city. Initiatives will be undertaken to inform and bring people together by highlighting the positive contribution which refugees, asylum seekers and other new communities can make to Cork.

A needs analysis of minority communities is to be undertaken based on best international practice. An integrated research partnership will be developed – work will include a community profile of immigrant groups in the city, a needs and services analysis for these groups and examination of existing models of best practice in other EU States.

The proper way forward in this whole area has to be based on discussion, understanding, generosity and partnership with property respect for the dignity of everyone involved.

These principles are incorporated in our Integrated Strategy for Economic, Social and Cultural Development and must be honoured.

An Chomhairle unanimously approved The Lord Mayors statement.

2. **ASYLUM SEEKER WORK PERMITS**

An Chomhairle approved the following Motion:

That Cork City Council ask the government to change the system and make it possible for Asylum Seekers to work, pending the outcome of their Application and to deal with applications more speedily.

(Proposer: Seanoir M. Quill)

3. **DELAY IN CRIMINAL TRIALS**

An Chomhairle approved the following Motion:

That this Council calls on the Minister for Justice to immediately review the delay in the Court System in dealing with criminal trials with a view to reducing the time period that people are detained in custody pending trial and that the Minister would arrange for the Court Services to put the appropriate proceedings in place forthwith.

(Proposer: Comhairleoir C. Burke)

3.1 **NON NATIONAL DOCTORS**

An Chomhairle approved the following Motion:

That this Council calls on the Minister for Health to extend the period of time that non national doctors can continue to practice in this country in particular that the

time involved be extended for over 300 doctors who will not be allowed to practice after 1st July 2002.

(Proposer: Comhairleoir C. Burke)

3.2 **RACISM AND INTERCULTURALISM**

An Chomhairle approved the following Motion:-

‘That this Council wholeheartedly endorse the protocol signed by the leaders of all political parties represented in Dail Eireann, presented by the National Consultative Committee on Racism and Interculturalism, seeking to ensure that elected public representatives refrain from comment that could be interpreted as inviting behaviour of a racist nature. In endorsing this protocol this Council further condemns recent comments from people associated with public life in this City that are a clear breach of these principles’.

(Proposer: D. Boyle Ref. 02/45)

4. **VOTE OF SYMPATHY**

An Chomhairle unanimously agreed to extend a vote of sympathy to:-

- The Long Family, Croaghtamore Square, on the death of David Long.

5. **MINUTES**

Minutes of the Ordinary Meeting of An Chomhairle Held on 28th January, 2002 were approved.

6. **QUESTION TIME**

6.1 **NEW PLAYGROUND FACILITIES**

In response to question submitted by Comhairleoir S. Martin, the following written reply was circulated which stated that over €100,000 has been spent on improvement works to Tory Top Park in the past few years, in addition to normal park maintenance. It is intended to have new play equipment installed in early June of this year.

6.2 **REFURBISH/REDEVELOP DOUGLAS SWIMMING POOL**

In response to question submitted by Comhairleoir Deirdre Clune, the following written reply was circulated which stated that the Department of Tourism, Sport and Recreation were previously notified of our intention to make an application for grant aid for the refurbishment of Douglas swimming pool. The Department requested that a Feasibility Study be undertaken and submitted in relation to the proposal. The Study will be completed in the next week or so and a report brought to Council at an early date for consideration by members.

6.3 **GAEILSCOIL SITE FOR OPW**

In response to question submitted by Comhairleoir John Kelleher, the following written reply was circulated which stated that the Office of Public Works are currently in discussions with Cork City Council with a view to purchasing a site of

approximately 4.72 acres in area, situated at Old Youghal Road adjacent to Mayfield Cross, on behalf the Department of Education for a permanent school for Gaeilscoil An Ghoirt Alainn and for Cope Foundation. Discussions with the OPW are ongoing.

Approval in principle was given by Council on 10/12/01 to the disposal of the site to the OPW.

6.4 **RAMPS ON THE EASTERN END OF THE RISE IN BISHOPSTOWN**

In response to questions submitted by Comhairleoir Mary Shields, the following written reply was circulated which stated that the existing ramps in The Rise were installed by Cork City Council after a prolonged period of discussions and consultations with the local residents. The absence of ramps on the eastern section of the Rise between the two access roads from Curraheen Road was intentional and agreed with the residents. The aim was to try to ensure that the two access roads to The Rise from Curraheen Road would carry equal amounts of traffic.

The installation of ramps in The Rise between the two entry points will probably result in larger amounts of traffic using the western entry point from Curraheen Road and this may cause difficulties for some of the residents at this location. It would however, result in a larger section of the estate being traffic calmed, thus benefiting a larger number of local residents.

If the Resident's Association, acting on behalf of the majority of residents, request that ramps should be installed in the eastern section of the estate, then the work can be considered for inclusion in this year's roads programme.

6.5 **RIGHT OF WAY**

In response to questions submitted by Seanoir Terry Shannon, the following written reply was circulated which stated that:-

‘That Cork City would clean up the green area in Berlingford Drive, Church Road and replace the fence between Berlingford Drive and Clontarf Estate.’

A clean up and repairs to the existing fence were carried out in April 2001 in accordance with Mr. D Buggy's report to Environment Committee March 2001. Closure of the existing tarmac footpath can only be considered following consultation with the residents of Berlingford Drive and Clontarf Estate and the Council's Roads Dept. Consultation will be arranged within 4 to 6 weeks. The estimate to close off the path is €3500.00. There is no provision in this years estimates for this work.

6.6 **ENGLISH MARKET**

In response to questions submitted by Comhairleoir Dan Boyle, the following written reply was circulated which stated that at it's December Council meeting, City Council adopted a motion in the name of Councillor Dan Boyle.

“That this Council enforce a strict policy of open stall trading within this Corporation's English Market in order to ensure the ethos of the Market.”

Implementation of this policy is actively being pursued with appropriate legal action being taken to ensure compliance with City Council policy as required.

The meeting noted that Comhairleoir B. Allen's Question was not replied to at this meeting.

7. **IRELAND'S REJECTION OF THE NICE TREATY**

An Chomhairle deferred the following motion until Comhairleoir Tim Brosnan could be present to debate it:-

‘That Cork City Council calls on the European Commission to take note of Ireland's rejection of the Nice Treaty and ensure that provision is made for all participating states to have permanent representation at Commissioner level’.

(Proposer: Comhairleoir T. Brosnan Ref. 02/05)

8. **CHILD CARE WORKER DISPUTE**

An Chomhairle considered the original motion and approved the following amended motion:-

‘That this Council express its concern that the benchmarking process, as revealed by the Child Care Workers dispute, is seriously flawed and should be examined’.

(Proposer: Comhairleoir D. Boyle – Ref. 02/14)

9. **ROADS AND TRANSPORTATION STRATEGIC POLICY COMMITTEE**

9.1 **POLICY ON TRAFFIC CALMING**

In accordance with the recommendation of the Roads and Transportation Strategic Policy Committee from its meeting held on 4th February, 2002, An Chomhairle noted report of Director of Services/City Engineer regarding Policy on Traffic Calming.

9.2 **CONDEMNATION OF LUAS PRESENTATION BY GOVERNMENT**

In with the recommendation of the Roads and Transportation Strategic Policy Committee from its meeting held on 4th February, 2002, An Chomhairle approved report of the Director of Services/City Engineer dated 31st January, 2002 on the following motion which was referred to the Committee by An Chomhairle:-

“That this Council condemn the LUAS Presentation by Government, as an empty gesture, hiding the failure of this Government's public transport policies.”

(Proposer: Comhairleoir D. Boyle – Ref. 01/331)

9.3 **BYE-LAWS TO STOP PARKING OUTSIDE HOMES**

"That this Council calls on the Minister for the Environment to introduce legislation to allow Bye Laws to be passed that could restrict parking outside homes to residents only where physical constraint can cause potential harm’.

(Proposer: Comhairleoir M. Ahern – Ref. 01/341)

A vote was called for where there appeared:-

FOR: An t-ArdMheara Comhairleoir T. O'Driscoll, Comhairleoirí K. Lynch, M. O'Connell, J. Corr, D. Counihan, M. Shields, M. Ahern, P.J. Hourican. - 8

AGAINST: Seanoir C. O'Connell, Comhairleoirí T. Brosnan, S. Martin, D. Boyle, - 4

An tArdMheara declared the motion carried.

10. **PLANNING AND DEVELOPMENT STRATEGIC POLICY COMMITTEE**

10.1 **CORK CITY DEVELOPMENT BOARD – INTEGRATED STRATEGY**

In with the recommendation of the Planning and Development Strategic Policy Committee from its meeting held on 4th February, 2002, An Chomhairle approved report of the Director of Services/City Engineer dated 31st January, 2002 on the following motion which was referred to the Committee by An Chomhairle:-

“In light of recent remarks in relation to Refugees & Asylum Seekers, the Planning & Development Strategic Policy Committee unanimously disassociates itself from these remarks as not being reflective of the views held by the vast majority of Cork People.

In the opinion of the Committee, such remarks reflect badly on our City and have the potential to have a negative effect on the Economic, Social & Cultural development of Cork City”.

10.2 **CONSULTATION PROPOSALS ON THE REVIEW OF THE CORK CITY DEVELOPMENT PLAN REVIEW**

An Chomhairle approved the report of the Director of Services, Planning & Development dated 29th January, 2002 on the consultation proposals for the Review of the programme for the Cork City Development Plan Review, and to recommend it to An Chomhairle for Approval.

It was agreed that members would be informed directly about the Seminar for the elected members of the Cork City Council & the Strategic Policy Committee to be held on 8th April 2002

10.3 **ERECTION OF MASTS AND ANTENNAE**

An Chomhairle agreed to refer the following Motion back to Committee for further report:-

“That Cork Corporation would not grant planning permission in the future for the erection of masts and antennae within 1,000 metres of the nearest residence within the City Borough”.

(Proposer: Comhairleoir K. Lynch – Ref. 01/359)

10.3 **RECORD OF PROTECTED STRUCTURES**

An Chomhairle agreed to call a Special Meeting of the Committee of Whole Council to discuss the report of the Director of Services, Planning & Development dated 29th January 2002, on the record of Protected Structures.

10.4 **TREE PRESERVATION ORDERS**

An Chomhairle agreed to defer the following Motion until the next meeting:-

The Committee considered the following Motion referred from An Chomhairle at its meeting held on the 14th January, 2002, together with the report of the Director of Services, Planning & Development dated 29th January 2002, thereon.

“That this Council adopt Tree Preservation Orders for the following locations:

- (a) La Rochelle, Old Blackrock Road.
- (b) Menloe House, Blackrock Road and
- (c) Mackeys Field, Boreenmanna Road.

(Proposer: Comhairleoir D. Boyle – Ref. 02/06)

11 **CORRESPONDENCE**

Correspondence as circulated was noted.

12 **CONFERENCES**

An Chomhairle approved the attendance at the following Conferences:-

12.1 **THE NATIONAL SPATIAL STRATEGY**

An Chomhairle approved the attendance of Comhairleoir T. Falvey at the National Spatial Strategy Conference held in Kanturk on 10th October 2001.

12.2 **ASSOCIATION & HEALTH BOARDS IN IRELAND ANNUAL CONFERENCE**

An Chomhairle approved the attendance of Seanoir D. McCarthy, Comhairleoir M. O’Connell and J. Kelleher at the Association of Health Boards in Ireland Annual Conference to be held on 22nd – 23rd March 2002 at the Gleneagle Hotel, Killarney Co. Kerry.

12.3 **LAMA 19TH ANNUAL CONFERENCE (LOCAL AUTHORITY MEMBERS ASSOCIATION)**

An Chomhairle approved the attendance of Seanoirí T. Shannon, C. Connell, Comhairleoirí T. Brosnan, S. Martin, M. Shields, D. Counihan and J. Kelleher at the LAMA 19th Annual Conference (Local Authority Members Association) to be held on 4th – 5th April 2002 at the Brandon Hotel, Tralee Co. Kerry.

12.4 **AMAI – SPRING SEMINAR 2002**

An Chomhairle approved the attendance of Seanoirí T. Shannon, D. McCarthy and C. Connell, Comhairleoirí S. Martin, M. Ahern and M. O’Connell, K. Lynch, and J.

Kelleher at the AMAI – Spring Seminar 2002 to be held on 15th - 16th February 2002 at the Brandon Hotel, Tralee Co. Kerry.

12.5 **THE 13TH COLMCILLE WINTER SCHOOL**

An Chomhairle approved the attendance of Seanoir T. Shannon, Comhairleoirí J. Corr, J. O’Flynn, D. Counihan, M. O’Connell and T. Falvey at the 13th Colmcille Winter School to be held on 22nd – 24th February 2002 in Letterkenny Co. Donegal.

12.6 **ANNUAL HOUSING PRACTITIONERS CONFERENCE 2002**

An Chomhairle approved the attendance of Seanoir C. O’Connell and Comhairleoir M. O’Connell at the Annual Housing Practitioners Conference 2002 to be held at Ormonde Hotel in Kilkenny on 28th February – 1st March 2002.

12.7 **WASTE MANAGEMENT IN IRELAND**

An Chomhairle approved the attendance of Seanoir C. O’Connell and Comhairleoir M. O’Connell and T. Falvey at the Waste Management in Ireland Conference at Newpark Hotel Kilkenny on 13th - 15th March 2002.

12.8 **ECAD ADVISORY BOARD**

An Chomhairle approved the attendance of Comhairleoir J. Corr at the ECAD Advisory Board Meeting to be held in Reykjavik, Iceland on 14th – 17th February 2002.

12.9 **LOCAL GOVERNMENT REFORM**

An Chomhairle approved the attendance of Comhairleoirí T. Falvey and T. Brosnan at the Local Government Reform to be held at Minella Hotel in Clonmel on 1st – 2nd of March 2002.

13. **MOTIONS**

The following motions, due notice of which had been given were referred to the next meeting of the appropriate Committee to be dealt with as follows:-

1. Where there is provision within current years budget then, for decision
2. Where not provided for, for decision and referral to Corporate Policy Group for next years estimates
3. In other cases report for information of committee will be noted/approved
4. Committee decisions will be minuted for information of City Council

13.1 **RECREATIONAL & SPORTING NEEDS OF CORK COUNTY COUNCIL**

“That Cork Corporation in tandem with Cork County Council carry out a study to determine the sporting and recreational needs of the people of Cork City and suburbs and put in place a medium to long term plan to cater for the present and future needs of Cork sporting and recreational public.”

(Proposer: Comhairleoir S. Martin – Ref. 00/248)

- **Recreation, Amenity & Culture Functional Committee**

13.2 **ROAD RE-SURFACING**

‘That Cork Corporation would provide funds in the estimates for 2001 – 2002 to enable much needed road re-surfacing work, and footpath renewal work, be carried out in Maryville, Ballintemple.

(Proposer:- Seanoir T. Shannon – Ref. 01/230)

- **Roads & Transportation Functional Committee**

13.3 **DISABLED PEOPLE EMPLOYED BY COUNCIL**

‘That more disabled people be employed by the Council’.

(Proposer: - Comhairleoir J. Kelleher Ref. 02/11)

13.4 **TRAFFIC CALMING MEASURES**

‘Given the large public demand for traffic calming measures, that this Council agree a budget of 400,000 Euro in next years Road Programme. The increased spend will help speed up the back log on Council requests for traffic calming and also give it a higher priority in the Roads Programme.’

(Proposer: Comhairleoir S. Martin – Ref. 02/17)

- **Roads & Transportation Functional Committee**

13.5 **WOMANS GAOL**

‘That Cork City Council agree to provide bollards and footpath between the gate of the Woman’s Gaol in Gaol Green Sundays Well to the gate of the Good Shepherd Convent’.

(Proposer: Comhairleoir M. O’Connell – Ref. 02/23)

- **Roads & Transportation Functional Committee**

13.6 **BLOCKING OFF ALLEYWAYS**

‘That Cork Corporation would consider blocking off all alleyways so that the only entrance/exit will be the main entrance in Avonmore Park, Mayfield Cork’.

(Proposer: Comhairleoir K. Lynch – Ref. 02/26)

- **Roads & Transportation Functional Committee**

13.7 **UNDERGROUND CABLING**

‘That this Council calls on Government to introduce legislation to require all service providers to place all new cabling underground and that these providers would be required over the coming decade to have undergrounded all existing cable wires in view of the negative health and environmental impact current practices give rise to’.

(Proposer: Comhairleoir B. Allen – Ref. 02/27)

- **Roads & Transportation Functional Committee**

13.8 **CHILDRENS PLAYGROUND**

‘That the children’s playground on Grattan Hill be properly secured to prevent hooligans from entering the park for late night drinking sessions and that proper public lighting be provided within the park and on the neighbouring Mahony’s Avenue’.

(Proposer: Seanoir Mairin Quill – Ref. 02/28)

- **Roads & Transportation Functional Committee**
- **Recreation, Amenity & Culture Functional Committee**

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13.9 **SPEED RAMPS AT BLARNEY STREET**

‘That speed ramps be located on Blarney Street stretching from its junction with Shanakiel Road to Sunday’s Well Avenue’.

(Proposer: B. Allen – Ref. 02/36)

- **Roads & Transportation Functional Committee**

13.10 **PARKING FACILITIES FOR RESIDENTS**

‘That the fronting of Nos. 7 to 12 Leamlara Close, Deanrock Estate, Togher be treated so as to provide much needed parking facilities for the Residents’.

(Proposer: Seanoir J. Dennehy Ref. 02/38)

- **Roads & Transportation Functional Committee**

13.11 **DOUBLE YELLOW LINES IN BISHOPSTOWN**

‘That this Council undertakes to extend, due to the serious difficulties imposed on the residents of Laburnum Park as a consequence of non-resident parking in the area, the double yellow lines on Bishopstown Avenue to Laburnum Park immediately’.

(Proposer: Comhairleoir J. Minihan Ref. 02/39)

- **Roads & Transportation Functional Committee**

13.12 **HEAVY TRAFFIC**

‘There is too much traffic going through Horgans Buildings, I am calling on the Corporation to put a Cul de Sac to stop traffic going through’.

(Proposer: Seanoir D. McCarthy Ref. 02/42)

- **Roads & Transportation Functional Committee**

13.13 **HIGHEST RENT IN THE 26 COUNTIES**

‘As you are aware Cork Corporation tenants pay the highest rent in the 26 Counties. I want it rectified and a capping of €70 on household rent and rent to rise at the rate of inflation and special rates for old age pensioners’.

(Proposer: Seanoir D. McCarthy Ref. 02/43)

- **Housing & Community Services Functional Committee**

13.14 **RESURFACING AT ONSLOW GARDENS**

‘That Cork Corporation would immediately arrange for all roads in the Onslow Gardens Estate to be resurfaced as they are now in a very poor state of repair and are dangerous’.

(Proposer: Comhairleoir C. Burke Ref. 02/44)

- **Roads & Transportation Functional Committee**

14. **TENDERS**

The following tenders were opened:

1. Tender for extension at 14 Inchera Park Mahon.
2. Tender for extension for Old Mallow Road
3. Tender for extension at 31, Shannon Lawn Mayfield
4. Tender for extension for 10 Shournagh Lawn

and referred to City Architect.

This concludes the business of the meeting.

ARD MHEARA
CATHAOIRLEACH