

COMHAIRLE CATHRACH CHORCAI

CORK CITY COUNCIL

**MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL HELD ON
MONDAY 27th MAY 2002**

- PRESENT:-** An tArd-Mheara, Comhairleoir T. O'Driscoll in the chair.
- NORTH EAST** Comhairleoiri T. Brosnan, L. Burke, B. Kelleher T.D., J. Kelleher.
- NORTH CENTRAL** Seanoir N. O'Flynn T.D. Comhairleoir D. Wallace.
- NORTH WEST** Seanoir D. McCarthy, Comhairleoiri, T. Falvey, C. Burke,
M. O'Connell, J. O'Brien.
- SOUTH EAST** Seanoir T. Shannon, Comhairleoiri D. Clune, J. Corr,
J. O'Flynn, D. Counihan.
- SOUTH CENTRAL** Seanoir C. O'Connell, Comhairleoiri S. Martin, D. Cregan,
D. Boyle.
- SOUTH WEST** Comhairleoiri, M. Shields, M. Ahern, B. Bermingham,
P.J Hourican.
- ALSO PRESENT** Mr. J. Gavin, City Manager
Mr. D. O'Mahony, Director of Services, Environment
Mr. J. O'Donovan, Director of Services, Planning & Development
Mr. D. O'Mahony, Senior Executive Officer, Corporate Affairs
Ms. M. O'Mahony, Staff Officer, Corporate Affairs

An tArd-Mheara recited the opening prayer.

1. **VOTE OF CONGRATULATIONS**

To Seanoiri N. O'Flynn T.D. and J. Dennehy T.D. and Comhairleoiri B. Kelleher, T.D., D. Boyle, T.D., K. Lynch, T.D. and B. Allen, T.D. on their recent election to the 26th Government.

An t-Ard Mheara commiserated with unsuccessful candidates and wished them well in the next election.

1.1 **LORD MAYOR'S COMMUNITY AWARDS**

An Chomhairle approved the proposal of An t-Ard Mheara to host the Lord Mayor's Community Awards 2002 in the Concert Hall on 19th June next in recognition of the substantial contribution which certain persons have made to specific sections of the community. A presentation would be made to the following :-

- Mr. Dan Morrissey
- Mr. Billa O'Connell,
- Dr. Sean Pettit
- Mrs. Maureen O'Sullivan
- Mr. Walter McGrath
- SHARE Movement

1.2 **MESSAGE TO ROY KEANE**

On the recommendation of Comhairleoir J. O'Brien, An Chomhairle unanimously agreed that a message be sent to Roy Keane wishing him all the best in the future.

2. **MINUTES**

Minutes of Ordinary Meeting of An Chomhairle held on 13th May, 2002 were considered and approved with the following amendment :-

ITEM 5 - EUROPEAN CITY OF CULTURE

An Chomhairle approved the recommendation of Comhairleoir M. Ahern that a member of the Arts Committee would be nominated to the Board of 'Cork Cultural Capital Ltd.' bringing membership to a total of 10 representatives

3. **QUESTION TIME**

3.1 **DERELICT SITE ADJACENT TO 94 WOLFE TONE STREET**

In response to question submitted by Comhairleoir D. Wallace, a written reply was circulated which stated that this site is not on the derelict sites register. However, the owner of this property has applied for and obtained planning permission for this site. Negotiations will be opened with the owner with a view to progressing redevelopment of this site. If the development does not commence within 4 months, this property will be placed on the Derelict Sites Register and a derelict sites levy will be imposed accordingly.

3.2 **CALMING MEASURES IN HILLCREST AND BLARNEY ROAD**

In response to question submitted by Seanoir D. McCarthy, a written reply was circulated which stated that the section of Blarney Road between the junction with Shanakiel Road and the school on Blarney Road, has been selected for traffic calming works in this year's roads programme.

Volume and speed traffic surveys have been carried out and the design of appropriate traffic calming measures is being undertaken. When the design work is completed in the next few weeks, the necessary consultation process under the Road Traffic Acts will begin. This process includes official notices in the newspaper and consultation with the Gardaí.

Actual work on the ground will begin as soon as possible after the successful completion of the consultation process. The work earmarked to be done in Hillcrest has to go through the same process and will be done at the same time as the work on Blarney Road.

3.3 **NOS. 12, 13 AND 18 BALLINDERRY PARK**

In response to question submitted by Comhairleoir T. Brosnan, a written reply was circulated which stated as follows :

Would the Manager please explain why Nos. 12, 13 and 18 Ballinderry Park continue to remain boarded up and when can residents expect them to be let out.

The position with regard to the vacant house at 12 Ballinderry Park is as follows. This property appears to have been abandoned by the tenants in later March of this year and suffered fire damage. The property was shuttered for security reasons pending clarification of the circumstances surrounding the abandonment. The legal position with regard to this dwelling has to be regularised by Court process which is now being initiated. Repairs can then be undertaken.

In relation to properties at 13 and 18 Ballinderry Park, repair work to both these properties is essentially completed with the exception of painting work. This work has been scheduled to be carried out within the next 2 weeks after which time the dwellings will be available for letting.

In addition, when it comes to letting out would the Manager please ensure that potential tenants are vetted to ensure that there is no history of unruly/unsociable behaviour in any previous letting?

Cork City Council allocate tenancies in accordance with the Scheme of Letting Priorities, as adopted by Council, and the provisions of the Housing Act, 1997. It is Cork City Council's policy to ensure that all potential tenants are vetted to ensure there is no history of anti-social behaviour. A letting may be declined in the event of Anti-Social Behaviour.

In relation to transfers from one property to another the previous tenancy background is checked before an allocation is made.

3.4 **USE OF CORK CITY COUNCIL'S COAT OF ARMS, CREST OR LOGO**

In response to question submitted by Comhairleoir B. Bermingham, a written reply was circulated which stated that Cork City Council has no objection to members of Council using the Cork Coat of Arms on correspondence and promotional/information documents provided such documents relate to that individual's functions as a member of Cork City Council.

3.5 **MARDYKE WALK**

In response to question submitted by Comhairleoir C. Burke, a written reply was circulated which stated that inbound traffic was diverted along Mardyke Walk to allow Main Drainage works to take place on Western Road. Prior to the works at a public meeting it was explained that this diversion was a temporary one and that traffic arrangements would revert to normal when the works on Western Road are completed. The works are progressing well and are ahead of schedule. It is anticipated that works will be completed in August or early

September, at which stage the barrier will be replaced at the western end of Mardyke Walk.

In consultation with the Gardai and the residents, considerable effort has gone into sign posting, traffic calming measures and the introduction of three signal controlled pedestrian crossings. A restriction has also been introduced to prevent vehicles over 5 tonnes, except for buses, using the road. The Gardai, who are the relevant traffic authority, are satisfied that the road is suitable for traffic and that adequate safety measures have been introduced. The operation of this temporary diversion, including safety aspects, are discussed at a weekly meeting between the Gardai and the City Council. Prior to the introduction of the traffic diversion, the Parks Section carried out any necessary pruning and protection of the existing trees on the Mardyke and Ferry Walk. They carry out routine supervision of all the Main Drainage contracts to minimise interference with existing trees. They were present during the works on Ferry Walk and ensured that the root system of the existing trees were not interfered with. The Senior Executive Parks Superintendent, Liam Casey, is available to meet residents if they so wish. The preservation of the Mardyke as an amenity area for recreational use by all age groups is a key policy in the City's Environmental Strategy as set out in the City Development Plan Review 1998, as is the connection of the Mardyke to the City Centre. A scheme for the enhancement of the Mardyke has been submitted to the Department of the Environment and Local Government as part of the City's Regeneration application for 2000-2006.

3.6 **STANDING ORDERS**

In response to question submitted by Comhairleoir J. Kelleher, a written reply was circulated which stated that the Corporate Affairs Directorate and the City Council's Law Department are currently reviewing the City Council's Standing Orders in accordance with our obligations under parts 6 and 7 of the Local Government Act, 2001 with a view to updating those presently in use. A draft of the new Standing Orders will be circulated to Council in early June for consideration. The views of Council will be taken on board and any amendments necessary will be made to the document. The final draft will be presented to Council for adoption at its meeting on June 24th.

4. **PLANNING & DEVELOPMENT FUNCTIONAL COMMITTEE**

4.1 **TWINNING GRANTS ALLOCATION 2002**

An Chomhairle approved the report on the Twinning Grants Allocation 2002.

4.2 **VOLUNTARY SERVICE WITH COLOGNE**

An Chomhairle agreed endorsement of an International Volunteer Exchange between the Kolner Freiwilligen Agentur (K.F.A.), Cologne and similar voluntary groups from Cork.

4.3 **HOUSING ESTATES**

An Chomhairle noted the report of the Director of Services & City Engineer, Roads Transportation & Safety dated 16th May, 2002, on 'Housing Estates – May 2002'.

4.4 **PLANNING STATISTICS 2002**

An Chomhairle noted the report of the Director of Services, Planning & Development, dated 16th May, 2002, on Planning Statistics 2002 (March-April).

4.5 **URBAN RENEWAL**

An Chomhairle noted the report of the Director of Services, Planning & Development, dated 16th May, 2002 on Urban Renewal.

5. **ENVIRONMENT FUNCTIONAL COMMITTEE**

5.1 **SANITARY AND OTHER SCHEMES**

An Chomhairle noted the report of the Director of Services, Environment on Sanitary and Other Schemes for the months of March and April 2002.

5.2 **LANDFILL LEVY**

An Chomhairle noted the report of the Director of Services, Environment.

On the proposal of Comhairleoir Brian Bermingham and seconded by Seanoir C. O'Connell, An Chomhairle approved the following motion :

"That the Minister for the Environment & Local Government withdraw the levy of €15 per tonne of waste disposed at Landfill from its domestic waste collection in view of the fact that Cork City Council has increased charges for environmental collection charges already"

(Proposer: Comhairleoir B. Bermingham)

5.3 **GLASS RECYCLING**

An Chomhairle approved the following motion:-

“That this Council call upon the Government to ensure that the means of recycling glass produce can be and will be done, if necessary by means of a state company.”

(Proposer: Comhairleoir D. Boyle Ref 02/93)

5.4 **UAM VAR DRIVE**

An Chomhairle approved the report of the Director of Services, Environment on the following motion

“That Cork Corporation would investigate why houses in Uam Var Drive from numbers 94 down have an ongoing problem with sewage spilling on to their front and back gardens because of the absence of a storm drain in the area and that Cork Corporation would rectify the problem as quickly as possible for the residents.

(Proposer: Comhairleoir B. Allen Ref 02/100)

6. **RECREATION, AMENITY & CULTURE STRATEGIC POLICY COMMITTEE**

6.1 **NORTH WEST REGIONAL PARK**

An Chomhairle noted the report of the Director of Services, Environment. On the recommendation of Comhairleoir M. O'Connell, An Chomhairle agreed that the Director of Services, Environment make a presentation to Cork City Council on proposals.

7. **DISPOSALS**

An Chomhairle approved the following Disposals of Land

7.1 **PROPERTY DISPOSALS**

- (a) Exchange of lands comprising approximately 0.409 hectares situated at Skehard Road, Mahon, in the City of Cork to Coleman Brothers Developments Limited in exchange for a plot of land comprising approximately 0.18 hectares situated at Skehard Road, Mahon, Cork, to be transferred by Coleman Brothers Developments Limited to Cork City Council.
- (b) Land approximately 2130 sq. metres approx. situated at the Sanitary Landfill Site at Kinsale Road, Cork, together with Grant of Right of Way and Grant of Wayleave to C.T.O. Environmental Solutions Limited, Carrigtwohill, Cork.

A vote was called for where there appeared :-

FOR : An t-Ard Mheara T. O'Driscoll, Seanoir D. McCarthy,
Comhairleoiri
T. Brosnan, B. Kelleher, T.D., D. Wallace, T. Falvey, C. Burke, Ml.
O'Connell, J. O'Brien, J. Corr, M. Shields, B. Bermingham P.J.
Hourican, - **13**

AGAINST : Seanoir N. O'Flynn, T.D., T. Shannon, C. O'Connell,
Comhairleoiri D. Counihan, S. Martin, Ml. Ahern - **6**

An t-Ard Mheara declared the disposal approved.

- (c) Properties situated at Glenview Park, Dillons Cross, Cork, to 52 number applicants for the sum of €127,700.00 per house.
 - (d) Land approximately 10.5sq. metres approx. in area situated at Innishannon Road, Fairhill, Cork, to Electricity Supply Board of Sarsfield Road, Co Cork, for the sum of €5.00 plus costs of €380.92 which is the best consideration reasonably obtainable.
 - (e) Grant of Right of Way over Cork City Council land adjacent to Bessboro Convent, Blackrock, Cork, to Marina Swift c/o Anne L. Horgan & Co., Solicitors, 3 Convent Road, Blackrock, Cork, for the sum of €634.87 plus costs which is the best consideration reasonable obtainable.
 - (f) Plot of ground approximately 410 sq. metres in area situated adjacent to No. 60 Hollymount, Blarney Road, Cork, to Eddie Goulding of 60 Hollymount Estate, Blarney Road, Cork, for the sum of €250 plus costs in the sum of €500 which is the best consideration reasonable obtainable.
- 7.1.1 An Chomhairle agreed to defer consideration of the following disposal to its next meeting.

Premises at former Turf Stores (2 No. Units) and yard situated at Pouladuff Road, Cork, and grant of Right of Way and Wayleave is over laneway leading from Pouladuff Road to former Turf Stores at Pouladuff Road, Cork, Brendan and Dermot Crowley c/o Babington Clarke & Mooney, Solicitors, 48 South Mall, Cork, for the sum of €5,713.82. which is the best consideration reasonable obtainable.

7.2 **SHARED OWNERSHIP**

Fee Simple interest in dwellinghouse and premises situated at and known as 46 Cherry Tree Road, Togher, Cork, held by Cork City Council subject to a Shared Ownership Lease dated the 23rd day of September 1993 to Gerard Coughlan and Eileen Coughlan for the sum of €1447.93.

7.3 **FEE SIMPLE INTEREST**

GR2062 - "Lake Lawn", (Site No. 5 Iona Road) Murmont Crescent, Montenotte, Cork

Acquired under the Landlord & Tenant (Ground Rents) Act 1967 from all Unknown and Unascertained Owners by Deed of Conveyance dated the 9th of October 2001.

It is proposed to dispose of the leasehold interest of the above mentioned premises to Timothy Dennehy & Mary Dennehy c/o Noonan Linehan Carroll Coffey Solicitors, 54 North Main Street, Cork, for the sum of €152.37plus costs.

GR2156 – 3 St. Theresa's Road, Gurranabraher, Cork

Acquired under 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 Elizabeth Hennessy and Denis Hennessy c/o Henry P. F Donegan & Son, Solicitors, Cork. Disposal will be by way of Transfer Order for the sum of €6.35 plus costs.

GR3033 - "Villa Maria", Murmount Crescent, Mayfield, Cork

Acquired under the Landlord and Tenant (Ground Rents) Act 1967 from all Unknown and Unascertained Owners by Deed of Conveyance dated the 9th day of October 2001.

It is proposed to dispose of the fee simple interest of the above-mentioned premises to John Ryan and Fanahan Ryan, Executors in the Estate of Michael Ryan Deceased, c/o Philip Wm. Bass & Co., Solicitors, 9 South Mall, Cork. Disposal will be by way of Conveyance or Transfer for the sum of €126.97 plus costs.

GR3024 - 67 Edward Walsh Road, Togher, Cork

Acquired under Housing Order No. 1 of 1959 from Patrick Long, Ardmanning, Togher, Cork, by way of 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 Richard St. Ledger and Deborah St. Ledger, c/o Francis C. Kelleher & Co., Solicitors, 1 Pearse Square, Cobh, Co., Cork, for the sum of €6.35 plus costs. Disposal will be by way of Transfer Order.

8. **CORRESPONDENCE**

Correspondence as circulated was noted.

9. **CONFERENCES**

An Chomhairle approved the attendance at the following Conferences:-

9.1 **WASTE MANAGEMENT IN IRELAND**

An Chomhairle approved the attendance of Seanoir T. Shannon and Comhairleoir

J. Kelleher at the Waste Management in Ireland Conference held on the 13th - 15th March 2002 at Newpark Hotel in Kilkenny

9.2 **EVENT BASED TOURISM**

An Chomhairle approved the attendance of Seanadoir D. Cregan and Comhairleoir M. Ahern at the Event Based Tourism Conference which was held on the 12 -13th April 2002 in Armagh.

9.3 **ANNUAL CONFERENCE 2002 "NEW FACES, NEW DIRECTIONS"**

An Chomhairle approved the attendance of Comhairleoiri Kathleen Lynch T.D,
S. Martin, M. Shields and J. Kelleher for the "Annual Conference 2002 "New Faces, New Directions" to be held on the 14-15th June 2002 in the Great Bundoran Hotel,Co. Donegal.

9.4 **EIGHTEENTH ANNUAL ENVIRONMENTAL CONFERENCE**

An Chomhairle approved the attendance of Seanoiri T. Shannon, C. O'Connell, D. McCarthy, Comhairleoiri D. Counihan, T. Falvey, J. Corr, P.J. Hourican, L. Burke, Ml. Ahern, J. Kelleher, B. Bermingham, D. Clune, D. Cregan, C. Burke, D. Wallace, T. Brosnan, Kathleen Lynch T.D, S. Martin, M. Shields and J. O'Flynn for the "Eighteenth Annual Environmental Conference" to be held on the 6th-7th June 2002 in the Carrigaline Court Hotel.

9.5 **3rd ANNUAL REGIONAL ASSEMBLY CONFERENCE**

An Chomhairle approved the attendance of Comhairleoiri S. Martin and J. Kelleher at 3rd Annual Regional Assembly Conference held on 24th/25th May, 2002 at West County Conference & Leisure Hotel Ennis, Co. Clare

9.6 **LOCAL AUTHORITY ANTI-POVERTY CONFERENCE**

An Chomhairle approved the attendance of Comhairleoir M. Shields at Local Authority Anti-Poverty conference held 22nd-23rd May in Athlone.

9.7 **INTERNATIONAL HUMBERT SCHOOL**

An Chomhairle approved the attendance of An tArd Mheara T. O'Driscoll and Comhairleoiri J. Corr and T. Brosnan at International Humbert School to be held 2nd - 7th July at Ballina, Co. Mayo.

10. **MOTIONS**

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

10.1 **RESURFACING AT GREENMOUNT BUILDINGS**

“That Greenmount Buildings be included in next year’s Resurfacing Programme and also that a study would be carried out on the state of the footpath in Greenmount Buildings.”

(Proposer: Comhairleoir S. Martin – Ref. 00/296)
(Roads & Transportation Functional Committee)

10.2 **PELICAN CROSSING AT WALLACE AVENUE / VICTORIA AVENUE / BOREENMANNA ROAD**

“That Cork Corporation install a bleeper system on the Pelican Crossing at the junction of Wallace Avenue/Victoria Avenue and the Boreenmanna Road.”

(Proposer:- Seanoir T. Shannon – 01/240)
(Roads & Transportation Functional Committee)

10.3 **PEDESTRIAN CROSSING AT DUBLIN HILL**

‘That Cork City Council would investigate the possibility of having a pedestrian crossing with light control put in to facilitate pedestrian crossing of Dublin hill at Marian Park to service Hawthorn, Glenthorn and Delaney Park areas’.

(Proposer: Comhairleoir K. Lynch Ref. 02/134)
(Roads & Transportation Functional Committee)

10.4 **CITY MUNICIPAL LAND FILL SITE**

‘That Cork City Council rescind the recently introduced charge for the disposal of grass and hedge cuttings by private residents at the City Municipal land fill site.’

(Proposer: Seanoir T. Shannon, Comhairleoiri S. Martin T. Brosnan Ref. 02/140)
(Environment Functional Committee)

10.5 **AMEND THE 1998 PARKING BYE LAWS**

‘That Cork City Council amend the 1998 Parking Bye laws to prohibit clamping of vehicles in authorised parking bays within the Borough of Cork City’

(Proposer: Seanoir N. O’Flynn T.D. Ref. 02/141)

(Roads & Transportation Functional Committee)

10.6 **SEWAGE PROBLEMS IN UAM VAR ESTATE**

‘That the serious problems experienced by the Resident’s of Uam Var Estate in relation to a faulty and inadequate sewage system are addressed immediately. I am requesting that this matter is treated as a priority to ensure that resources are made available to speedily investigate the best course of action to take to remedy the problem and that adequate funding is made available to carry out the work’.

(Proposer: Comhairleoir M. Shields Ref. 02/144)
(Environment Functional Committee)

10.7 **SECURITY ALARMS IN RESIDENTIAL AREAS**

‘That Cork City Council prepare draft bye laws governing the use of security alarms in residential areas’.

(Proposer: Comhairleoir T. Brosnan Ref. 02/145)
(Environment Functional Committee)

10.8 **TRAFFIC CALMING PLAN FOR SILVERSPRINGS**

‘That Cork City Council prepare a traffic calming plan for the Silversprings / Boherboy area to include Boherboy Road, Silverheights Road, Silverheights Avenue and Silverheights Drive and that the plan would include reasonable estimates of the costs involved in the options presented in the plan so that Council in turn can make financial provisions in the 2003 Estimates of Expenses for such traffic calming measures to be put in place’.

(Proposer: Comhairleoir T. Brosnan Ref. 02/146)
(Roads & Transportation Functional Committee)

10.9 **GROWTH IN BISHOPSTOWN / MODEL FARM RD/ WILTON AREA**

‘Acknowledging the enormous growth in Regional and Citywide Public Services in the Bishopstown/Model Farm Road and Wilton areas, Cork City Council, aware of the need to balance this growth and consequences, will investigate, design and report on a Town Centre Concept for Bishopstown based around the Outpost/Viscount Bars and Dunne’s Stores Shopping Centre.

- In co - operation with the Bishopstown Residential and Business Community,
- Avoiding disjointed and unsuitable developments into the future,
- Enhancing amenities, facilities and conveniences – environmental / historical and cultural in Bishopstown, for the benefit of its residents’

Incorporating some of the following (disabled friendly)

A redesign of the Dunne's Stores Shopping Centre-

- With Architecturally old world designed stores of convenience / coffee dock / newsagent / etc,
- Possibly Public Library / Post Office / Health Clinic / Cinema, etc,
- Marble Pedestrian way.
- Statue of Bishop Browne, founder of Bishopstown, fronting the Curraheen Road indicating the heart of Bishopstown.
- Lighted Fountain – Garden surround,
- Other attractive colourful facilities,
- Underground parking.

(Proposer: Comhairleoir B. Bermingham Ref. 02/147)

(Planning & Development Functional Committee)

10.10 **SANITARY LANDFILL SITE**

‘That this Council rescind charge on garden waste brought for collection at the Sanitary Landfill Site, Kinsale Road, and further that the opening hours at the landfill site be restored to their previous longer hours.

(Proposer: Comhairleoir D. Boyle Ref. 02/148)

(Environment Functional Committee)

11. **TENDERS**

The following tenders were opened and referred to Mr. Denis O'Mahony, Director of Services, Environment :-

- Pilot Dry Recyclable Collection Scheme - 3 No.
- Waste from Electrical & Electronic Equipment (WEEE) from Kinsale Road Civic Amenity Site - 6 No.
- Fridge/Freezers Civic Amenity Recycling Centre - 9 No.

This concluded the business of the meeting

ARDMHEARA

6 Meitheamh 2002

CATHAOIRLEACH