

MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL
HELD ON MONDAY 22ND MARCH, 2004.

PRESENT: An tArd-Mheara, Comhairleoir C. Burke in the chair, subsequently
Leas Ard-Mheara, Comhairleoir J. Corr, in the chair.

NORTH EAST Comhairleoirí T. Brosnan, J. Kelleher, E. Nelson.

NORTH CENTRAL Comhairleoirí D. Wallace, C. Clancy, G. O' Flynn, P. Gosch.

NORTH WEST Seanoir D. McCarthy, Comhairleoirí T. Falvey, J. O' Brien.

SOUTH EAST Seanoir T. Shannon, Comhairleoirí D. Clune, J. Corr, D. Counihan
D. O' Flynn, T. O' Brien.

SOUTH CENTRAL Comhairleoirí S. Martin, T. O' Driscoll, Chris O' Leary.

SOUTH WEST Comhairleoirí M. Ahern, B. Bermingham, F. Dennehy.

ALSO PRESENT Mr. J. Gavin, City Manager.
Mr. J. Flynn, Director of Services, Corporate Affairs.
Mr. J. O' Donovan, Director of Services, Planning & Development.
Mr. P. Ledwidge, Director of Services, Community & Enterprise.
Mr. J. Ryan, Chief Fire Officer.
Ms. V. Forde, Assistant Civil Defence Officer.
Mr. D. O' Mahony, Administrative Officer, Corporate Affairs.
Ms. U. Ramsell, Staff Officer, Corporate Affairs.

APOLOGIES Comhairleoir M. O' Connell, Seanoir M. Quill.

An tArd-Mheara recited the opening prayer.

1. **VOTES OF SYMPATHY**

A vote of sympathy was passed unanimously by An Chomhairle with members standing in silence:-

- To the Twomey Family on the death of Joe Twomey.
- To the Hurley Family on the death of Michael Hurley.
- To Paddy O' Brien & Family on the death of Teresa.
- To the Mayor of Madrid for the loss of life in recent bombings.

2. **VOTES OF CONGRATULATIONS**

An Chomhairle unanimously extended a vote of congratulations:-

- Colaiste Chríost Rí on winning for the 14th time The Munster Senior College Football Title.
- Cork Junior Chamber of Commerce, Cork City Challenge and Recreation, Amenity & Culture on the 2004 St. Patrick's Day Parade
- Pat Murray, Artistic Director of the Rennes Fair for his inquisitive input into the stand for 22 years.
- Newtownshandrum on winning the All Ireland Hurling Club Championship.

Congratulations to Comhairleoir Chris O' Leary on his year of service as a Comhairleoir and Best Wishes for the future.

3. **FREEDOM OF THE CITY**

An Chomhairle agreed unanimously with the Lord Mayor's proposal to award the Freedom of the City to John Hume.

4. **MINUTES**

The Minutes of the Ordinary Meeting of An Chomhairle held on 8th March, 2004 were considered and approved.

4. **QUESTIONS**

5.1 **RESURFACING OF CHURCHFIELD PLACE EAST AND CHURCHFIELD TERRACE EAST**

In response to question submitted by Seanoir D. McCarthy, a written reply was circulated which stated that these roads are included in one of the resurfacing contracts for which we recently received tenders. The contract which includes Churchfield Place East and Churchfield Terrace East will soon be awarded and these roads will be included in the programme, yet to be determined but which is required to be completed in October.

5.2 **LOSS OF PRIVACY AND SECURITY FOR THE RESIDENT OF "BARLAN", TEMPLE HILL LAWN, BALLINTEMPLE**

In response to question submitted by Seanoir T. Shannon, a written reply was circulated which stated that Condition 2(ii) of TP 97/21839 requires a setback to provide a footpath & widen Churchyard Lane roadway to 6m. This is in the interest of proper planning & development of the area.

The developer complied with this condition & a footpath was constructed. Of necessity this footpath is higher than the grass on the original ground. As a consequence the house holder's rear garden is more exposed then before.

Cork City Council has requested the developer & his Engineer to make proposals to ameliorate the problem. Meetings have taken place & it is understood that a proposal with ameliorative measures has been made to the householder.

5.3 **HEAD OF THE ENFORCEMENT SECTION IN THE PLANNING DEPARTMENT**

In response to question submitted by Comhairleoir C. Clancy, a written reply was circulated which stated that the official referred to was the Planner assigned to the Enforcement Section. She has resigned her temporary position to move to a permanent position with Kerry County Council. She was not the Head of the Enforcement Section, who is the Senior Executive Officer Planning.

1. There is an existing panel for Executive Planners and Cork City Council has offered the vacant Executive Planner position to the next person on the panel. It is anticipated that the vacant position will be filled within the next 3-4 weeks. In the interim, Development Control Planners will provide planning advice for the enforcement function.

2. At present the Director of Planning is satisfied that the existing human resources allocated to the Planning Enforcement Team are sufficient to carry out the Planning Enforcement Function. The matter will be kept under review however.
3. The recent report of the Director Of Services on the work of the Enforcement section gave details of Warning letters served, complaints investigated etc. The report was circulated to Council and a copy is attached for information.

Comhairle Cathrach Chorcaí

Cork City Council

Planning and Development Directorate

Planning Enforcement: Annual Report 2004

January 2004

Introduction:

Part VIII of the Planning and Development Act 2000, which commenced on the 11th March 2002, introduced a Planning Enforcement Regime that was more streamlined, time constrained and more responsive to third party complaints. Unlike the former Regime, a Planning Authority now has reduced discretion in deciding priorities in respect of enforcement action. In effect, in response to written complaints, which are not deemed vexatious or trivial, Planning Authorities are obliged to respond by issuing a Warning Letter or Enforcement Notice within specified times, or taking Injunctive proceedings.

Therefore, with finite resource availability, in order to maximise our effectiveness, the Planning Enforcement Team has developed procedures for the administration of the Planning Enforcement function. We have also developed effective systems and manuals with the City Council's Law Department for the purpose of legal proceedings. The Enforcement Team meets monthly with Law Department Officials to discuss current files.

The purpose and fundamental principle of planning enforcement is to secure the proper planning and sustainable development of the area. The practice of the Planning Enforcement Section is to use the enforcement code as a negotiating process. The objective is to achieve compliance with the Planning Code by finding a solution to the problem, rather than aiming to punish the transgression. By no means are all unauthorised developments deliberate, many are oversights or occur through ignorance or misinterpretation of planning regulations. Flexibility and an approach that seeks to resolve the situation, rather than impose rules, has and will achieve a lot.

Generally, a Warning Letter is issued in response to all complaints. Subsequent action is considered in light of the respondent's written submission. The Enforcement Section recognises that each case must be taken on its merits although it is also necessary to be as even-handed as possible in the application of policy and decisions. Depending on the nature or scale of the breach or the record of the respondent, an emergency Enforcement Notice or indeed a Planning Injunction may be required. The more subtle approach may not be advisable in all cases.

Members of the Enforcement Team

- **Senior Executive Officer**
- **2 Enforcement Officers (Full-time, 1 for North Side, 1 for South Side)**
- **1 Enforcement Planner**
- **1 Staff Officer**
- **2 Clerical Officers (1 Full-time)**

The Planning Enforcement Team meets on a weekly basis in order to consider new complaints/submissions, to review current files and agree actions on same, and to close files that have been successfully resolved.

IT Resources

The LGCSB Enforcements System was installed in May 2002 and has been adapted and improved throughout 2003, following training and feedback sessions with a representative from the LGCSB. Liaison with other Councils has been a part of this process. Facilities for investigative purposes have improved in 2003 by the purchase of a search facility on Registered Limited Companies and improved access to the draft Register of Electors and the Commencement Notice system, as administered by the Building Control Section, for enforcement staff.

Enforcement Statistics 2003

<u>Summary Table</u>	
	<u>No.</u>
Complaints received	449
Files opened	353
Warning letters issued	512
Section 8 Notices issued	104
Enforcement Notices Issued	3
Injunctions	2
Cases Resolved/Closed	248 *
Cases Pending	305**

*144 closures were cases opened in 2003

**Some files opened pre-2003.

Analysis:

Advisors

Of the 449 advisors included in the 353 new files opened, a large majority consisted of 3rd party complainants. Five advisors were internal.

Planning Enforcement Action

Of the 512 warning letters issued during 2003, 382 were in cases of alleged unauthorised development and 108 related to non-compliance with planning permission. All 3 enforcement notices related to unauthorised development. The planning injunction granted to the City Council involved unauthorised development and the current case with the Law Department relates to non-compliance with conditions of planning permission.

Closure

<u>Reasons for Closure:</u>		
	No.	%
Non-planning matters/other planning section issues*	26	10
Exempted development/complainant information incorrect	49	20
Retention/Alternative Planning permission granted**	33	13
Found to be in compliance with permission/Compliance subsequently achieved	63	25
Unauthorised structure removed	26	10
Structure reinstated/adapted to meet exempted limits	9	4
Work ceased/not commenced on instruction	12	5
Unauthorised use ceased	9	4
Outside time period for enforcement proceedings	13	6
Lack of information on nature of complaint		

*In such cases, the matter was referred to the relevant City Council Department or other agency and the complainants advised on the matter.

**Of 63 developers in planning enforcement cases who chose to make a Retention Planning Application during 2003, as provided by under Section 34 (12) of the Planning and Development Act 2000, Cork City Council records confirm the following: 33 (52%) were subsequently granted planning permission by the Planning Authority/An Bord Pleanála, 17 (26%) are pending decision, 8 (13%) were refused and 5 (9%) are under appeal.

Cases Pending

<u>Estimated Status of Current Files:</u>		
	No.	%
New files to be assessed	21	7
For closure	12	4
Warning letter to issue	15	5
Further Information requested from complainant	6	2
Compliance submission circulating following enforcement action	25	8
Warning Letter Issued, Response Awaited	27	9
Decision on Application/Appeal/Referral pending	49	16
Application to be lodged	9	3
Enforcement Notice Issued	3	1
Progress but Further action/evidence/submission required from developer	47	15
Missing Files	6	2
Injunction granted	1	0.3
Injunction served	2	0.7
Other action necessary, Enforcement Notice/Inspection/Meeting etc.	82	27

Some difficulties have arisen in relation to legal proceedings as ownership searches and service of notices has required lengthy investigations and use of substitute service methods (hand delivery, affixing on property etc.) in some cases.

Overall, a significant amount of satisfactory resolutions have arisen throughout the year. Some long-running files have been resolved and others progressed. It is hoped that the current procedures will result in further success in the coming year.

As well as work on enforcement files, the Enforcement Section has undertaken some other projects during 2003. A summary is provided over.

Other Planning Enforcement Projects of 2003

Development of Legal Precedents / Revision of Standard Documents and Procedures

In order to comply with the requirements of the Planning and Development Act 2000, new legal notices were finalised by the Law Department in 2003, following input and recommendations by the Planning Enforcement Section. Standard letters to improve communication with complainants and developers were drafted and are used as standard procedure. Informing complainants, where reasonably possible, on the progress of files has proven effective in minimising Ombudsman and Freedom of Information enquiries. (The enforcement section has been involved in drafting responses for 3 Ombudsman and 4 Freedom of Information requests throughout the year). Record keeping methods were reviewed and improved.

Satellite Dish Information Campaign

This project involved the development of an illustrated information leaflet outlining exempted and non-exempted locations for satellite dishes and the penalties thereon for breaches of the planning code. This was circulated to 50 installers and suppliers of satellite systems with a covering explanatory letter in September 2003. A copy was placed on the City Council web-site, a press notice was published, and copies are available at the public counter and at municipal libraries. The information diagram appears as a screensaver on public access computers at Navigation House. It has been referred to Corporate Affairs for inclusion in the Council's newsletter, to be circulated to the citizen's of Cork, and has been recommended for inclusion in the City Council's tenant handbook.

Survey of Vehicular Accesses on Selected Streets

This survey was conducted with the assistance of planning students in the summer months. The enforcement section reviewed the findings. Planning searches were carried out on the vehicular accesses surveyed. Standard letters were issued to property owners enquiring as to the planning status of the vehicular accesses and the date the works were carried out. Responses are being submitted on an ongoing basis and are being analysed. Although many of these do not appear to have the benefit of planning permission, due to the time lag (i.e. greater than 7 years) planning enforcement action may not be taken. Most responses to date indicate that accesses have been in existence for many years. Owners will be advised that they should rectify this 'unauthorised' status by making a 'retention' planning application. Ownership investigations are required where further action is necessary and possible.

Commencement Notices / Conditions Precedent Checks

Revised procedures to improve the efficiency and effectiveness of this function have been developed recently. This should front-load problems of non-compliance, reduce the volume of

third party complaints and minimise potential hold-ups of desirable development during the construction phase.

Planning Contributions

2003 saw the migration of the Planning Contributions records to the JD Edwards Financial Management System. On-site investigations were carried out to enable collection of outstanding debts, and to facilitate the migration of 'clean' data. Overall, collection figures increased from €2.9 million in 2002 to €7.3 million in 2003. New Development Contributions, under the General and Supplementary Development Contribution Scheme as adopted by the City Council on Monday the 12th of January 2004, will be levied and collected from the 13th of January 2004.

Hours of Work – Standard Condition – Procedure for Agreement

Due to the unprecedented volume of large-scale developments currently in progress in Cork, a formal procedure and standard application form, whereby developers can apply to extend the standard hours where necessary (in accordance with the relevant planning condition), has been drafted and recommended by the Planning Enforcement Section. If implemented, it is hoped that these will facilitate the monitoring and regulation of applications/decisions on such matters and provide a more effective regime for policing and enforcing breach of conditions.

Conclusion

In summary, 2003 has been a productive year for the Planning Enforcement Section. The work carried out this year should facilitate the implementation of the planning enforcement code in 2004, thus assisting in the promotion of the proper planning and sustainable development of Cork City.

Jim O'Donovan

Director of Services

Planning & Development Directorate

15th January 2004

5.4 **DEVELOPMENT OF PROPERTY AT CLOVERHILL**

In response to question submitted by Comhairleoir D. Counihan, a written reply was circulated which stated that the property at Cloverhill has been identified as a site suitable for housing purposes. The proposed development will comprise of affordable and special needs housing for disabled persons.

Proposals are currently being prepared and will come formally before Members in due course.

5.5 **PROPOSED LINK ROAD FROM ARDROSTIG CROSS TO CURRAHEEN ROAD**

In response to question submitted by Comhairleoir M. Shields, a written reply was circulated which stated that no funds have been provided in our 2004 Grant Allocations for the construction of this road. We have requested funds from the Dept. of the Environment, Heritage and Local Government over the last number of years. We will again request funding for this road in our 2005 Roads Programme.

5.6 **VISIT OF THE FOYER CENTRE IN ENGLAND**

1. In response to question submitted by Comhairleoir G. O' Flynn, a written reply was circulated which stated that at a meeting with a Representative Group of Local Residents held on 9th January, 2004 it was agreed inter alia that the City Council would facilitate residents to view the operation of a Foyer.

To progress the issue the City Council will request Blackpool Community Association to nominate 3 persons to take part in the process and will then facilitate the arrangements for the proposed visit in the coming weeks.

2. Special conditions relating to the purchase of the convent include:
 - (a) It is a fundamental condition of the contract that the Cork City Council will provide suitable alternative accommodation for the Sisters presently residing in the Convent, the subject matter of this sale. This accommodation will have to be approved by the Sisters and will need to have a minimum of four bedrooms and this accommodation will be available to the Little Sisters of the Assumption, free of rent, for so long as they so require it, pending completion and availability of accommodation to them in the Blackpool Project. A Letting will be executed by the Sisters on or before completion, making the accommodation to them on this basis, free of rent.
 - (b) The following items are excluded from the sale:-
 - (i) Stained glass panels in the Chapel (19 glass panels)
 - (ii) The chapel bell

5.7 **SIGNAGE PLATES SHOWING NUMBERS AND PLACE NAMES FOR CURRAHEEN ESTATE**

In response to question submitted by Comhairleoir M. Ahern, a written reply was circulated which stated that the nameplates that are brought for Curraheen Estate in 2001 were as follows:

Curraheen Lawn
Curraheen Drive
Riverbank
Curraheen Crescent
Curraheen Close

These nameplates were erected at the following locations within Curraheen Estate, in 2002:

Curraheen Lawn – On front garden wall of No.2 Curraheen Lawn.
Curraheen Drive – On front garden wall of No.1 Curraheen Drive.
Riverbank – On front wall of house at No.1 Riverbank
Curraheen Crescent – On stand on Green area.
Curraheen Close – On side garden wall of No.1 Curraheen Close.

Any further requests for nameplates within Curraheen Estate can be considered for inclusion in the 2005 programme.

5.8 **5 MOUNT PLEASANT AVENUE**

In response to question submitted by Comhairleoir S. Martin, a written reply was circulated which stated that:

- (a) Complicated title matters have to date prevented any redevelopment of the property at 5 Mount Pleasant Avenue. Cork City Council's Property Department is currently undertaking an ownership investigation with a view to taking action under the Derelict Sites Act 1990. It is proposed to assist the solicitor acting for the Estate to perfect title, using the compulsory acquisition procedures of the Derelict Sites Act 1990, however it subsequently emerged that a third party was the beneficial owner of the property and the Property Department is now endeavouring to trace said beneficial owner.
- (b) No action has been taken by Cork City Council to obtain ownership of the house.
- (c) A compulsory purchase order has not been served. The City Council must first undertake an ownership investigation of the property prior to issuing Notices under the Derelict Sites Act 1990.

5.9 **DEVELOPMENT CONTRIBUTIONS ON VALID PLANNING APPLICATIONS**

In response to question submitted by Comhairleoir T. Brosnan, a written reply was circulated which stated that Cork City Council adopted its Development Contribution Scheme on the 12th January 2004 in accordance with S.48 and S 49 of the Planning & Development Act 2000. While the Act specifies that all schemes must be made by the 10th March 2004 there is no specified date from which the terms of the scheme must be applied.

However Circular Letter PD 4/2003 dated 27th June 2003 from the Department of Environment, Heritage & Local Government states that “*Once adopted all planning permissions granted subsequently will be subject to the conditions of the new scheme ,regardless of when the permission had been applied for .*” In this regard the levying of Development Contributions in accordance with the Scheme on all permissions granted after the 12th January 2004 is correct and not ultra vires.

In relation to the levying of contributions on extensions to existing houses in estates which have already been taken in charge by Cork City Council the following is the current position.

The attached report was discussed at the Planning & Development Functional Committee Meeting held on the 15th March 2004. As extensions to private houses of 40sqm or less are in general exempted developments it is proposed that in cases where extensions greater than this are being carried out that contributions will only be payable on the square meterage in excess of 40sqm.

The Committee was advised that the 40sqm exemption will continue to be applied by the Planning & Development Directorate and all planning applicants will be advised accordingly.

COMHAIRLE CATHRACH CHORCAI

CORK CITY COUNCIL

A Ardmheara ,Seanoiri, agus Cohmairleoiri

I refer to the following motion referred to the Committee and report as follows.

Amendments to General Developments Contributions Scheme

That Cork City Council hereby amends the General Development Contributions Scheme such that existing householders in the City who apply for Planning Permission to extend their homes by less than 100 sq. metres should be exempt from having to pay any development contribution.’

(Proposer: Cllr. T. Brosnan 04/82)

Members will recall that the Development Contribution Scheme was adopted by Council on the 12th January 2004 in accordance with S.48 & S.49 of the Planning & Development Act 2000.

Development Contributions in respect of extensions to private houses are payable in accordance with the provisions of the General Contributions Scheme.

5.10 INTRODUCE DISC PARKING IN TURNERS CROSS

In response to question submitted by Comhairleoir T. O’ Driscoll, a written reply was circulated which stated that Council recently approved a proposal to carry out a major extension of the disc parking zone (DPZ). The actual area of the extended DPZ is nearly 2/3rds the size of the original zone. The areas listed above are part of the extended DPZ.

Work on the installation of disc parking controls for the extended zone has begun, it will be implemented as soon as possible within the constraints of resources and

demands of other traffic related work. Because of the size of the newly extended area, it will take some time to complete the extension scheme.

The process includes:

- Drawing up parking control proposals for each area.
- Meetings and liaison with local residents.
- Consultation with the Gardai
- Installation of parking poles and signs
- Issuing of residents permits
- Enforcement of parking controls

It is impossible to accurately predict the time involved in completing the current zone extension scheme but it is anticipated that it will take at least a year.

5.11 **STUDENTS APARTMENTS**

In response to question submitted by Comhairleoir B. Bermingham, a written reply was circulated which stated that The following is a breakdown of the applications received for student apartments since January 2000.

Applications Received	91
Applications deemed invalid	21
Applications withdrawn	5
Further Information Requested	3
Permission Refused	24
Permission Granted	38

It is estimated that permission has been granted for approximately 1,300 units giving approximately 4,000 additional bed spaces.

6. **NEW CIVIL DEFENCE BUILDING, BALLYVOLANE**

An Chomhairle approved the development of New Civil Defence Headquarters, Training Centre and Vehicle Storage facility at Ballyvolane, adjacent to Ballyvolane Fire Station and the report of the Director of Services, Recreation, Amenity & Culture dated 18th March, 2004 pursuant to Part XI, Planning & Development Act 2000 and Part VIII of the Planning and Development Regulations 2001.

7. **CORPORATE POLICY GROUP**

7.1 **FINANCIAL STATEMENT**

An Chomhairle approved the report of the City Manager on Financial Statement to 29th February, 2004.

7.2 **ERECT STATUE OF JACK LYNCH IN PATRICK STREET**

It was agreed that the following motion, be referred back to the Corporate Policy Group for further discussion.

‘That a statue of Jack Lynch would be erected in Patrick Street.’

(Proposer: Ald. D. McCarthy 04/24)

7.3 **PUBLIC ACCOUNTS COMMITTEE TO OVERSEE THE VALUE FOR MONIES BEING SPENT BY CITY COUNCIL**

An Chomhairle discussed the following motion:-

‘That this Cork City Council establishes a Public Accounts Committee to oversee the value for monies being spent by City Council, its make up would consist of Councillors only, would operate in the same fashion as the Dails Public Accounts Committee.’

(Proposer: Cllr. Chris O’ Leary 03/412)

A vote on the rejection of the Motion was called for where there appeared as follows:

FOR: Seanoir T. Shannon, Comhairleoirí T. Brosnan, E. Nelson, D. Wallace, C. Clancy, G. O’ Flynn, P. Gosch, C. Burke, D. Clune, J. Corr, D. Counihan, D. O’ Flynn, T. O’ Brien, S. Martin, M. Ahern, F. Dennehy. **(16)**

AGAINST: Comhairleoirí J. O’ Brien, Chris O’ Leary, B. Bermingham **(3)**

An tArdmhéara declared the motion lost.

8. **PLANNING & DEVELOPMENT FUNCTIONAL COMMITTEE**

8.1 **TWINNING**

An Chomhairle approved the report of the Twinning Grants Sub-Committee that was presented in relation to allocations for 2004.

8.2 **COMMUNITY & ENTERPRISE**

An Chomhairle approved the Community & Development Sub-Committees recommended payment of the following grants.

- Ogra Chorcaí €40,000
- Cork CAN €40,000

8.3 **HOUSING ESTATES**

An Chomhairle approved the report of the Director of Services, Planning & Development on ‘Housing Estates – February 2004 dated 11th March 2004 was considered.

8.4 **PLANNING STATISTICS**

An Chomhairle approved the report of the Director of Services, Planning & Development dated 11th March 2004 on Planning Statistics for January & February 2004.

8.5 **URBAN RENEWAL**

An Chomhairle noted the report of the Director of Services, Planning & Development dated 11th March 2004 on Urban Renewal.

8.6 **DENSITY IN SUBURBAN RESIDENTIAL AREAS**

An Chomhairle approved the following motion:-

‘That this Council re/examine its policy on the question of density in suburban residential areas in all its planning dimensions following a report from the Director of Services, and Manger outlining exactly, with references, on all aspects of the issue of DENSITY, what the Draft City Development Plan and national guideline says and in particular on the question of apartment blocks in the heart of suburban residential areas, and on the building of houses on side/back gardens.’

(Proposal: Cllr. B. Bermingham 03/437)

8.7 **ELECTIONS & COMMUNITY ASSOCIATIONS**

Comhairleoir B. Bermingham proposed and Comhairleoir D. Counihan seconded the report of the Director of Services, Community & Enterprise.

‘That this Council, agrees to set in motion procedures which will facilitate elections to the recognised local councils called Community Associations on a single mandate basis on the same day as the forthcoming Local Elections 2004 resulting in the:-

1. Extension of Local Democracy with responsibility into the heart of the various communities in the City of Cork.
2. Wider and diffusion of participation and leadership within these Communities.
3. Creation of democratic local Communities with a mandate to speak on behalf of local areas as defined.
4. Such representatives joining with Cork City Ward Councillors in local area committees enhancing representation of such areas on Cork City Council’.

(Proposer: Cllr. B. Bermingham 04/53)

A vote on the rejection of the Motion was called for where there appeared as follows:

FOR: Seanoirí T. Shannon, Comhairleoirí T. Brosnan, E. Nelson, D. Wallace, C. Clancy, G. O’ Flynn, P. Gosch, J. O’ Brien, D. Clune, J. Corr, D. O’ Flynn, T. O’ Brien, S. Martin, Chris O’ Leary, M. Ahern, F. Dennehy. **(16)**

AGAINST: Comhairleoir D. Counihan, B. Bermingham. **(2)**

An tArdmhéara declared the motion lost.

9. **ENVIRONMENT FUNCTIONAL COMMITTEE**

9.1 **SANITARY AND OTHER SCHEMES**

An Chomhairle approved the report of Director of Services on Sanitary and Other Schemes for the year to the 29th February 2004.

9.2 **ENVIRONMENTAL MATTERS**

An Chomhairle approved the report of the Director of Services on Environmental Matters for the year to the 29th February 2004.

9.3 **DELWOOD GROVE AND ASHWOOD**

An Chomhairle approved the report of the Director of Services on the following motion which was referred to the Committee by An Chomhairle:

“That the sewers in Delwood Grove and Ashwood, off Ring Mahon Road, Blackrock would be upgraded, as they are constantly being blocked and overflowing and this is a danger to residents’ health who reside in these parks.”

(Proposer: Cllr. D. O’Flynn 03/035)

9.4 **WATER PRESSURE ON LOWER CLARKES ROAD**

An Chomhairle approved the report of the Director of Services on the following motion which was referred to the Committee by An Chomhairle:

“That Cork City Council take immediate action to rectify the Water Pressure on Lower Clarkes Road.”

(Proposer: Cllr. S. Martin 02/249)

9.5 **WATER PRESSURE ON ST. PATRICK’S ROAD**

An Chomhairle approved the report of the Director of Services on the following motion which was referred to the Committee by An Chomhairle:

“That Cork City Council take immediate action to rectify the Water Pressure on St. Patrick’s Road.”

(Proposer: Cllr. S. Martin 02/251)

9.6 **CIVIC AMENITY SITE**

The following motion referred to the Committee by An Chomhairle:

“That in order to facilitate the public, the Civic Amenity Site on the Kinsale Road remain open on Saturday afternoon.”

(Proposer: Cllr. T. O’Brien 04/128)

10. **MOTIONS DEFERRED FROM COUNCIL MEETING HELD ON 8TH MARCH, 2004**

10.1 **STOP FUNDING GOING TO AN TAISCE**

‘I call on the City Council to call on the Minister to stop funding going to An Taisce.’

(Proposer: Ald. D. Mc. Carthy 04/83)

Seanoir T. Shannon proposed and Comhairleoir D. Wallace seconded the following amendment which was approved unanimously by An Chomhairle.

“I call on the Minister to enter into discussions with An Taisce regarding the role and purpose of the organisation.”

(Proposer: Ald. T. Shannon 04/83 as amended)

An Chomhairle approved the following motion which was deferred from the last meeting of An Chomhairle held on the 8th March, 2004:-

10.2 **AER RIANTA TO PROVIDE ADEQUATE PARKING FACILITIES**

‘That Cork City Council requests Aer Rianta to provide adequate parking facilities at Cork Airport for non-commercial aircraft in order to facilitate investors and high spending tourists who may wish to visit the region.’

(Proposer: Cllr. T. O’ Driscoll 04/124)

11. **CONFERENCES**

An Chomhairle approved attendance at the following Conferences:-

11.1 **GENERAL COUNCIL OF COUNTY COUNCILS ANNUAL CONFERENCE 2004**

An Chomhairle approved the attendance of Comhairleoirí B. Bermingham, S. Martin, D. Wallace & Seanoir D. McCarthy at the General Council of County Councils Annual Conference 2004 which was held on 11th – 13th March, 2004 in the Newpark Hotel, Kilkenny.

11.2 **KERRY ENVIRONMENTAL RECOGNITION CENTRE, 13TH ANNUAL ENVIRONMENTAL CONFERENCE**

An Chomhairle approved the attendance of Seanoirí D. McCarthy & T. Shannon at the Kerry Environmental Recognition Centre, 13th Annual Environmental Conference which was held on 3rd – 6th March, 2004 in the Golf Hotel, Ballybunion, Co. Kerry.

11.3 **PARTNERSHIP - THE POSSIBILITIES AND THE PERILS CONFERENCE**

An Chomhairle approved the attendance of Comhairleoir G. O’ Flynn at the Partnership – The Possibilities and the Perils Conference which was held on 25th & 26th March, 2004 in Kilkee Bay Hotel, Kilkee, Co. Clare.

11.4 **EUROPEADE CONFERENCE 2004**

An Chomhairle approved the attendance of Comhairleoirí J. Corr & M. O' Connell at the Europeade Conference 2004 to be held on 22nd & 23rd April, 2004 in Hotel Westport, Westport, Co. Mayo.

11.5 **PROTECTING OUR NATURAL HERITAGE, WHAT WILL BE OUR LEGACY?**

An Chomhairle approved the attendance of Comhairleoir J. Kelleher at the Protecting our Natural Heritage, What Will be our Legacy Conference to be held on 22nd & 23rd April, 2004 in Carrigaline Court Hotel, Carrigaline, Co. Cork.

11.6 **ENHANCING LOCAL DEMOCRACY – THE ROLE OF THE LOCAL COUNCILLOR IN IRELAND**

An Chomhairle approved the attendance of Comhairleoirí D. Counihan & J. Kelleher at the Enhancing Local Democracy – The Role of the Local Councillor in Ireland which was held on 26th March, 2004 in University College Cork.

11.7 **THE DUHALLOW CONFERENCE**

An Chomhairle approved the attendance of Comhairleoir J. Kelleher at the Duhallow Conference which was held on the 18th – 21st March, 2004 at the Duhallow Park Hotel, Kanturk, Co. Cork.

11.8 **ANNUAL CONFERENCE – HEALTH SERVICES IN IRELAND**

An Chomhairle approved the attendance of Comhairleoirí T. Brosnan and T. Falvey at the Annual Conference – Health Services in Ireland which was held on the 26th – 27th March, 2004 at the Bridge House Hotel, Tullamore.

11.9 **CLONMEL CONFERENCE – “A HEALTHY DEBATE”**

An Chomhairle approved the attendance of Comhairleoirí M. O' Connell and T. Falvey at the Clonmel Conference – “A Healthy Debate” to be held on 2nd & 3rd April, 2004 in the Slievenamon Golf Club & Fairways Restaurant, Lisronagh, Clonmel, Co. Tipperary.

11.10 **LOCAL AUTHORITY MEMBERS ASSOCIATION – 21ST ANNUAL CONFERENCE**

An Chomhairle approved the attendance of Comhairleoir M. O' Connell at the Local Authority Members Association – 21st Annual Conference to be held on 15th – 16th April, 2004 in the West County Hotel Conference & Leisure Centre, Ennis.

11.11 **LOCAL GOVERNMENT 1999-2004 CONFERENCE – HOW DID WE DO?**

An Chomhairle approved the attendance of Comhairleoir M. O' Connell at the Local Government 1999-2004 Conference – How Did We Do? to be held on 7th – 8th May, 2004 in the Clonea Strand Hotel, Dungarvan, Co. Waterford.

12. **MOTIONS**

An Chomhairle agreed to refer the following motions to the following Committees:-

12.1 **ROAD RESURFACING PROGRAMME – CAPWELL ROAD & AVENUE**

‘That Capwell Road and Avenue be included in next years Road Resurfacing Programme.’

(Proposer: Comhairleoir S. Martin 03/208)

Roads & Transportation Functional Committee

12.2 **ROAD RESURFACING PROGRAMME – CARRIGVIEW TERRACE, OFF BLACKROCK ROAD**

‘That Carrigview Terrace, Off Old Blackrock Road, be included in next years Road Resurfacing Programme.’

(Proposer: Comhairleoir S. Martin 03/209)

Roads & Transportation Functional Committee

12.3 **INSTALL CENTRAL HEATING AT SUNVIEW, FAIRHILL**

‘That Cork City Council would install central heating as a matter of urgency in the remaining properties at Sunview, Fairhill particularly in view of the fact that many of the tenants are elderly.’

(Proposer: Cllr. C. Clancy 04/79)

Housing & Community Functional Committee

12.4 **INDISCRIMINATE PARKING AT TARA COURT**

‘That Cork City Council address the issue of indiscriminate parking at Tara Court, Tara Lawn and Hillside Road, to a) protect the safety of children crossing the road b) allow residents access to driveways and c) ensure the smooth flow traffic.

Placement of double yellow lines at strategic positions including entrances to estates would improve the quality of life and safety of residents in this area.’

(Proposer: Cllr. F. Dennehy 04/88)

Roads & Transportation Functional Committee

12.5 **ROAD RESURFACING – WILTON GARDENS**

‘That repairs to the road surface at Wilton Gardens would be carried out as a matter of urgency and this area would be considered for road resurfacing at the next available opportunity.’

(Proposer: Cllr. F. Dennehy 04/89)

Roads & Transportation Functional Committee

12.6 **REPAIR THE FOOTPATH ON KEARNEY’S AVE**

‘That Cork City Council repairs the footpath on Kearney’s Avenue. Weeds are growing out of the cracks and shores which is a danger to pedestrians.’

(Proposer: Cllr. G. O’ Flynn 04/90)

Roads & Transportation Functional Committee

12.7 **TRAFFIC CALMING – REDEMPTION ROAD**

‘That traffic calming measures be immediately put in place on Redemption Road owing to the increasing volumes of traffic that pass through this narrow thoroughfare at high speed every day.’

(Proposer: Cllr. G. O’ Flynn 04/91)

Roads & Transportation Functional Committee

12.8 **FREE TRAVEL**

‘That people over 70 years who are on free travel should be entitled to a companion pass.’

(Proposer: Ald. D. McCarthy 04/105)

12.9 **EXTRA CHARGES INCURRED UNDER THE DEVELOPMENT CONTRIBUTION SCHEME**

‘That Cork City Council would exempt planning applications whose planning applications were being processed on and prior to 12/Jan/04 from the extra charges they would incur under the Development Contributions Scheme passed by Cork City Council on 12/Jan/04.’

(Proposer: Cllr. C. Clancy 04/106)

Planning & Development Strategic Policy Committee

12.10 **BOLLARDS BE PUT UP BETWEEN KILLALA GARDENS AND CHURCHFIELD GREEN**

‘That bollards be put up between Killalla Gardens and Churchfield Green to stop cars being driven over the green area.’

(Proposer: Cllr. M. O’ Connell 04/111)

Roads & Transportation Functional Committee

12.11 **PEDESTRIAN CROSSING AT TOP OF CHURCHFIELD HILL**

‘That a pedestrian crossing be put at the top of Churchfield Hill and the junction of Churchfield Avenue and also a crossing on Churchfield Avenue.’

(Proposer: Cllr. M. O’ Connell 04/112)

Roads & Transportation Functional Committee

12.12 **PEDESTRIAN OVERPASS AT SILVERSPRINGS LANE**

‘That Cork City Council calls on the National Roads Authority to provide the necessary funding for at least one pedestrian overpass at Silversprings Lane.’

(Proposer: Cllr. T. Brosnan 04/116)

Roads & Transportation Strategic Policy Committee

12.13 **OLD CARPARK ON GRATTAN STREET**

‘That Cork City Council develop an amenity on the site of the old car park on Grattan Street in order to cater for the young people of the immediate neighbourhood.’

(Proposer: Cllr. T. O’ Driscoll 04/125)

Recreation, Amenity & Culture Strategic Policy Committee

12.14 **ERECT STRUCTURE ON PENROSE QUAY TO CORKONIANS**

‘On behalf of the people of Cork and our exiled brethern I move that the following motion be adopted ‘That the members of the Cork City Council erect a permanent structure on Penrose Quay as a fitting tribute to the thousands of Corkonians, men and women who were compelled through the scourge of unemployment, economic problems, war and circumstances not of their making to board the immigrant ships to England and other points of the compass to find employment in those countries in order to provide the basic needs for the family members left behind.’

(Proposer: Cllr. D. Cregan 04/129)

12.15 **RAMPS & CHILDREN AT PLAY SIGNS BE PUT IN HOLYHILL**

‘Ramps and Children at Play Signs be put in Holyhill, Off Blarney Street.’

(Proposer: Ald. D. McCarthy 04/130)

Roads & Transportation Functional Committee

12.16 **INSTALL CENTRAL HEATING IN FLATS IN MAPLE PLACE – HAZEL RD**

‘That, given the fact that the flats in Maple Place, Hazel Road, Togher Road and Sycamore Place are extremely cold with only one fireplace in each, funds be sought to install central heating in each flat thereby bringing them to the minimum standard that is acceptable in 2004.’

(Proposer: Cllr. M. Ahern 04/133)

Housing & Community Functional Committee

12.17 **CLOSE LANEWAY BETWEEN MURMOUNT RD & MURMOUNT CRESCENT**

‘That the lane-way between Murmount Road and Murmount Crescent be closed, in line with the wishes of the majority of local residents, and that there be no further delay on this important issue.’

(Proposer: Cllr. J. Kelleher 04/135)

Roads & Transportation Functional Committee

12.18 **BOHERBOY RD. MAYFIELD BE WIDENED OUTSIDE NO'S 2 & 3, ST. JOSEPH'S PARK**

‘That, in the interests of safety, Boherboy Road, Mayfield be widened outside 2 & 3 St. Joseph's Park, and that the residents of these houses be facilitated with the provision of driveways.’

(Proposer: Cllr. J Kelleher 04/136)

Roads & Transportation Functional Committee

12.19 **TRAFFIC COUNTS & SPEED CHECKS ON WELLINGTON RD**

‘That Cork City Council carry out Traffic Counts and Speed checks on Wellington Road with a view to establishing the most suitable location for a Pelican crossing.’

(Proposer: Cllr. T. Brosnan 04/138)

Roads & Transportation Functional Committee

12.20 **ENHANCE THE CASTLE RD AREA AT SANDY LANE & GATE LODGE ESTATES**

‘That in order to enhance the Castle Road area at Sandy Lane & Gate Lodge Estates, the following items be put in place:-

1. Removal of surplus top soil at car park in Castle Road.
Recreation, Amenity & Culture Functional Committee
2. Complete footpaths on both sides of roads of St. Lukes Nursing Home.
Roads & Transportation Functional Committee
3. Provision of Car Park for Blackrock Castle.
Corporate Affairs
4. Provision of ‘Dog Fouling’ signs in this area.

Environment Functional Committee

5. Adequate Public Lighting at Junction of Ringmahon Road and Castle Road.

Roads & Transportation Functional Committee

6. Replace damaged placename sign.'

Roads & Transportation Functional Committee

(Proposer: Cllr. D. Counihan 04/141)

12.21 **PALISADE FENCING BE ERECTED ACROSS THE GREEN OPEN SPACE BETWEEN CLOVER LAWN & CLOVER HILL**

'That Palisade Fencing be erected across the Green open space between Clover Lawn and Clover Hill Est., Skehard Rd, where regular incidents of anti social behaviour occur to the detriment of local residents.'

(Proposer: Ald. T. Shannon 04/142)

Recreation, Amenity & Culture Functional Committee

12.22 **GULLIES & STORM DRAINS BE INSTALLED ON THE BLACKROCK ROAD**

'That as part of the road re-surfacing work due to be carried out on the Blackrock Road between Church Road and Beaumont Drive, Gullies and Storm Drains be installed to alleviate flooding and pooling which frequently occurs at great inconvenience to local residents and pedestrians.'

(Proposer: Ald. T. Shannon 04/143)

Roads & Transportation Functional Committee

12.23 **ROAD RESURFACING – DERRYNEANE RD**

'That Derrynane Road be listed for resurfacing in the 2005 Roadworks Programme.'

(Proposer: Cllr. T. O' Driscoll 04/156)

Roads & Transportation Functional Committee

12.24 **MAKE SAFE THE WALL FRONTING MOUNT EDEN RISE**

'That Cork City Council, make safe the wall fronting Mount Eden Rise, Off Blarney Street, which is a danger to the Children living in the area.'

(Proposer: Cllrs. C. Clancy & P. Gosch 04/157)

Planning & Development Functional Committee

12.25 **ABOLISH STAMP DUTY FOR FIRST TIME BUYERS FOR SECOND HAND HOUSES**

‘That this Council calls on the government to abolish stamp duty for first time buyers for second hand homes.’

(Proposer: Cllr. B. Bermingham 04/159)

Corporate Affairs

12.26 **TRAFFIC CALMING MEASURES BE INTRODUCED ALONG LOUGHMAHON RD**

‘That traffic calming measures would be introduced along Loughmahon Road in anticipation of an increased volume of traffic following the opening of playground in the area.’

(Proposer: Cllr. D. Clune 04/163)

Roads & Transportation Functional Committee

This concluded the business of the meeting.

**ARDMHEARA
CATHAOIRLEACH**