

MINUTES OF ORDINARY MEETING OF CORK CITY COUNCIL
HELD ON MONDAY 22nd JANUARY 2018

PRESENT	Ard-Mhéara Comhairleoir T. Fitzgerald.
NORTH EAST	Comhairleoirí S. Cunningham, T. Tynan, T. Brosnan, J. Kavanagh.
NORTH CENTRAL	Comhairleoirí T. Gould, F. Ryan, K. O’Flynn, L. O’Donnell, J. Sheehan.
NORTH WEST	Comhairleoirí M. Nugent, K. Collins, M. O’Sullivan.
SOUTH EAST	Comhairleoirí K. McCarthy, C. O’Leary, D. Cahill, L. McGonigle, T. Shannon, N. O’Keeffe, S. O’Shea.
SOUTH CENTRAL	Comhairleoirí M. Finn, F. Kerins, T. O’Driscoll, S. Martin.
SOUTH WEST	Comhairleoirí J. Buttimer, H. Cremin, M. Shields, F. Dennehy, P.J. Hourican, T. Moloney.
ALSO PRESENT	Mr. P. Ledwidge, Deputy Chief Executive Mr. J. G. O’Riordan, Meetings Administrator, Corporate & External Affairs. Ms. U. Ramsell, Staff Officer, Corporate & External Affairs. Mr. D. Joyce, Director of Services, Environment & Recreation Directorate. Mr. G. O’Beirne, Director of Services, Roads & Transportation. Ms. V. O’Sullivan, Director of Services, Housing & Community Directorate. Mr. J. Hallahan, Head of Finance. Mr. T. Duggan, City Architect. Mr. G. Desmond. BPI Coordinator, I.C.T. and Business Services.

An tArd-Mhéara recited the opening prayer.

1. **VOTES OF SYMPATHY**

- The Crockett Family on the death of James Crockett
- The O’Connell Family on the death of Nellie O’Connell.
- The Cullen Family on the death of Margaret Cullen.
- The Cummins Family on the death of Eleanor Cummins.
- The Rattray Family on the death of Geraldine Rattray.
- The O’Keeffe Family on the death of Norma O’Keeffe.
- The Bollard Family on the death of Martina Bollard.
- The Coogan Family on the death of Pat Coogan.
- The Murphy Family on the death of Donal Murphy.
- The Donnellan Family on the death of Mary Donnellan.
- The Finn Family on the death of Peter Finn.

2. **VOTES OF CONGRATULATIONS/BEST WISHES**

- Relentless Rowers on rowing across the Atlantic Ocean in aid of CUH Children’s Hospital.
- Court Services on the wonderful re-furbishment and development of the old Model School in Anglesea Street.
- Captain Michael McCarthy on the recent announcement of the Ferry Service from Cork to Spain.
- President Patrick O’Shea and UCC on the becoming a University of Sanctuary.
- Simon Meehan from Coláiste Choilm in Ballincollig on winning the overall prize at this year’s Young Scientist & Technology Competition.

3. **LORD MAYOR’S ITEMS**

3.1 **TRIP TO BOSTON**

An Chomhairle approved the Lord Mayor’s travel arrangements to Boston and New York on the 25th February 2018.

3.2 **HEALTHY CITIES NETWORK**

An Chomhairle approved the Lord Mayor’s attendance at the Healthy Cities Network Mayor Summit to be held in Copenhagen on 12th -14th February 2018.

3.3 **COURTESY VISIT FROM TÁNAISTE**

An Chomhairle approved the issuing of an invitation to An Tánaiste Simon Coveney T.D.to pay a courtesy visit to the Lord Mayor and to brief An Chomhairle in relation to the “National Planning Framework: Ireland 2040 Our Plan”.

3.4 **NATIONAL SCULPTURE FACTORY**

An tArd-Mhéara reminded An Chomhairle of the invitation to the National Sculpture Factory scheduled for Tuesday, 23rd January 2018 at 5.30 p.m.

3.5 **CORK PROPERTY MARKETS**

The Lord Mayor proposed and An Chomhairle approved a briefing to take place by Cushman and Wakefield on Property Markets in Cork, on a date to be agreed.

3.6 **LORD MAYOR’S BALL**

An tArd-Mhéara informed An Chomhairle that the Annual Lord Mayor’s Ball would take place on Sunday 18th March 2018.

3.7 **CITY OF SANCTUARY**

The Lord Mayor proposed and An Chomhairle approved that congratulations be extended to University College Cork on their being granted a University of Sanctuary Status recently.

4. **CHIEF EXECUTIVE'S ITEMS**

4.1 **CHIEF EXECUTIVE'S MONTHLY MANAGEMENT REPORT**

An Chomhairle considered and noted the Chief Executive's Monthly Management Report for December 2017.

4.2 **ANNUAL SERVICE DELIVERY PLAN 2018**

On the proposal of Comhairleoir T. Shannon, seconded by Comhairleoir K. McCarthy, An Chomhairle agreed to adopt the Annual Service Delivery Plan 2018.

The contributions made by a number of the Elected Members in relation to the Annual Service Delivery Plan 2018 were noted.

4.3 **MORRISON'S ISLAND PUBLIC REALM AND FLOOD DEFENCE PROJECT**

An Chomhairle considered the report of the Director of Services, Environment and Recreation Directorate, dated 22nd January 2018 on Morrison's Island Public Realm Defence Project.

On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir N. O'Keeffe, a vote was called for to approve the Report of the Director of Services and the adoption of the Resolution attached thereto, where there appeared as follows:-

FOR: Comhairleoirí S. Cunningham, J. Kavanagh, T. Gould, K. O'Flynn, J. Sheehan, M. Nugent, T. Fitzgerald, K. Collins, K. McCarthy, C. O'Leary, D. Cahill, L. McGonigle, T. Shannon, N. O'Keeffe, S. O'Shea, M. Finn, F. Kerins, T. O'Driscoll, S. Martin, J. Buttimer, H. Cremin, M. Shields, F. Dennehy, T. Moloney. (24)

AGAINST: Comhairleoirí T. Tynan, T. Brosnan, F. Ryan, L. O'Donnell, M. O'Sullivan. (5)

ABSTENTION: (0)

As those voting in favour of the Report and adopting the Resolution was greater than those voting against, An tArd-Mhéara declared the vote carried including the adoption of the following Resolution:-

RESOLUTION OF CORK CITY COUNCIL

WHEREAS:

1. The Commissioners of Public Works in Ireland (otherwise known as "the OPW") intend to carry out Flood Defence Works at Father Matthew Quay, Morrison's Quay extending from Parliament Bridge to Parnell Bridge and a short section of Union Quay adjacent to the Trinity Foot Bridge, both locations on the south channel of the River Lee in the City of Cork ("the Flood Defence Works") as part of the Lower Lee Flood Relief Scheme.

2. Cork City Council wishes to carry out Public Realm Works in the same location as the Flood Defence Works.
3. The OPW and Cork City Council consider that it would be more convenient, cost effective and expeditious that the Flood Defence Works and the Public Realm Works be carried out concurrently as a single project under one contract with Cork City Council acting as the Employer.
4. Cork City Council is able and willing to carry out the Project pursuant to an agreement to be entered into with the OPW for the purposes of Section 85(2) of the Local Government Act 2001.

NOW THEREFORE Cork City Council hereby resolves that an agreement be made with the OPW for the execution by Cork City Council of the Project for the purposes of Section 85(2) of the Local Government Act 2001.

4.4 **EVENT CENTRE**

The Deputy Chief Executive advised An Chomhairle that all archaeological related artefacts recovered from the site would be recorded and displayed as appropriate. He also stated that in relation to those archaeological related artefacts which, it was agreed would remain in the ground, that appropriate action would be taken to ensure that they were adequately protected.

4.5 **PILOT PROJECT**

Some Elected Members participating in the Pilot Project for Electronic Documentation raised issues of concern in relation to the system.

The Deputy Chief Executive in responding to the issues advised that the matter would be raised with the City Council Staff involved in the Project and that this would be followed by direct engagement with the Pilot Project participants.

5. **MINUTES**

On the proposal of Comhairleoir T. Gould, seconded by Comhairleoir C. O’Leary, An Chomhairle considered and approved the minutes of:-

- Ordinary Meeting of An Chomhairle held 8th January 2018.

6. **QUESTION TIME**

6.1 **GRANT ALLOCATION FOR GIRL GUIDES AND SCOUT GROUPS**

In response to the following question submitted by Comhairleoir S. Martin, a written reply was circulated as outlined below:-

What has happened to the small grant allocation that was agreed by Council for Girl Guides and Boy Scout groups in the city?

(Cllr. Sean Martin)

REPLY

Details of a Cork City Council Scouts/Guides Small Capital Grants Scheme were sent to all Scout/Girl Guide groups in the City in early October. The Scheme is aimed at supporting these voluntary groups in carrying out small capital works to their premises. Three applications were received by the closing date of 10th November 2017, with an extension granted to 20th December after that to allow for further applications.

A report on the Grant Recommendations will be brought before the next Environment & Recreation Functional Meeting on 5th February for consideration .

David Joyce
Director of Services
Environment & Recreation

6.2 **ONLINE PUBLIC REPS SYSTEM**

In response to the following question submitted by Comhairleoir H. Cremin, a written reply was circulated as outlined below:-

Can the C.E. inform the council of the following:

1. How successful is the Online Public Rep's System since its introduction?
2. What date did this system go live?
3. How many Cllrs have used it since its introduction on day one?
4. How many Cllrs elected in 2014 are using this system?
5. How many Cllrs elected in 2014 are continuously active sending in representations through this system?
6. Besides Cllrs getting an automatic reply the following day what actually happens to these representations, are these representation actually read by a member of the relevant Departments before they are filed on the applicants file?
7. Can a member of the public ask to look at their file in housing allocation department to verify that the particular Cllr. has made the representation on their behalf?
8. How many reps from Cllrs. have been made through this system to each of these Departments since its introduction?
 - Environment.
 - Homeless
 - Housing Allocations
 - T.A.U.
 - Rents
 - R.A.S / H. A.P.
 - Housing Maintenance
 - Housing Loans and Grants.

(Cllr. Henry Cremin)

REPLY

1. An online portal was developed by Cork City Council to provide a more effective and efficient means of submitting representations on behalf of constituents and members of the public by public representatives. The service is in the form of a secure webpage **publicreps.corkcity.ie**, which allows registered users to access the system to submit representations to the appropriate Directorate or section to deal with the issue at hand. It also serves as a secure central repository, so previous

submissions can be reviewed or reprinted at any time. It has been well received and a significant number of submissions are received and reviewed each month.

2. The system was initially piloted in the Housing & Community Directorate and has been live since April 2014.
3. From April 2014 to December 2017, 23 individual public representatives have engaged with the system.
4. 15 of the Members of the current Council elected in 2014 have engaged with the system. The volume of representations varies from one individual to another and across different time periods.
5. Cork City Council staff access the system on an ongoing basis to review and download representations submitted, and all items are actioned according to the nature and urgency of the request.
6. All representation submitted on behalf of housing applicants are noted on the applicant's housing file. Applicants may access a copy of their full housing application file or specific records or correspondence by submitting a Freedom of Information request.
7. Please see details below for totals from April 2014 to the end of 2017:

Section	Submissions to 31/12/17
Environment (including street cleaning & litter management)	8
Homeless	58
Housing Allocations	2186
TAU	12
Rents	3
RAS/HAP	4
Housing Maintenance	318
Housing Loans & Grants	21

Ruth Buckley,
Head of ICT & Business Services.

6.3 **OLD WHITECHURCH ROAD LAND BANK**

In response to the following question submitted by Comhairleoir F. Ryan, a written reply was circulated as outlined below:-

Can Cork City Council confirm what developer the Old Whitechurch Road land bank was purchased from?

(Cllr. Fiona Ryan)

REPLY

Cork City Council did not purchase any lands contained in the Old Whitechurch Road land bank from a Developer.

The landowners that the Council acquired the four parcels of land that make up the Old Whitechurch Road land bank are as follows :

1. Catherine O'Mullane, Elizabeth O'Flynn & Mary Pilkington.
2. Trustees of Na Piarasigh Hurling & Football Club : Pdraig Spiolain, Liam O'Seoigh, Conchur O'Murchu & Donal Nealon.
3. Mark & Eileen McElhinney
4. Gerard Geaney

V. O'Sullivan,
Director of Services,
Housing & Community Services.

6.4 **WATER POOLING ALONG MELBOURN ROAD**

In response to the following question submitted by Comhairleoir P.J. Hourican, a written reply was circulated as outlined below:-

To ask the Chief Executive if she can explain why there is a serious issue of water ponding and pooling along the Melbourn Road and in particular at the junction with Curraheen Road and what measures will be taken to remediate.

(Cllr. P.J. Hourican)

REPLY

The gullies on Melbourn Road were all cleaned within the last two weeks. There is a localised problem with the capacity of the gullies at the junction with Curraheen Road and remedial measures are being investigated to relieve recurrent water ponding at this location.

Gerry O'Beirne,
Director of Services,
Roads & Transportation.

6.5 **DRINKING FINES**

In response to the following question submitted by Comhairleoir J. Buttimer, a written reply was circulated as outlined below:-

To ask the Chief Executive, with respect to on the spot fines for drinking on the street,

1. To publish the full text of the bye-law and when it was enacted,
2. To publish the process for managing and processing such fines,
3. To publish the number of fines issued each year since the date of adoption of the by-law,
4. To publish how many fines were paid and how many unpaid fines were followed up.
5. To publish in a tabular format for the years 2016 and 2017 the number of monthly fines/dockets received from An Garda Siochana for on the spot fines, the number of fines issued from Cork City Council, the number of these fines paid/unpaid, the number of fines subsequently followed up on and if the Chief Executive can report

on the percentage of fines progressed to summons or court and the outcome of such proceedings and to comment on,

6. What is the status of the City Council Committee on Consumption of Intoxicating Alcohol in Public Places, and
7. What measures are City Council implementing to reduce and minimise the consumption of alcohol in public places?

(Cllr. John Buttimer)

REPLY

1. The Cork City Council (Prohibition of Consumption Of Intoxicating Liquor on Streets and in Public Places) Bye-Laws were approved and came into operation in 2001. Copy attached.
2. The current Legislation in place is “Cork City Council (Prohibition of Consumption Of Intoxicating Liquor on Streets and in Public Places) Bye-Laws” 2001

The Gardaí issue Drinking Fines to offenders which are then followed up by Cork City Council. A Drinking Fine is €75 and the offender has 21 days to pay the fine. If unpaid, the fine is returned to the Gardaí. It is the Gardaí who issue summons and follow up on fines.

The Committee on Consumption of Intoxicating Alcohol in Public Places met once in March, 2016.

3. The following table sets out the number of fines issued and paid yearly from 2003 to 2015. The Bye-Laws came into force in 2001

Cork City Council (Prohibition of Consumption of Intoxicating Liquor on Street and in Public Places) Bye-Laws, 2001.

YEAR	NUMBER OF FINES ISSUED	NUMBER OF FINES PAID
2003	457	163
2004	368	152
2005	525	207
2006	385	174
2007	551	247
2008	656	286
2009	337	200
2010	419	242
2011	179	119
2012	213	143
2013	119	54
2014	81	46
2015	54	37

4. The Gardaí are responsible for following up on unpaid fines.

5. The following tables set out the Monthly figures for 2016 and 2017 for Drinking Fines Issued and Fines Paid.

2016	Invoices Issued	Invoices Paid	2017	Invoices Issued	Invoices Paid
January	1	0	January	0	1
February	0	1	February	21	1
March	36	21	March	11	20
April	0	10	April	0	2
May	0	1	May	2	0
June	0	0	0	0	1
July	6	0	July	4	4
August	0	0	August	0	0
September	3	0	September	4	0
October	0	1	October	0	4
November	1	1	November	27	0
December	1	0	December	0	20
TOTAL 2016	48	35	TOTAL 2017	69	53

6. The Committee on Consumption of Intoxicating Alcohol in Public Places last met in March, 2016.
7. Cork City Council engages pro-actively with An Garda Síochána on a regular basis at an operational level in relation to the issue of consumption of alcohol in public places and the role of the Bye-Laws in dealing with this issue and reducing consumption levels.

Paul Moynihan,
Director of Services,
Corporate & External Affairs.

6.6 **JAPANESE KNOTWEED**

In response to the following question submitted by Comhairleoir L. McGonigle, a written reply was circulated as outlined below:-

To ask the Chief Executive for an update on the city-wide survey that Cork City Council undertook in 2016, which was undertaken to establish the full extent of the Japanese knotweed problem.

What action are Cork City Council taking on foot of that report?

(Cllr. Laura McGonigle)

REPLY

The 2016 City-Wide survey identified the locations of invasive plant species including Japanese Knotweed on public lands within the City.

Japanese Knotweed was treated on a number of the identified locations on a pilot basis during Autumn 2017 and these sites will be treated for a further two years at a minimum

until the infestation is eradicated . The recommended treatment period to achieve full eradication of the plant is three years.

Additional sites will be identified (on a priority basis) for treatment during Autumn 2018 and this process will continue until full eradication is achieved within the City.

David Joyce,
Director of Services,
Environment & Recreation.

6.7 **STONERIDGE ESTATE, BLARNEY ROAD**

In response to the following question submitted by Comhairleoir M. Nugent, a written reply was circulated as outlined below:-

That the Chief Executive will outline a timeline for the installation of a pedestrian crossing and associated works at Stoneridge Estate, Blarney Road? What are the complete details of the project?

(Cllr. Michael Nugent)

REPLY

The contract for the construction of the pedestrian crossing at Stoneridge Estate, Blarney Road was awarded following a tender process in 2017.

It is anticipated that the works will commence on site in early February and will take approximately three months to complete.

The works comprise the provision of:

- New signalised pedestrian crossing facilities;
- Provision of ducting, micro pillar and traffic controller to signalised pedestrian crossing facility;
- Provision of dropped kerbs and tactile paving;
- Public lighting works;
- Upgrade of existing footpaths;
- New road marking and signage;
- Traffic calming on both approaches;
- Drainage works;
- Resurfacing works where required;
- Other necessary associated works.

Gerry O'Beirne,
Director of Services,
Roads & Transportation.

6.8 **WORK PROGRAMME FOR TRAMORE VALLEY**

In response to the following question submitted by Comhairleoir K. McCarty, a written reply was circulated as outlined below:-

To ask the Chief Executive about the work programme and timeframe for Tramore Valley leading up to its opening to the general public this year.

(Cllr. Kieran McCarthy)

REPLY

A works programme to address the essential works that must be undertaken prior to opening during Summer 2018 will be finalized by late January, some works previously identified are presently underway.

A Management Plan to manage, operate, and maintain the park is also being prepared at present.

David Joyce,
Director of Services,
Environment & Recreation.

7. **CORPORATE POLICY GROUP – 15th JANUARY 2018**

An Chomhairle considered and noted the minutes of the Corporate Policy Group from its meeting held 15th January 2018.

7.1 **ANY OTHER BUSINESS**

7.1.1 **MORRISON’S ISLAND SECTION 85 AGREEMENT WITH OPW**

See Item 4.3 above.

8. **STRATEGIC PLANNING, ECONOMIC DEVELOPMENT & ENTERPRISE FUNCTIONAL COMMITTEE – 8th JANUARY 2018**

An Chomhairle considered and noted the minutes of the Strategic Planning, Economic Development and Enterprise Functional Committee from its meeting held 8th January 2018.

8.1 **INTERNATIONAL RELATIONS COMMITTEE**

8.1.1 **REPORT ON VISIT OF MAYOR OF SAN FRANCISCO MR EDWIN LEE TO CORK FOR THE UNESCO LEARNING CITIES CONFERENCE-SEPTEMBER 2017**

An Chomhairle considered and approved the Report of Mr. Paul Moynihan, Director of Services, Corporate and External Affairs on the visit of Mayor Lee, to Cork for the UNESCO Learning Cities Conference in September 2017.

8.2 **MOTION**

8.2.1 **TWINNING OF CORK AND SYDNEY**

An Chomhairle considered and approved the Report of the Director of Services, Corporate and External Affairs on the following Motion referred to the Committee by An Chomhairle:-

‘That in light of a County Council move to effectively twin the harbours of Cork and Sydney (and with special consideration of the historic links between Cobh and Sydney), this council should initiate moves to twin with the city of Sydney which has had close connections with Cork for generations.’

(Proposer: Cllr. M. Finn 17/400)

The Report stated that Cork City currently has formal Twinning Agreements with six cities – Coventry, Rennes, San Francisco, Cologne, Swansea and Shanghai. Over time, these international relationships have fostered strong links in many diverse areas – cultural, educational, social, tourist, technical, scientific and economic. The activities of the City Council in international relations have helped to promote Cork internationally and have added value and substance to the reputation of the region.

In recent years several proposals have been made to the City to form new relationships with a number of cities/regions. The established position of the Council has been to retain to six the number of formal twinning relationships which is not unreasonable given the long-term commitment involved. Memorandums of Understanding (MOU) to cover certain activities for defined periods have evolved.

Earlier this year Council agreed to use this format to engage further with Bordeaux, Saint Petersburg and Miami, all of which we have existing connections. Work has commenced on drafting MOUs and these are being advanced in co operation with these cities.

At this stage given limited resources I recommend that we do not enter into any further relationships until the Memoranda of Understanding with these 3 cities are finalised.

8.3 **HOUSING ESTATES**

An Chomhairle considered and noted the Report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 29th November, 2017 on Housing Estates from 1st January 2017 to 31st October, 2017.

8.4 **PLANNING STATISTICS**

An Chomhairle considered and noted the Report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 29th November 2017 on the number of planning applications determined and deferred from 1st January 2017 to 31st October 2017.

8.5 **PLANNING ENFORCEMENT STATISTICS**

An Chomhairle considered and noted the Report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 29th November, 2017 on the number of planning applications determined and deferred from 1st January 2017 to 31st October 2017.

8.6 **UP-DATE ON SIGNIFICANT DECISIONS**

An Chomhairle considered and noted the Report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 29th November 2017 regarding the Up-date on Significant Decisions from 1st July 2017 to 30th September 2017.

8.7 **REPORT ON THE ARCHAEOLOGICAL EXCAVATIONS AT THE FORMER BEAMISH AND CRAWFORD SITE**

An Chomhairle considered and noted the Report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 29th November 2017 on the Archaeological Excavations at the former Beamish and Crawford Site.

8.8 **UP-DATE ON NAMED SITES/BUILDINGS**

An Chomhairle considered and noted the Report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 29th November 2017 on specific named city sites/buildings.

8.9 **UNESCO LEARNING CITY POLICY**

An Chomhairle considered and approved the Report of the Director of Services, Strategic Planning, Economic Development and Enterprise dated 29th November 2017 on UNESCO Cork Call to Action for Learning Cities.

On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir C. O’Leary, An Chomhairle further agreed to adopt the following Resolution:-

Cork City Council hereby RESOLVES THAT

“Having considered the report of the Director of Services, Strategic Planning & Economic Development, dated 29th November 2017, on the UNESCO Cork Call to Action for Learning Cities, the Council now hereby RESOLVES to adopt the UNESCO Cork Call to Action for Learning Cities.”

8.10 **MOTIONS REFERRED TO THE COMMITTEE BY AN CHOMHAIRLE**

8.10.1 **COAL QUAY STAKEHOLDERS FORUM**

An Chomhairle considered the following Motion referred to the Committee by An Chomhairle, noted the attached Director of Services Report dated 29th November 2017 and agreed that it would be referred to the Strategic Planning, Economic Development and Enterprise Strategic Policy Committee:-

‘That the Council create a Coal Quay Stakeholders forum bringing together the various traders and residents on this historic street. It is clear that some plans by different stakeholders are similar but others are not aligned.’

(Proposer: Cllr. K. McCarthy 17/352)

The Report stated that in 2014 the City Council published the City Centre Strategy and subsequent yearly action plans. A key part of this has been the division of the City Centre into Quarter Areas and the assignment of a Quarter Champion and Area Planner to each area. The Coal Quay/Cornmarket Street is part of the North Main Street and the March character area/quarter. Over the past 12 months the Quarter Champion, Area Planner and City Centre Co-ordinator have met on numerous occasions with representatives of the residents and businesses on the street. Part of this process has been to gather together all of the various needs of these stakeholders with a view to building up key networks on the street which will inform and facilitate the future development of the street. This process has worked well to date and will be continued going forward. It would be appropriate to allow this process to move towards a logical conclusion prior to engaging in any other local initiatives. As such it is recommended that the setting up of a Coal Quay Stakeholders Forum be postponed for the short term and be reviewed again when the present initiatives have concluded.

8.10.2 **DEVELOPMENT OF A STATUTORY AREA PLAN FOR BISHOPSTOWN**

An Chomhairle considered and noted the Report on the following Motions referred to the Committee by An Chomhairle:-

‘That Cork City Council would immediately begin a process for the development of a statutory area plan for Bishopstown – Wilton – College Road to replace the current non-statutory 2007 Bishopstown Wilton Area Action Plan.’

(Proposer: Cllr. J. Buttimer 17/176)

CHALLENGES FACING BISHOPSTOWN AND WILTON

‘That Cork City Council recognises the many and unique challenges facing Bishopstown and Wilton and will develop a coherent cross organisational approach, Planning, Roads, Environment, Recreation, to the management and remediation of these challenges, initially through the revision of the Bishopstown Wilton Local Area Actio Plan and then by the adoption of a statutory Local Area Plan which would set out clear objectives and timelines with full transparency and accountability.’

(Proposer: Cllr. J. Buttimer 17/310)

The Report stated that Section 19 (1) (a) of the Planning and Development Acts 2000-2016 states that a local area plan may be prepared for any area the authority considers suitable ‘and in particular for those areas which require economic, physical and social renewal and for areas likely to be subject to large scale development within the lifetime of the plan’.

The Cork City Development Plan 2015-21 includes an objective to prepare a local area plan for Tivoli as an area with potential for significant redevelopment in the context of the relocation of the Port of Cork. The process of preparing this LAP commenced in late May and will run into 2018. A new local area plan for North and South Docklands is also in preparation to replace the South Docks LAP will expire in early 2018. These areas also have significant potential for redevelopment and renewal and require detailed local area plans which expand upon the provisions of the City Development Plan Preparation of these plans will require significant resources for the next year and it will not be possible to commit resources to a further local area plan during this period.

Any future LAPs would need to be prioritised based on need. With limited resources it is not possible or appropriate to prepare a local area plan for all parts of the city. For most areas a statutory local area plan is not warranted as there is only limited brownfield or Greenfield development potential and they area covered by the zoning and other objectives of the City Development Plan.

There are areas in need of physical, economic and social renewal such as inner city areas like the South Parish and The Marsh or some of the suburban RAPID areas which need to be addressed by appropriate means. Other parts of the city may also have particular local issues that require attention. In most of these cases an Action Area Plan would be a much more effective and efficient way of tackling the issues than a Statutory Local Area Plan. An Action Plan can focus on the particular issues that need attention and put forward solutions – such a plan is in preparation for the North Main Street/Marsh area to address issues such as vacancy and dereliction in the area.

In conclusion, it is not feasible at this time to allocate resources to prepare a Statutory Local Area Plan for Bishopstown-Wilton-College Road, in the face of competing needs and limited resources.

On the proposal of Comhairleoir J. Buttimer, An Chomhairle agreed to refer these two Motions back to the Strategic Planning, Economic Development and Enterprise Functional Committee.

8.11 **ANY OTHER BUSINESS APPERTAINING TO THE BUSINESS OF THE COMMITTEE**

8.11.1 **STRATEGIC HOUSING DEVELOPMENT (SHD) PLANNING APPLICATIONS TO AN BORD PLEANÁLA**

An Chomhairle considered and noted the process outlined by Mr. K. Lynch, Senior Planner – Development Management (DM) on Strategic Housing Development Planning Applications to An Bord Pleanála, tabled at the meeting.

8.12 **MOTIONS REFERRED TO THE COMMITTEE BY AN CHOMHAIRLE**

8.12.1 **IRISH STONE AND TIMBER TO BE USED IN THE RENEWAL OF MORRISON’S ISLAND**

An Chomhairle considered this matter and agreed to accept the recommendation of the Director of Services, Strategic Planning, Economic Development and Enterprise that this Motion would be referred to the Environment and Recreation Functional Committee:-

‘That City Council/OPW specify that only Irish Stone and timber be used in the Morrison’s Island renewal in order to preserve the integrity of the heritage of the area. There is absolutely no need to import lumps of granite from the orient. The design going to Part 8 should firstly be put to the elected Council for approval before being advertised.

(Proposer: Cllr. T. Brosnan 17/449)

9. **ENVIRONMENT & RECREATION FUNCTIONAL COMMITTEE – 8th JANUARY 2018**

An Chomhairle considered and noted the minutes of the Environment and Recreation Functional committee from its meeting held 8th January 2018.

9.1 **INVESTIGATION DAILY OPERATIONS OF THE GOULDING PLANT AND SUTTON'S COAL YARD (held in Committee)**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council investigate the daily operation at the Goulding Plant on Monahan Road and Sutton’s Coal Yard also on Monahan Road. This investigation should include:-

- (i) Operating times
- (ii) Environment impact on the locality
- (iii) Noise and dust levels
- (iv) EPA Licence infractions, if any
- (v) Suitability of their locations.’

(Proposer: Cllr. T. Shannon 17/416)

The Report of the Director of Services stated that the issue of environmental concern raised by local residents in the vicinity of Sutton’s Coal Yard was one of dust. Investigations into this matter by the Waste Enforcement Section have been ongoing since the submission of the motion. A summary of findings to date is provided below.

(i) OPERATING TIMES

The site’s operational hours are 7:30a.m. to 4:30p.m. Monday to Friday but dust can be generated at any time including when the site is closed.

(ii) ENVIRONMENTAL IMPACT ON THE LOCALITY & (iii) DUST LEVELS

Investigations into the environmental impact on the locality are ongoing. This has included multiple inspections in the vicinity of the site, on-and off-site meetings, regular follow up contact with Bórd Na Mona, submission of a Method Statement for dust monitoring and purchase of specialist monitoring equipment also by the company.

Dust Monitoring – First & Second Round

A report outlining the findings of dust monitoring carried out over a 2-month period from December 2015 to February 2016 was submitted to the City Council in early March 2016. Cork City Council reviewed the relevant dust readings and it was concluded that, due to the exceptionally high levels of rainfall during the monitoring period, the impact (if any) on air quality off site and the effectiveness of the on-site dust suppression system could not be properly assessed.

Dust Monitoring – Third Round

Consequently, additional (month long) dust monitoring was requested to be carried out during a drier month. This 3rd round of dust monitoring commenced in early May 2016 for a period of 28 days. The findings on same, received mid-July 2016 showed elevated dust levels recorded at one monitoring location namely the south eastern corner of the site.

Subsequently Cork City Council wrote to Bórd Na Mona requesting the necessary corrective actions and dust mitigation measures be put in place by no later than 2nd September 2016. They were also requested to carry out another round of month-long monitoring immediately following this 6-week period to ascertain the effectiveness of the dust abatement measures implemented on site. Two additional monitoring locations were added for this round of monitoring namely the two nearest houses located in Birchgrove Housing Estate, Monahan Road situated immediately east of the site boundary.

Dust Monitoring – Forth Round

This 4th round of dust monitoring commenced on site on schedule on 5th September 2016 and was completed in early October. The findings on same were submitted to the City Council in mid-October 2016 and indicated dust levels were within the recommended daily limit for dust (of 350 mg/m²/day) at the majority of monitoring locations both on and off site including new monitoring locations located at the two nearest houses to the site located in Birchgrove Housing Estate. However, the findings showed elevated dust levels at one on-site location. This monitoring point, located at the southern boundary of the site is located approximately 50 metres from the nearest residences at Lindville housing estate (located south east of Sutton's site). It should be noted that an elevated dust reading at a site boundary would not necessarily equate to similarly high dust readings at the nearest sensitive receptors in Lindville given, in this case, the location of Sutton's site on lower ground to Lindville coupled with a dense plantation of trees located between the site and the housing estate in question.

Given the recurrence of elevated dust levels at the southern boundary, Cork City Council wrote to Bórd Na Mona. This included requesting the implementation of corrective actions and dust mitigation measures at the site, an additional (5th) round of dust monitoring to be carried out in November 2016 as well as quarterly dust monitoring to be carried out during 2017 and the inclusion of 2 no. additional monitoring locations to the south of the site to quantify the impact if any on residents in this area. Following on from this correspondence, Bórd Na Mona met with Cork City Council to outline their proposed short-and medium-term measures for the site. They also outlined their plans to identify potential monitoring locations in addition to their plans to engage with local representatives and a number of local residents in order to gain permission to leave dust gauges at these private properties.

Dust Monitoring – Fifth Round

The afore-mentioned 5th round of dust monitoring was carried out from 23rd November to 21st December 2016. Results from this round of monitoring indicated elevated dust levels at one of the 9 no. locations monitored, namely at a location along the southern boundary to the site.

Following on from this Bórd Na Mona were requested to carry out quarterly dust monitoring during 2017, as previously agreed, the first of which was scheduled for February 2017. See below for more details.

Dust Monitoring – Sixth Round

A sixth round of monitoring was carried out from 1st February to 29th March 2017 which included two new monitoring locations at private residences located immediately adjacent to the southern boundary of the site. Results from this round of monitoring showed elevated dust levels at the northern, eastern and southern boundary monitoring locations and at one of the residential properties located immediately to the east of the site in

Birchgrove. Given the occurrence of elevated dust levels including one off-site locations, Cork City Council wrote to Bórd Na Mona on 27th April 2017 requesting the necessary corrective actions be taken by Bórd Na Mona have been requested to continue to carry out dust monitoring on a quarterly basis for 2017. Consequently, a seventh round of monitoring is currently underway and due to be completed by mid-July 2017.

Dust Monitoring – Seventh Round

A seventh round of monitoring was carried out from 12th June to 11th July 2017. Results from this round of monitoring showed elevated dust levels at northern, eastern and southern boundary monitoring locations and at two of the residential properties located immediately to the east of the site in Birchgrove. A reoccurrence of elevated dust levels was recorded in at two of the nearest sensitive receptors. Bórd Na Mona were requested to continue with quarterly monitoring which was subsequently scheduled to commence on the 31st August 2017.

Dust Monitoring – Eight Round

An eight round of monitoring was carried out from 31st August to 29th September 2017. Results from this round of monitoring showed elevated dust levels at the southern boundary monitoring locations and at two of the residential properties located immediately to the east of the site in Birchgrove. Given the reoccurrence of elevated dust levels, in particular at two of the nearest sensitive receptors off site, further actions will now be undertaken by City Council. In addition, quarterly monitoring continued to be carried out with the latest round of month long dust monitoring having commenced on the 2nd November 2017.

Summary of Investigations to Date

Dust monitoring has been carried out on multiple occasions at both Sutton's Coal Yard and surrounding area including a number of nearest sensitive receptors (i.e. residential properties) to the east and south of the site. The recommended daily limit for dust is 350mg/m²/day. With the exception of the southern boundary dust levels for the first five rounds of dust monitoring were below this daily limit.

It should be noted that an elevated dust reading at a site boundary would not necessarily equate to similarly high dust readings at the nearest sensitive receptors. However, given the occurrence of elevated dust levels at the southern boundary the number of monitoring locations was expanded to include 2 no. monitoring locations (nearest sensitive receptors) immediately to the south of the site in Chiplee Avenue. The purpose of this was to ascertain actual dust deposition levels and to establish the dust impact, if any, on these residences.

Results from the third last (sixth) round of dust monitoring showed elevated dust levels at three of the four boundary locations and at one of the two residential properties being monitored in Birchgrove. Results from the second last (seventh) round of dust monitoring also showed elevated dust levels at three of the four boundary locations and, on this occasion, at both of the two residential properties being monitored in Birchgrove. In addition, results from the last (eight) round of dust monitoring also showed elevated dust levels at both the southern boundary locations and at both of the two residential properties being monitored in Birchgrove. Notably, dust levels at the two nearest sensitive receptors (residences) located immediately south of the site were both below the recommended daily limit for dust. Given the reoccurrence of elevated dust levels, and in particular at two of the nearest sensitive receptors, further actions will now be undertaken by Council. In the

meantime the latest round of quarterly dust monitoring is currently underway having commenced on the 2nd November 2017.

(iv) EPA LICENCE INFRACTIONS, IF ANY

Sutton's Coal Yard does not have or require an EPA Licence.

(v) SUITABILITY OF LOCATION

Sutton's Coal Yard has been based at its current location on the Monahan Road in Cork City since the 1960s. In planning terms, there are no issues Cork City Council is aware of in relation to the legalities of the site's current use.

9.2 REMOVE SHARP NEEDLE BIN FROM THE STEPS OFF WELLINGTON ROAD

An Chomhairle considered the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

'That Cork City Council in conjunction with the HSE immediately remove the sharps needles bin which has been located on the steps off Wellington Road for the past year. Local Residents are becoming increasingly concerned at the location of this bin and are adamant that it be moved immediately.'

(Proposer: Cllr. J. Kavanagh 17/308)

Comhairleoir J. Kavanagh proposed and An Chomhairle agreed to refer this Motion back to the Environment and Recreation Functional Committee

9.3 CCTV IN SHANDON AND DOMINIC STREET

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

'That Cork City Council would apply for funding from the Department Of Justice to have CCTV installed in Shandon & Dominic Street and Surrounding areas.'

(Proposer: Cllr. K. O'Flynn 17/316)

The Report stated that the Department of Justice CCTV grant programme requires communities themselves, rather than Local Authorities, to apply for funding. I recommend that this motion be referred to the Corporate Affairs Directorate who have responsibility for community development.

9.4 PUBLIC STEPS BETWEEN LOWER AND MIDDLE TIVOLI ESTATE

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

'That the public steps between Lower Tivoli Estate and Middle Tivoli Estate be cleaned up in terms of weeding and cutting back overhanging bushes.'

(Proposer: Cllr. J. Kavanagh 17/317)

The Report stated that this area will be inspected and any necessary works carried out.

9.5 **VEGETATION ON THE MCCARTHY MONUMENT**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That the City Council work with the owners of the McCarthy Monument in an effort to get rid of the vegetation on and growing out of the stonework.’

(Proposer: Cllr. K. McCartney 17/321)

The Report stated that this motion is not for the Environment & Recreation Division and should be referred to the Strategic Planning, Economic Development & Enterprise Functional Committee.

9.6 **PARK BENCH IN KEMPTON PARK**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘In view of the many elderly that walk in Kempton Park, that Cork City Council would consider putting another park bench to facilitate park walkers.’

(Proposer: Cllr. J. Sheehan 17/323)

The Report stated that given the level of demand for an additional bench in the above park, a new bench will be installed in early 2018.

9.7 **PRUNE TREES AT VALESBROOK, BALLYVOLANE**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council would assess and prune the overgrown trees at Valebrook, Ballyvolane.’

(Proposer: Cllr. J. Sheehan 17/324)

The Report stated that an inspection of the above trees will be carried out in the coming weeks and recommended pruning will be added to the schedule of tree works in 2018.

9.8 **REMOVE SEATS AT SOUTH GATE BRIDGE**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘I ask that Cork City Council would see to it that the seats situated near the bike stand at the South Gate Bridge be removed as quickly as possible as they are an attraction for anti social behaviour and promote on street drinking of alcoholic beverages. This area is steeped in history with many tourist attractions close by and the area has become an

eyesore on this particular tourist trail. The seating is also causing difficulties for local rate payers who's trade is effected and tarnished through no fault of their own.'

(Proposer: Cllr. P. Dineen 17/340)

The Report stated that this is not a matter for the Environment & Recreation Directorarte and should be referred to the Roads & Transportation Directorate for response.

9.9 **BAN THE SALE OF SPRAY CANS BY WAY OF BYE LAWS**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

'That due to the recent and very obvious rise in the defacing of private and public property with Graffiti I call on Cork City Council to (1) Ban the sale of spray paint by way of a bye law within the City Boundary unless the sale is to a legitimate business that would use spray paint in the work place. (2) That a log would be kept of the cost incurred by private businesses and the local authority in the removal of tags from their property and that this cost would be added to any fine/penalty imposed on the perpetrators when they are apprehended this cost would then be repaid back to the said businesses. (3) That Cork City Council would endeavour to create a space within Cork City that could be used legitimately by Graffiti artists to express themselves, this space could then in time become a tourist attraction similar to that in other cities around the globe.'

(Proposers: Cllr. P. Dineen, Cllr. M. Finn 17/252)

The Report stated that under Section 199 of the Local Government Act 2001 a Local Authority can make bye laws in the interests of the common good of the local community or for the suppression or control of any nuisance.

While the introduction of such a bye law may be desirable its efficacy would be questionable as spray paint could still be purchased both outside of Cork City Council's functional area or online and used within the city.

The allocation of resource to establish and maintain a log of costs incurred by private business together with the resources required to record, verify and process any reimbursements would be impracticable given that graffiti affects all local authority areas and by their nature the majority of the instances of graffiti occur at night or at off peak times which makes it difficult to identify and issue fines to offenders.

In general it is taggers who tend to cause the majority of property defacement throughout the City, however, the creation of an area within the City for use by graffiti artists to showcase their artwork has merits and discussions will be had both within The Environment Directorate and across other Directorates to identify locations suitable for temporary use and reuse by graffiti artists.

SUSPENSION OF STANDING ORDERS

On the proposal of Comhairleoir C. O'Leary, seconded by Comhairleoir T. Gould, An Chomhairle agreed to suspend Standing Orders to continue the meeting past 8:00 p.m.

9.10 **DOG FOULING SIGNAGE NEAR BISHOPSTOWN PITCH AND PUTT**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That City Council would erect more dog fouling signage along the walkway that runs parallel with the Bishopstown Pitch and Putt course to deter dog owners from leaving THEIR dog dirt on the pitch and putt course.’

(Proposer: Cllr. H. Cremin 17/334)

The Report stated that the area in question will be added to the list of areas looking for dog fouling signage and will be passed to the Litter Wardens to arrange for erection.

9.11 **REMOVE TREE AT 49 MANGERTON CLOSE, THE GLEN**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That the tree that is causing a nuisance on or around 49 Mangerton Close, The Glen be removed without further ado.’

(Proposer: Cllr. K. O’Flynn 17/351)

The Report stated that this is not a matter for the Environment & Recreation Directorate but should be referred to the Housing & Community Functional Committee for response.

9.12 **WASTE MANAGEMENT PLANS**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘In view of extensive dumping of household waste across the city, that Cork City Council would develop a policy to ensure that all landlords would have a waste management plan in place for all their tenants. This should form part of a legal tenancy agreement.’

(Proposer: Cllr. J. Sheehan 17/356)

The Report stated that the Waste Management Legislation is very clear with regards to the responsibility of the waste producer to properly dispose of the waste that they produce. In the case of a house owner or a tenant renting from a landlord the primary responsibility for waste disposal rests with the residents who produces the waste.

In certain circumstances (e.g. where an agreement has been reached with a landlord regarding waste disposal or in the case of a multi occupancy apartment block with a management company) responsibility for waste disposal may be shared jointly between the producer (resident) and landlord/management company. In such cases if there is a breach of the waste legislation either or both can be prosecuted.

It is therefore important to note that at all times and in all situations the producer of the waste retains a level of responsibility to ensure that their waste is properly disposed of.

Currently, the Waste Enforcement Section are carrying out an enforcement drive (with a focus on property management companies and landlords associated with apartment buildings) to improve the segregation of waste, especially organic waste.

9.13 **FUNDING FOR RESURFACING WORKS AT CLASHDUV PARK**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That City Council would give a full report to Ward Councillors in the South West Ward in relation to funding for the long overdue resurfacing works of the walkway around Clashduv Park.’

(Proposer: Cllr. H. Cremin 17/359)

The Report stated that the estimated costs for the upgrade of the internal pathways at Clashduv Park, Togher were included in two successive Draft Capital Programme Estimates Budgets (2016 & 2017) submitted for consideration. However, the level of funding available in each year was not sufficient to allow all of the requested projects to proceed. As such an exercise was carried out matching the available budget to the requested projects. Due to the not insignificant size of the budget required to complete the works to upgrade the Clashduv Park paths it was not possible to assign sufficient funding to this project to allow for its completion.

This project will again be included in the Draft 2018 Capital Programme and I would be confident that it will be funded.

9.14 **DOG WALKING ZONES**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘We the members of the Dog Fouling Awareness subcommittee propose that Cork City Council and its Environment Department would set in motion the relevant resources required to introduce specific Dog Walking Zones in each ward of the City. Each dog walking zone should be at least one kilometre long with at least 2 waste bins installed (one at each end) for the disposal of dog waste. The purpose of these designated dog walking zones would be to encourage dog walkers to walk to and from these zones while at the same time ensuring the dog walkers that bins will be located for disposal of their dog waste at these specific locations and further encouraging dog walkers, while walking away from these locations, to dispose of any subsequent dog waste in their own refuse bin at home. We further propose that prior to the scheme being rolled out that two dog walking zones be introduced on a pilot basis one on the Southside and one on the Northside to test the idea to see if the dog walkers in general are willing to cooperate with the proposal.’

(Proposers: Cllr. P. Dineen, Cllr. H. Cremin 17/375)

The Report stated that Cork City Council, in theory has no objection to the establishment of specific dog walking zones. In practice, however there are a number of considerations that must be taken into account:

- Are the dog walking zones to combat known problematic dog fouling areas?

- Are they “new” areas where traditionally dog walking and dog fouling is not common place?
- How are these dog walking zones going to be publicised and how will the public be encouraged to use them?
- Arrangements need to be put in place to measure the participation in and benefits of the initiative.

In addition the selection of the two pilot “dog walking zones” would have to be based on or near to existing collection beats of litter bin crews so as to minimise the additional collection costs.

In the event that additional bins are required they will be the standard litter bins rather than specific dog foul waste bins and the cost of purchase and installation (€1,100 each) of these bins will have to be funded from the Dog Fouling Committee’s budget.

Discussions should now take place between the Dog Fouling Committee and the Street Cleaning Section to identify the two pilot areas.

9.15 **‘BRING IN YOUR BIN’ MARKETING CAMPAIGN**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council undertakes a 'bring in your bin' marketing campaign (and subsequent enforcement strategy) to deter the practice of people leaving wheelie bins on streets all day.’

(Proposer: Cllr. M. Finn 17/330)

The Report stated that under the “Cork Corporation” (Presentation of Waste in Wheel Bins) by every person presenting predominantly household waste shall present not earlier than 9.00p.m. on the evening immediately preceding the day of collection and shall recover the wheel bin not later than 6.00p.m. on the day of collection.

Enforcement of these byelaws is problematic on a number of levels. There are many areas throughout the city where because of access reasons (steps leading up to properties or no side entrances) residents feel they have no other option but to leave bins outside their premises.

Currently where complaints are received or difficulties exist with wheel bins on streets the Litter Warden will speak to the individual concerned and all households in the vicinity and ask that the bins be taken inside and that presentation in line with the byelaws is adhered to. The area is then monitored and if the problem persists the Litter Wardens will as a last resort remove the bins.

It should be noted that removal of bins causes its own difficulties in relation to their storage by Cork City Council but more importantly in relation to how households then store and dispose of their refuse.

Cork City Council is at present reviewing the Waste Presentation Bye-Laws in the first half of 2018 and an information campaign will be launched in conjunction with these new Bye Laws.

9.16 **APPLICATION FOR THE EU GREEN CAPITAL AWARD**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That the City Council works towards preparing an application for the EU Green Capital Award. The Awards aim to reward the efforts of cities who strive to improve the lives of their citizens, become role models and commit to environmental, social and economic sustainability.’

(Proposer: Cllr. K. McCarthy 17/401)

The Report stated that Cork City Council applied for the 2017 EU Green Capital Award in October 2014 (the process involves approx a 3 year lead-time) but unfortunately our application was unsuccessful. While an excellent application was submitted by the City Council we did not score sufficiently high enough on a number of the 12 indicators to be in with a chance of winning the evaluation process.

It is still the goal of the City Council to apply in the future for the EU Green Capital Award. We are actively addressing the action points which were identified in the previous application process and once this is achieved we would look to make a submission in the future.

9.17 **DEMOLITION/RECONSTRUCTION OF TRINITY BRIDGE**

An Chomhairle considered and approved the Report of the Director of Services on the following Motion referred to the Committee by An Chomhairle:-

‘That as part of the renewal of Morrison's Island / George's Quay and Union Quay, Cork City Council would ensure the demolition / reconstruction of Trinity Bridge as it has in "its own way" contributed to flooding in the area since its construction. Some of the options presented by Save the Lee are very worthy of consideration.’

(Proposer: Cllr. T. Brosnan 17/404)

The Report stated that as part of the proposed Morrison's Island Public Realm Project (which incorporates new flood defence measures), the option of replacement of Trinity Bridge was examined. However it was established that there would be a very significant cost associated with the necessary diversion of the two existing ESB High Voltage electrical supply cables that are installed in the existing bridge deck structure. Therefore the option of a replacement of Trinity Bridge was ruled out, as the available project budget is insufficient for these works.

In the current proposed design, the existing flood risk associated with the Trinity Bridge will be mitigated at each end of the bridge through a combination of local ground raising and demountable flood gates. It is also proposed to construct new wider, flared approaches to the bridge to further enhance the quality of the existing bridge as a public realm asset.

Comhairleoir T. Brosnan requested that the record would reflect that he did not agree with the Director of Services Report.

10. **FINANCE & ESTIMATES FUNCTIONAL COMMITTEE – 15th JANUARY 2018**

An Chomhairle considered and noted the minutes of Finance and Estimates Functional Committee from its meeting held 15th January 2018.

10.1 **FINANCE RELATED REPORTS**

10.1.1 **FINANCIAL STATEMENTS TO END OF NOVEMBER 2017**

On the proposal of Comhairleoir S. Martin, seconded by Comhairleoir T. Shannon, An Chomhairle considered and approved the Financial Statements to end of November 2017.

11. **HOUSING & COMMUNITY FUNCTIONAL COMMITTEE – 15th JANUARY 2018**

An Chomhairle considered and noted the minutes of the Housing and Community Functional Committee from its meeting held 15th January 2018.

SUB GROUP ON HOMELESSNESS

An Chomhairle considered the item in the formation of the Sub-Group on Homelessness which was tabled at the meeting. An Chomhairle agreed to accept the formation of the sub-group and to augment it with the other members as agreed.

11.1 **DISPOSALS**

On advices received from the Meetings Administrator the Lord Mayor advised An Chomhairle that the Disposal in relation to “former Abode site” could not remain on the Housing and Community Functional Agenda as it contravened Section 183 of the Local Government Act 2001. The matter required An Chomhairle to address the Disposal at the Council meeting. Following a discussion, An Chomhairle agreed to include the said Disposal on the Agenda and consider same.

An Chomhairle considered the Report of the Chief Executive dated 11th January, 2018 in relation to the following property disposals:

- a. Disposal of the freehold interest in property known as “The Lodge”, Model Farm Road, Cork to Jason O’Callaghan & Michael O’Mahony, c/o Diarmuid O’Shea & Co., Solicitors, No. 60, Main Street, Kinsale, Co. Cork for the sum of €78,000.00 (plus VAT).

Following a lengthy discussion there appeared no proposer or seconder from the Elected Members for the proposed Disposal of this property. No vote was taken and no decision was reached.

- b. Disposal of the freehold interest in property known as the “former Abode Site”, Skehard Road, Cork to Michael Walsh, c/o P.J. O’Driscoll Solicitors, No. 41, South Main Street, Bandon, Co. Cork for the sum of €83,700.00 (plus VAT).

Following a lengthy discussion, on the proposal of Comhairleoir C. O’Leary, seconded by Comhairleoir N. O’Keeffe, a vote was called for on the Disposal, where there appeared as follows:-

FOR: Comhairleoirí (0)

AGAINST: Comhairleoirí S. Cunningham, T. Tynan, T. Brosnan, T. Gould, F. Ryan, J. Sheehan, M. Nugent, T. Fitzgerald, M. O’Sullivan, K. McCarthy, C. O’Leary, D. Cahill, L. McGonigle, T. Shannon, N. O’Keeffe, S. O’Shea, M. Finn, F. Kerins, J. Buttimer, H. Cremin, F. Dennehy. (21)

ABSTENTION: (0)

As those voting against the Disposal was greater than those voting for, An tArd-Mhéara declared the Disposal rejected.

- c. Disposal by way of lease of property known as “St. Peters”, No. 87A, North Main Street, Cork to Livingwell Management Limited, c/o J.W. O’Donovan Solicitors, No. 53, South Mall, Cork by way of lease for a period of four years and nine months subject to a rent of €500.00 per annum (inclusive of VAT).

On the proposal of Comhairleoir K. McCarthy, seconded by Comhairleoir F. Dennehy, An Chomhairle approved the Disposal.

11.2 **MONTHLY REPORT**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services on Housing for December 2017.

11.3 **DEVELOPMENT AT THOMAS DAVIS STREET**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 in relation to development at 17 – 22 Thomas Davis Street, Blackpool, Cork.

11.4 **GALTAN CLG – ACCOMMODATION AT SUNDAY’S WELL ROAD**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 in relation to loan facility for Galtan CLG in respect of the provision of 4 units of accommodation at Sunday’s Well Road, Cork.

On the proposal of Comhairleoir C. O’Leary, seconded by Comhairleoir S. O’Shea, An Chomhairle further agreed to adopt the following Resolution:-

“Resolved that, pursuant to the provision of Section 6 of the Housing (Miscellaneous Provisions) Act, 1992, a loan facility not exceeding €554,633 be granted to Galtan CLG, subject to the terms of the Capital Assistance Scheme for the provision of 4 units of accommodation at 166, Sunday’s Well Road, Cork”.

11.5 **GALTAN CLG – ACCOMMODATION AT MONTENOTTE VIEW, ALBERT ROAD**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 in relation to loan facility for Galtan CLG in respect of the provision of 3 units of accommodation at 1, Montenotte View, Albert Road, Cork.

On the proposal of Comhairleoir C. O’Leary, seconded by Comhairleoir K. McCarthy, An Chomhairle further agreed to adopt the following Resolution:-

“Resolved that, pursuant to the provision of Section 6 of the Housing (Miscellaneous Provisions) Act, 1992, a loan facility not exceeding €462,500 be granted to Galtan CLG, subject to the terms of the Capital Assistance Scheme, for the provision of 3 units of accommodation at 1 Montenotte View, Albert Road, Cork”.

11.6 **FOCUS HOUSING ASSOCIATION CLG – ACCOMMODATION AT BANDON ROAD & BALLINLOUGH ROAD**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 in relation to loan facility for Focus Housing Association CLG in respect of the provision of 2 units of accommodation at 86, Bandon Road, Cork and Laurel Cottage, Ballinlough Road, Cork.

On the proposal of Comhairleoir J. Buttimer, seconded by Comhairleoir S. O’Shea, An Chomhairle further agreed to adopt the following Resolution:-

“Resolved that, pursuant to the provision of Section 6 of the Housing (Miscellaneous Provisions) Act, 1992, a loan facility not exceeding €88,440 be granted to Focus Housing Association CLG for the acquisition of 2 no. units of accommodation at 86 Bandon Road, Cork and Laurel Cottage, Ballinlough Road, Cork subject to the terms of the Capital Advance Leasing Facility Scheme”.

11.7 **REPAIRS TO GATE AND WALL AT BUCKLEYS MEADOW, BLACKROCK**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 on the following motion referred to the Committee by the Roads & Transportation Functional Committee:

‘That the Council fix the southern gate and wall at Buckley’s Meadow, Blackrock. At the estate’s opening residents had keys but the gate is now damaged and off its hinges.’

(Proposer: Cllr. K. McCarthy 17/306)

The Report stated that the southern gate at Buckley’s Meadow has been removed to facilitate access for local residents. Repairs have also been carried out to the section of the wall referred to above.

The City Council will consider placing the gate subject to the outcome of a local consultation process and the agreement of the local ward councillors.

11.8 **CCTV AT MADDENS BUILDINGS**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 on the following motion referred to the Committee by An Chomhairle:

‘That in the interest of Health and Safety that CCTV Cameras be installed by Maddens Buildings, Blackpool, Cork.’

(Proposer: Cllr. K. O’Flynn 17/374)

The Report stated that the installation of CCTV would be a matter for the community to apply to the Department of Justice under the Community CCTV scheme. Funding up to €40,000 is available provided that the community fund the balance. It should be noted that the €40,000 would be for up to 60% of the cost of installation. There is also a requirement that the community would be responsible for the maintenance and operation of the equipment for a five year period. City Council officials are available to assist any community body in preparing an application for the scheme. If a community body is unable to fully source funds to finance such a scheme, the City Council will endeavour to provide assistance on a case by case basis if finances allow and need dictates.

11.9 **STORM OPHELIA – DAMAGE ASSESSMENT**

Members considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 on the following motion referred to the Committee by An Chomhairle:

‘Can Cork City Council outline the assessors report surveying damage at Spring Lane, Carrigrohane rd & Nash's Boreen halting sites following Storm Ophelia and the actions taken as a result.’

(Proposer: Cllr. M. Nugent 17/434)

The Report stated that in response to Storm Ophelia Cork City Council inspected 36 mobile homes and caravans with 31 in the Spring Lane and 5 in the Carrigrohane Road Halting Sites. Of the number inspected, 20 were replaced which is broken down by 15 in the Spring Lane Halting Site and 5 in the Carrigrohane Road Halting Site.

11.10 **MODULAR HOUSING**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council explore the enormous advancements in modular housing procurement to tackle social houses list for a quicktime turn around.’

(Proposer: Cllr. K. O’Flynn 17/411).

The Report stated that to assist in accelerating social housing delivery, the Office of Government Procurement (OGP), in early 2017, established a Framework Agreement with 12 Design and Build Contractors for the provision of rapid delivery housing. The

Framework Agreement, now in place, provides an access route to the Contractors, who have passed a suitability assessment stage and are specialist providers well placed to supply rapid delivery housing and is available to all Local Authorities and Approved Housing Bodies to use for social housing projects. It should be noted that projects should have a maximum of 50 housing units per contract with no apartments or duplex units.

All framework members and their design and construction processes must conform to Irish Building Regulations, Quality Housing for Sustainable Communities – Design Guidelines 2007 and the requirement that key elements of the construction are to have durability in the order of 60 years with a normal level of maintenance. In using the framework, as outlined above, there is still the usual process to be followed in acquiring a site and designing/obtaining full planning permission for a scheme together with the necessity to carry out site enabling works which are normally substantial civil engineering works bespoke to each individual site in an urban location such as Cork City. The framework model generally lends itself more to Greenfield sites.

Cork City Council will, where the opportunities present, avail of this framework.

11.11 **SURVEY OF GARDENS IN COUNCIL PROPERTIES**

An Chomhairle considered and approved the Report of the Director of Services, Housing & Community Services dated 11th January, 2018 on the following motion referred to the Committee by An Chomhairle:

‘That Cork City Council would carry out a study/inspection on all City Council owned properties where their back gardens are bordered with private properties/land. The fact is that there are some tenants have waste land and overgrowth between these properties and it seems nobody wants to claim ownership of this space and some of our tenants [the elderly in particular] are having huge problems trying to control the growth and the vermin/rats that these conditions are attracting.’

(Proposer: Cllr. H. Cremin 17/441)

The Report stated that Cork City Council will carry out inspections of City Council owned properties that have back gardens bordered with private properties/land, where specific details are submitted identifying the subject lands, with a view to seeking a resolution to any relevant issues highlighted.

12. **ROADS & TRANSPORTATION FUNCTIONAL COMMITTEE – 15th JANUARY 2018**

An Chomhairle considered and noted the minutes of the Roads and Transportation Functional Committee from its meeting held 15th January 2018.

12.1 **ROADWORKS PROGRAMME**

An Chomhairle considered and approved the Report of the Director of Services, dated 11th January 2018 on the progress of the ongoing Roadwork’s Programme for the month ending December 2017.

12.2 **YELLOW BOX JUNCTION AND DOUBLE YELLOW LINES AT THE JUNCTION OF CAPWELL ROAD AND CHRIST THE KING CHURCH**

An Chomhairle considered and approved the Report of the Director of Services, dated the 11th January 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘That Cork City Council put a yellow box junction and double yellow lines in place at the junction of Capwell Road and Christ the King Church to enable commuters to exit and enter the local Community Care Centre.’

(Proposer: Cllr. S. Martin 17/431)

The Report stated that the junction of Capwell Road and Christ the King Church will be assessed to determine the extent of the problems that exist in order to identify any possible mitigation measures that can be provided there.

Any identifying solutions will be put forward for consideration to be included in the Roads Programme.

12.3 **REMOVE BRANCHES AND OVERGROWTH BETWEEN CHERRY GROVE AND KENLEY ESTATE**

An Chomhairle considered and approved the Report of the Director of Services, dated the 11th January 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘That City Council would remove the branches and overgrowth from the footpath between Cherry Grove and Kenley Estate on the Model Farm Road. This footpath was put in place recently to facilitate the schoolchildren and residents on the south side of Model Farm Road but now due to the lack of hedge cutting parts of this footpath is now impassable so I would ask that this be sorted for the sake of residents living locally.’

(Proposer: Cllr. H. Cremin 17/440)

The Report stated that The hedging along this section of road will be cut back over the next two weeks.

12.4 **REPAINT DOUBLE YELLOW LINES AT PROSPERITY SQUARE**

An Chomhairle considered and approved the Report of the Director of Services, dated the 11th January 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘That the double yellow lines at the entrance to Prosperity Square be repainted in order to discourage motorists from parking and to allow emergency vehicles to have unhindered access.’

(Proposer: Cllr. T. O’Driscoll 17/443)

The Report stated that Cork City Council will review the condition of the existing double yellow lines at the entrance to Prosperity Square. If deemed appropriate it will be inputted into the road painting programme and will be undertaken subject to suitable weather conditions.

12.5 **30KM SPEED LIMIT AT FAIRHILL DRIVE**

An Chomhairle considered and approved the Report of the Director of Services, dated the 11th January 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘Following the implementation of 30Km speed limits at a number of estates in Fairhill, Cork City Council will consider a request in Fairhill Drive, to introduce a 30 Km limit in sections of their estate, (excluding the bus route) appropriate signage and traffic calming measures. Residents are concerned that there is now a divergence in speed limit signage in the general area with a risk of confusing residents who feel it is a safety issue. Council will report on correspondence from residents of 1-92 Fairhill Drive on these issues.’

(Proposer: Cllr. M. Nugent 17/452)

The Report stated that Fairhill drive can be assessed and if deemed appropriate can be put forward for inclusion in the next phase of 30km speed limit byelaws in 2018.

12.6 **TRAFFIC AND PARKING AUDIT AT GURRANABRAHER AND CHURCHFIELD**

Members considered and approved the Report of the Director of Services, dated the 11th January 2018 regarding traffic and parking audit at Gurrabraher and Churchfield.

‘That Cork City Council would carry out a traffic and parking audit near Gurrabraher and Churchfield Community Centre, the Gurrabraher Post Office and commercial units on Gurrabraher Rd, to look at the possibility of widening the width of the road to installing a set down area and parking spaces that would best facilitate the public, local businesses without causing gridlock in the area.’

(Proposer: Cllr. T. Gould 17/455)

The Report stated that a traffic and parking audit will be carried out near Gurrabraher and Churchfield Community Centre, the Gurrabraher Post Office and commercial units on Gurrabraher Rd, to determine the extent of the problems that exist in order to identify any possible mitigation measures that can be provided there.

Any identified solutions will be put forward for consideration to be included in the Roads Programme, subject to funding being available.

12.7 **RE-EVALUATE FOOTPATH AT DUBLIN HILL, BLACKPOOL**

An Chomhairle considered and approved the Report of the Director of Services, dated the 11th January 2018 on the following Motion referred to the Committee by An Chomhairle:-

‘That the footpath at the bottom of Dublin Hill, Blackpool be re-evaluated especially the part of the path that deals with disability accessibility needs, to see if this can be redone to allow a greater flow of traffic in the area.’

(Proposer: Cllr. K. O’Flynn 17/371)

The Report stated that the layout at the intersection of Dublin Hill/Redforge Road has limited capacity for improvement. The left turning movement from Redforge Rd onto Dublin Hill needs a generous amount of space to facilitate safe turning. This limits the remaining space for inbound traffic on Dublin Hill.

The removal of the pedestrian island at the bottom of Dublin Hill is not recommended as this would encourage higher vehicle speeds and increase the distance and crossing times for pedestrians.

13. **CORRESPONDENCE**

An Chomhairle noted correspondence received.

14. **CONFERENCE/SEMINAR SUMMARIES**

An Chomhairle considered and approved the following Conference/Seminar Summaries:-

- Comhairleoir S. Martin attended the LAMA Autumn Training Seminar held in Clonmel, Co. Tipperary on 29th-30th September 2017.
- Comhairleoir F. Dennehy attended the AILG Border and Western Region Training held in Westport, Co. Mayo on 13th May 2017.

15. **CONFERENCES/ SEMINARS**

None received.

16. **TRAINING**

An Chomhairle considered and approved the attendance at the following Training Seminars:-

- Comhairleoirí T. Shannon, S. Martin, M. Shields, F. Dennehy and T. O’Driscoll to attend the Seminar 1 Southern Region to be held in Seven Oaks Hotel, Carlow on 17th February 2018.
- Comhairleoirí T. Shannon M. Shields and S. Martin to attend the AILG Annual Conference to be held in Park Hotel, Dungarvan on 12th-13th April 2018.

17. **MOTIONS**

An Chomhairle considered and approved the referral to the relevant Committee of the following motions, due notice of which has been given:

17.1 **PEDESTRIAN CROSSING AT MEADOW PARK**

‘Cork City Council place a pedestrian crossing at the exit of Meadow Park to the Dunnes Stores Ballyvolane Shopping Centre.’

(Proposer: Cllr. K. O’Flynn 17/422)

Roads & Transportation Functional Committee

17.2 **NAME NEW PEDESTRIAN BRIDGE ‘MARY ELMES BRIDGE’**

‘That Cork City Council name the new pedestrian bridge over the River Lee “Mary Elmes Bridge”. Mary Elmes grew up in Cork City. During WW2 she saved the lives of over 200 Jewish children in France and was recognised as “Righteous Among the Nations” by Yad Vashem Holocaust Memorial Museum in Jerusalem in 2013 for her courageous and brave work. I believe that such a brave and heroic Corkonian must rightfully be recognised by Cork City Council.’

(Proposer: Cllr. K. O’Flynn 17/433)

Party Whips

17.3 **TREES ON LOWER GLANMIRE ROAD**

‘That the trees on Lower Glanmire Road from Kent Railway Station down to the Bridge be lopped back as they are seriously overgrown and the leaves are off them at present.’

(Proposer: Cllr. J. Kavanagh 17/446)

Environment & Recreation Functional Committee

17.4 **REFUSE BINS ON LOWER GLANMIRE ROAD**

‘That three or four refuse bins be placed strategically along the footpath on Lower Glanmire Road in Tivoli between Kent Station and the Railway Bridge. There is currently none despite the presence of a number of businesses and B & B’s on this stretch of road’

(Proposer: Cllr. J. Kavanagh 17/447)

Environment & Recreation Functional Committee

17.5 **CHILDREN AT PLAY SIGNS**

‘That City Council would erect CHILDREN AT PLAY SIGNS on these approach roads [Whitebeam Road / Tara Lawn] to Maple Place Togher. Children from Maple Place have to cross over these roads in order to play on the only green area on the opposite side.’

(Proposer: Cllr. H. Cremin 18/013)

Roads & Transportation Functional Committee

17.6 **SPORTS CAPITAL GRANT**

‘That Cork City Council put in place a Sports Capital Grant of 500,000 in the 2018 Budget.’

(Proposers: Cllr. S. Martin, Cllr. T. Shannon, Cllr. J. Sheehan, Cllr. F. Dennehy, Cllr. T. O’Driscoll, Cllr. T. Brosnan 18/015)

Finance & Estimates Functional Committee

17.7 **PUBLIC LIGHTING AT FARRANFERRIS CRESCENT, FARRANREE**

‘That Cork City Council will upgrade the public lighting in Farranferris Crescent Farranree before the development commences.’

(Proposer: Cllr. K. Collins 18/017)

Roads & Transportation Functional Committee

17.8 **REPLACE MISSING STREET PLAQUES AT DALTON’S AVENUE AND SHEARES STREET**

‘That the missing street plaques be replaced at Dalton’s Avenue and Sheares Street, as well as the Sráid An Chapail Bhuí at the Roundy House pub side of Castle Street.’

(Proposer: Cllr. K. McCarthy 18/018)

Roads & Transportation Functional Committee

17.9 **FUTURE ARTS PLANS**

‘That Cork City Council’s future Arts Plan be compiled and published.’

(Proposer: Cllr. K. McCarthy 18/019)

Tourism, Arts & Culture Functional Committee

17.10 **LOAN FROM THE EUROPEAN INVESTMENT BANK**

‘That Cork City Council will consider applying for a loan from the European Investment Bank (EIB) for the purpose of building social and affordable-type housing, this would be advantageous in the context of the boundary extension.’

(Proposers: Cllr. M. Nugent, Cllr. T. Gould, Cllr. F. Kerins, Cllr. H. Cremin 18/035)

Housing & Community Functional Committee

18. **MOTIONS**

18.1 **STOP P.S.O LEVY ON ENERGY BILLS**

An Chomhairle considered and approved the following Motion:-

‘That Cork City Council calls on the government to stop charging the P.S.O levy on the energy bills of Community Sporting and Voluntary Groups. We are essentially subsidising private business which is doing very nicely out of it.’

(Proposer: Cllr. S. Martin 18/005)

18.2 **INCREASE ARMY AND NAVY WAGES**

An Chomhairle considered and approved the following Motion:-

‘That Cork City Council writes to the Taoiseach (who has ministerial responsibility in this regard) to support government to address chronic shortages in personnel in the army and particularly in the navy by increasing basic entry wages across the board to attract and retain bright, new recruits and make the defence forces more of an attractive proposition for all school leavers.’

(Proposer: Cllr. M. Finn 18/034)

This concluded the business of the meeting

ARD-MHÉARA
CATHAOIRLEACH