

MINUTES OF PROCEEDINGS AT MEETING OF THE COBH MUNICIPAL DISTRICT, HELD IN CARRIG HOUSE, COBH, ON TUESDAY 21ST FEBRUARY, 2017.

Present: - Councillors A. Barry, C. Rasmussen, P. O'Sullivan, K. McCarthy, G. Keohane, S. Sheppard & D. Ó'Cadhla.

Officials Present:

Mr. S. O'Callaghan, Senior Executive Officer
Mr. P. Lynch, Municipal District Officer
Mr. G. O'Hora, Senior Executive Engineer
Mr. R. O'Sullivan, Executive Engineer
Ms. C. McDonnell, Cobh Municipal District
Ms. A. Walsh, Cobh Municipal District

Prior to the commencement of the meeting Cllr. Diarmaid Ó'Cadhla was formally welcomed to his first Council meeting.

1. DEIMHNIU MIONTUAIRISCI

On the proposal of Cllr. C. Rasmussen, seconded by Cllr. K. McCarthy, the Minutes of the Cobh Municipal District Meeting held on 10th January, 2017, were adopted.

2. MATTERS ARISING:

Plaque at Philip O'Neill Place, Cobh

Cllr. McCarthy stated that a compromise had been reached with the family that the plaque would be removed and a bench put in place with a plaque attached with similar wording. He stated that the family wished to have an input into where the bench would be situated and that the existing plaque would not be removed until the bench was in place. Cllr. McCarthy stated that where the plaque is currently sited is actually the locus of the accident. Cllr. Rasmussen stated that the compromise on offer was acceptable to residents however the location of the proposed bench was of some concern, as it could become a focus of anti-social behaviour. P. Lynch replied that while there was no objection to the family having an input into the location of the bench, wherever it was sited would have to allow for proper estate management. Cllr. Sheppard enquired as to who would maintain the bench. Cllr. McCarthy stated that the family would be happy to do so, however, S. O'Callaghan stated that modern street furniture did not require on-going maintenance. It was agreed therefore that once the bench had been purchased, the Council would liaise with the family as to its final location. It was agreed that a letter would issue to the family, dated the day of the Council meeting, setting out the Council's position in relation to this issue. It was also agreed that the existing plaque would not be removed until the bench had been installed.

Doctors Spaces on Church Street, Cobh.

G. O'Hora stated that the location of the Disabled Parking will be along side the doctors premises and an additional Doctor's parking space had been identified.

Watergrasshill to Knockraha

G. O'Hora stated that repairs had been carried out and the potholes filled.

Dromgarriff North

G. O'Hora stated that repairs had been carried out and the potholes filled.

Ballymore Village to Byrds Hill

G. O'Hora stated that this section of road was included in the 2017 Roads Programme.

Walterstown School

G. O'Hora stated that it was proposed to put down double yellow lines outside the school and he would be discussing same with the Gardaí.

Russell Heights

G. O'Hora stated that two dog bins would be located in the area.

Glavin Terrace & Joseph Mary Plunkett Way

G. O'Hora stated that the name plates had been purchased, however the permission of the landowner was required before the sign for Glavin Terrace could be erected. Cllr. McCarthy is to contact the landowner involved.

Brookville Housing Estate

G. O'Hora stated that a report from a tree surgeon is due.

John O'Callaghan Park

G. O'Hora stated that the Council did not have the resources to carry out a clean-up of this area, however if the residents did so, then the council would remove the litter collected.

Lidl & John Barleycorn Bridge

G. O'Hora stated that this was a planning enforcement issue.

Nash's Boreen

G. O'Hora reported that a sign in the area was to be repaired and new 'No Dumping' signs would be erected. Before a One-Way system could be implemented, a report would be required from the Gardaí as well as a period of public consultation.

Cara Junior School

G. O'Hora stated that a pedestrian count had been carried out at the school and the situation would be monitored.

Cobh

G. O'Hora stated that work on the footpaths had commenced and would be completed within the next few weeks.

Harbour Hill.

P. Lynch stated that Stabilisation works are in the process of being carried out would be completed by the end of March. Construction of the 2 houses would commence as soon as possible after this and **and** work should be completed by March 2018.

Litter

G. O’Hora stated that staff had been collecting litter over the Christmas period.

Carrig House

P. Lynch stated that the issue of trees outside the offices of Carrig House had been raised with the building manager, who will in turn contact the owner.

Woodstock Stream

G. O’Hora stated that the area had been examined and works listed.

Slatty Bridge

G. O’Hora stated that the area had been re-examined, however any further works would have to wait for an improvement in the weather.

3. CORRESPONDENCE:

- (i) An invitation was received from Ballymore Athletic Club in relation to its 50th Anniversary Dinner Dance. Cllrs. Rasmussen and Barry indicated an interest in attending. It was agreed that a decision as to which one would attend would be made at a later date.
- (ii) Email from Trevor Laffan re Dog Fouling. All Councillors had received the email and had responded.
- (iii) Cobh Ploermel Twinning Association – seeking a representative from the Council to replace Cllr. C. Cullinane (RIP). On the proposal of Cllr. Rasmussen, seconded by Cllr. McCarthy, Cllr. Sheppard was named as the Council’s nominee.

4. OFFICERS REPORTS:

- (i) P. Lynch stated that White’s Cross GAA, Cobh GAA & Cobh Triathlon Club were all seeking to change the purpose for which they received grants in 2016. The changes proposed changes were approved by Cllr. Sheppard, seconded by Cllr. Rasmussen.
- (ii) P. Lynch stated that funding for a school warden been approved for Brooklodge, Glanmire and a pedestrian crossing outside St. Josephs, Cobh out of the Pay Parking Dividend. Cllr. Sheppard queried the amount of funding to be provided for the foregoing from the Pay Parking Dividend and would prefer to see the funding split between this fund and another source of funding. Cllr. Sheppard also sought clarification on a push-button pedestrian crossing at Brooklodge if a school warden was appointed. Cllr. Rasmussen stated that a push button pedestrian crossing should be provided at Top of the Hill, Cobh. P. Lynch explained that areas of the County which raised large amounts of revenue from pay parking were subsidising other areas. S. O’Callaghan stated

that the location of the school warden had been agreed and before next months' meeting, further clarification on funding would be required. G. O'Hora stated that a scoping drawing of the proposed pedestrian crossing would be provided and brought to the members. Cllr. Rasmussen proposed that funding for the school warden and pedestrian crossing would be provided from either the GMA or Pay Parking Dividend. Cllr. McCarthy seconded.

- (iii) P. Lynch stated that a partnership between the Playground Committee and the Municipal District would formally apply for permission under the Part 8 Planning process. It was envisaged that this would be in place for the May meeting of the Municipal District and then would go before the full Council. Fully Planning permission would be in place by the end of May. The playground committee had received €40,000 from the Council in 2017 and were able to match this from their own funds. Approval to start the Part 8 process was proposed by Cllr. Rasmussen and seconded by Cllr. McCarthy.
- (iv) P. Lynch stated that it was proposed to introduce a Policy for regulating use of the Promenade, similar to that currently in place in other Municipal Districts. The new Casual Trading Bye-laws, currently on display for public consultation, did not cover the use of the Promenade by voluntary or Community groups. Cllr. Ó'Cadhlá queried if the introduction of such a policy would interfere with the public's right to assemble in a public place. P. Lynch explained that it was intended to prevent people meeting but rather to facilitate and support Community Groups who wish to use Council land to run specific community events. Cllr. Rasmussen enquired as to whether it would interfere with the Farmers Market and asked how one would apply for a stall for the Market. Cllr. Barry clarified that the policy would not be limited to the Promenade in Cobh but would apply to all Council property in the Municipal District. It was agreed that the policy would be circulated to all the Members and considered at the next meeting.
- (v) G. O'Hora submitted a list of 9 projects to be undertaken under the 2017 RI programmes, also 12 projects to be undertaken under a programme for footpaths and finally presented the proposed drainage programme. Cllr. McCarthy raised the issue of issues with drainage on lands behind Marian Terrace. G. O'Hora agreed to contact the landowner,

5. DRAFT COBH (OVERNIGHT PARKING) BYE LAWS 2017

P. Lynch referred to the Draft Bye Laws which had been circulated to the members. Copies of the single submission received, and a report in relation to this matter had also been circulated prior to the meeting. He stated that the Draft Bye Laws had been placed on public display and that one submission had been received prior to the deadline of 10 February. This submission, from solicitors acting on behalf of the Irish Caravan & Camping Council, objected to the adoption of the Bye Laws on a number of grounds. The submission stated that

- Cork County Council is currently preparing a draft Motorhome Policy, and the adoption of Bye Laws in relation to Camper Van parking in advance of this policy is premature;

- Cork County Council has failed to properly consult with the Irish Caravan & Camping Council in the preparation of the Draft Motorhome Policy;
- The Council is seeking to exploit the Five Foot Way Carpark for commercial gain;
- The Council is circumventing the statutory obligations imposed on private operators;
- The Draft Bye Laws will be used as a template to roll out this type of service to other areas of the County
- Adoption of the Bye Laws would prejudice the commercial interests of members of the Irish Caravan & Camping Council
- The current situation – where camper vans are encouraged to park in the Five Foot Way carpark – constitutes unauthorised development
- Cork County Council has no legal authority to use the Road Traffic Act in the way set out in the Bye Laws.

P. Lynch stated that the Bye Laws as drafted were the second version of the Bye Laws which had gone on public display. Following consultation on the original version and consideration of the submissions received, the Council had sought legal advice from the County Solicitor's office and the current version had been drafted by Senior Counsel. The County Solicitor's Department had also examined the submission received in relation to the current Draft and were satisfied that the Council has the legal powers to introduce the Bye Laws as drafted. They were also satisfied that there was nothing of substance in the submission which would leave the Draft Bye Laws vulnerable to judicial review. On that basis, he stated that he was recommending the adoption of the Draft Bye Laws.

Cllr. Rasmussen stated that while he was happy to see the situation being regulated, he still had concerns regarding enforcement of the Bye-Laws. He queried what arrangements were in place for the days when the Traffic Warden was not on duty and what were the implications for people found to be in breach of the bye-laws, i.e. were fines going to be issued. He was also in favour of putting in a barrier or gate and retaining all funds raised within the Municipal District for the upkeep of the area. P. Lynch replied that a barrier would create access difficulties for the Port of Cork when a liner was berthed at the Deep Water Quay.

Cllr. O'Sullivan was not all happy with the arrangements for Camper vans at the Five Foot Way. He felt the Council were attempting to enter into competition with private operators. He had serious misgivings about the proposal and would not be supporting it. He stated that the Council do not have the staff to monitor the area at night. P. Lynch stated that the Council would not be providing the same facilities as registered Camping sites and were not trying to compete with private enterprise but only trying to regulate the present situation. S. O'Callaghan stated that the campervan parking area was not meant to be a money making exercise but an attempt to provide facilities to attract further visitors to Cobh. He pointed out that the power to pass these bye-laws was a reserved function and the final decision lay with the Councillors.

Cllr. Sheppard voiced her concerns about how the facility would be managed on a day to day basis. She felt that the regulation of the parking area should not be added to the duties of the Traffic warden. Cllr. Sheppard also felt that the coaches should be charged a fee. Cllr. McCarthy stated that the Byelaws would be useless unless there was a way of enforcing them. He also suggested that bus companies could be given tokens to operate the barrier instead of asking them to pay to use the car park. Cllr. McCarthy proposed also that the payment should be increased to cover the cost of employing someone to monitor the car park.

Cllr. Ó'Cadhla stated that the proposal was very innovative and could put Cobh on the map nationally and attract more visitors to the town. He agreed that while there may be issues regarding management of the facility, it was a big opportunity and should be marketed accordingly.

Cllr. O'Sullivan asked if the Council were happy to proceed with the byelaws given the level of opposition. P. Lynch replied that he was satisfied that the Draft Byelaws are legally robust. Cllr. Sheppard was worried that in time the management of the facility would be handed over to private operators. P. Lynch stated that Cork County Council could not hand over control of the Five Foot way without the consent of the members. S. O'Callaghan pointed out that the Cobh Municipal District were the first to introduce these byelaws and that as a consequence other local authorities were watching with interest. It was agreed to defer further consideration of the byelaws until the next meeting and to consider the cost of a barrier.

6. To consider the following Notice of Motion in the name of Cllr. Cathal Rasmussen:

“That some form of traffic calming and or signage be put in place at the bottom of the Barrack hill close to the new tourist office and the town library owing to the large number of visitors to both buildings in effort to make the area safer for pedestrians”

G. O'Hora to examine.

7. To consider the following Notice of Motion in the name of Cllr. Anthony Barry:

“That the road from Glanmire to Riverstown be road-lined and street lighting be put in place”.

G. O'Hora stated that this section of road would be examined in conjunction with the 2017 Roads Programme.

8. Any Other Business/Aon Ghnó Eile.

Lake Road, Cobh

Cllr. K. McCarthy asked that the Council write to Irish Water regarding the ongoing issue with water supply on the Lake Road. He stated that recently residents were without water for three days and that the water pressure has been lowered since Irish Water took over and started installing meters in the area. Cllr. Barry stated that any letter to Irish Water should include a request to re-instate the roads properly following any works. There were on-going problems with potholes in areas where Irish Water had been carrying out repairs. The issuing of the letter to Irish Water was approved on the proposal of Cllr. McCarthy, seconded by Cllr. Barry.

Glenanaar Place.

Cllr. McCarthy stated that residents have problems with visiting motorists taking a wrong turn into the estate, not realising that it was a cul-de-sac, they want signage put up. There was also a large pothole at the entrance to the estate. Engineer to examine.

Little Island

Cllr. O'Sullivan raised the issue of traffic lights at Ballytrasna Cross near the filling station. Engineer to examine.

John O'Callaghan Playground.

Cllr. O'Sullivan stated that the area was mayhem at the weekends. Gardai have to be called on a regular basis to deal with the anti-social behaviour. G. O'Hora stated that the area was a public park and inspected weekly, it was not possible to fence the entire area and impossible to prevent access. Cllr. Barry suggested that residents in the area should fund-raise to provide CCTV cameras.

Public Lighting.

Cllr. O'Sullivan raised the issue of providing public lighting in a rural area. G. O'Hora stated that this was an issue for the Public Lighting engineer and that Cllr. O'Sullivan should contact that section directly.

Burned out cars.

Cllr. O'Sullivan raised the issue of burned out cars, which is a particular problem when it occurs on private land.

Fernwood, Glanmire.

Cllr. Keohane stated that the residents of Fernwood Estate are looking for a speed ramp to be installed. Engineer to examiner.

Church at Glenville

Cllr. Keohane stated that there was an issue with parking outside the Church at Glenville. Engineer to examine.

Dromcille Estate, Glenville.

Cllr. Keohane raised the issue of double yellow lines at Dromcille Estate, Glanville. Engineer to examine.

Brookville Estate.

Cllr. Keohane stated that there was a problem with drains at this estate. Engineer to examine.

Derelict Buildings.

Cllr. Rasmussen raised the issue of derelict buildings throughout the Municipal District and stated that the issue should be discussed every quarter. P. Lynch to compile a list for the next meeting.

Cobh streetscape

Cllr. Rasmussen sought the up to date position in relation to the works due for Cobh. S. O'Callaghan reported that drawings are currently being finalised by the Architects Department of Cork County Council. The cost of ducting is being discussed with Irish Water and the contract will be put out to tender. There won't be enough funding from the Public Realm code to fund all the works, however it is envisaged that the work required will be broken down into sections and will be dealt with in phases. S. O'Callaghan will revert once costings have been determined.

Cllr. Rasmussen enquired as to whether the future plans by the Port of Cork will impact on this work. S. O'Callaghan indicated that most of the work being undertaken was in the two main squares and any proposals by Port of Cork won't interfere with this.

Carrigtwohill.

Cllr. Barry stated that the traffic lights at the railway station at Carrigtwohill were causing problems for the resident. R. O'Sullivan replied that there was a problem with the sequencing and he would examine it further.

Belvelly.

Cllr. Barry stated that numerous accidents were occurring on the S bend near Pottery Road. R O'Sullivan stated that Speeding is the problem there and not the road layout, additional signage had been placed up last year.

Knotweed.

Cllr. Barry raised the issue of knotweed on Irish Rail property. He wants the Council to write to them with instructions to deal with the issue appropriately and not to cut it. P. Lynch to write to Irish Rail.

Killacloyne.

Cllr. Barry stated that trucks were parking at Killacloyne and interfering with the sightlines there. Engineer to examine.

Carrigtwohill.

Cllr. Barry stated that there were numerous potholes on the main street of Carrigtwohill. Engineer to examine.

Fota Plant Fair.

Cllr. Barry stated that the organisers of the plant fair were anxious to advertise it but did not want their signs removed by the Council. P. Lynch replied that the organisers should write to the Council outlining where the signs were going to be and who was to be responsible for removing same, when the event was over.

Draft Development Plan

Cllr. Barry advised that any member who wished to raise any issues in relation to the Draft Development Plan should contact the Planning Policy Unit directly.

This concluded the business of the meeting

Cathaoirleach

Municipal District Officer