

MINUTES OF PROCEEDINGS AT MEETING OF THE COBH MUNICIPAL DISTRICT, HELD AT CARRIG HOUSE, COBH ON TUESDAY 9TH JANUARY, 2018.

Present: Councillors P. O’Sullivan, C. Rasmussen, A. Barry, G. Keohane, S. Sheppard, K. McCarthy & 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. A. Walsh, Cobh Municipal District

1. SUSPENSION OF STANDING ORDERS:

On the proposal of Cllr. Ó’Cadhla, seconded by Cllr. McCarthy, standing orders were suspended to discuss the recent tragic death of a person who had been a tenant in a privately rented property in Cobh. Cllr. Ó’Cadhla stated that the members were well aware of the details of this person’s housing situation and that the Fire service had condemned the building over 14 months ago, however, no steps had been taken by either the landlord or any statutory body to re-house this individual and another tenant in the same building in suitable accommodation. Cllr. Ó’Cadhla stated that a letter should be sent to the Chief Executive of Cork County Council urging him to use his position to enforce minimum standards and remove the remaining tenant in the building to suitable accommodation immediately. Cllr. McCarthy agreed with the sentiments expressed and offered condolences to the family in question and stated that in his opinion the Council should be doing more to facilitate tenants in such circumstances. Cllr. Rasmussen also offered condolences to the family and stated that if the fire service had condemned the property and had more power than the Council to remove persons, why this had not been done and was unsure what else could be done. Cllr. Sheppard stated that this case had been discussed at length by the Municipal District and at full Council, the property in question was privately owned and the subject of an ongoing legal issue and she was unsure what actions could be undertaken by the Municipal District.

S. O’Callaghan stated that the Chief Executive was well aware of the position and suggested that a copy of the minutes be forwarded to the Chief Executive and the Director of Services for Housing.

On the proposal of Cllr. Ó’Cadhla, seconded by Cllr. McCarthy, it was agreed to write to the Chief Executive and the Director of Services for Housing to request the removal of the remaining tenant from the property and to offer appropriate accommodation.

2. Strategic Housing Development (SHD) @ Ballinglanna, Glanmire, Co. Cork – Application to An Bórd Pleanála on behalf of O’Flynn Construction Co. Unlimited Company.

Mr. Noel Sheridan, A/Senior Planner gave a briefing in relation to the proposed development at Ballinglanna, a number of meetings have taken place between the developers and Cork County Council. A copy of the Bórd Pleanála opinion had been circulated to members, which recommended an increase in the density of dwellings. There is provision for a school which has the approval of the Department of Education in principle. Improvements to the infrastructure will be funded under LIHAF (Local Infrastructure Housing Activation Fund) and a Section 47 Agreement has been agreed in principle between the developers and the local authority. The application will need further assessment in particular in relation to improved surveillance of the open space provided.

Cllr. O’Sullivan enquired as to whether the document provided was Cork County Council’s report on the application, Mr. Sheridan replied that it was a briefing note only. Cllr. Rasmussen stated that such a large development would have a negative impact on traffic in an area already suffering from traffic congestion. Cllr. Rasmussen queried what exactly was meant by a phased basis for the development and whether all the amenity facilities outlined would actually be provided. Mr. Sheridan replied that the Section 47 agreement stated that the delivery of houses would be in tandem with road improvements. Cllr. Keohane asked whether the Fernwood estate be the access point for all construction traffic and if the development would start at that end of the site. Mr. Sheridan replied that phase 1 consisted of 60 units and that the construction traffic would use the existing road network and would not need to go through the Fernwood estate. Cllr. Sheppard asked if, when the road was fully completed, it would exit through the Fernwood Estate, Mr. Sheridan responded that it would. Cllr. Rasmussen stated that the road through Fernwood estate would be a relief road and was it possible that such a road could be directed through an estate, essentially bringing large numbers of traffic through a residential area? Mr. Sheridan replied that the road would provide improved access for the residents of Fernwood also and that the provision of this road was contained within the Local Area Plan. Cllr. Keohane queried whether the road had to go through Fernwood estate and if a CPO was required as this would take time. Mr. Sheridan replied that the developers were able to deliver whatever roads were needed within the red outline and some areas outside of this would require a CPO and that the Council would facilitate same.

Cllr. Barry asked if the road through Fernwood estate had always been intended to be a through road and also noted that the road improvements to upgrade this road would be substantial. He noted that areas marked for open space had the potential for anti-social behaviour, particularly down along the line when the planting was well established. The maintenance for some areas could be quite expensive in time and noted the inclusion of a woodland area in particular. Cllr. O’Sullivan raised concerns regarding the Part 8, he felt that the Part 8 should have been in place before any planning application had been submitted and enquired as to whether the development would be on hold until the Part 8 had been decided on by the members. Mr. Sheridan replied that the development was subject to the requirements of the Part 8 process. Cllr. O’Sullivan

also raised concerns about the density attached to the application, the sloping nature of the site and the extent and placement of the open spaces and their potential for anti-social behaviour, the impact of the development on Fernwood estate and the impact construction traffic would have on the road infrastructure, particularly on the East Cliff road, which was unsuitable for heavy traffic and wanted conditions put in for traffic calming in the area. Cllr. Sheppard reiterated these concerns and also queried the proposed 5 clusters of social housing. Mr. Sheridan replied that the Housing Department had already raised concerns about the over concentration of social housing and this was to be further examined.

The officials from the Planning Department then withdrew.

3. SUSPENSION OF STANDING ORDERS:

On the proposal of Cllr. Rasmussen, seconded by Cllr. Sheppard, standing orders were suspended in order to discuss an accident on the Fota Road, which occurred on the morning of the meeting. Cllr. Rasmussen stated that a fallen tree was the cause of the accident and that the trees on both sides of the road need to be dealt with as a matter of urgency. G. O’Hora replied that staff from Cork County Council had attended the site and removed the tree, even though it was the landowner’s responsibility. Mr. O’Hora stated that he had written to a number of landowners on the Fota road and that their progress in carrying out their responsibilities in relation to tree cutting and maintenance of boundary walls on properties located adjacent to the public road would be monitored going forward. Cllr. Sheppard stated that this issue had been discussed at numerous meetings and that a motion would be put before the Southern Roads Committee in relation to the cutting back of trees. She also raised the issue of the boundary wall on the Fota Road, the condition of which was quite poor in places. G. O’Hora stated that council staff carries out visual inspections of trees and boundary walls on the Fota road on a regular basis however the responsibility of private boundary walls was the landowners responsibility. Cllr. O’Sullivan stated that landowners in another part of the district had been compelled to replace a wall in similar circumstances some years ago and could this not happen in the case of the wall bounding the Fota Road? Cllr. McCarthy stated that he understood that Cork County Council were trying to get the road designated as a National Routs and stated that he would support this. Cllr. Barry stated that the trees have to be removed to ensure road safety and stated that he felt going forward that there were going issues with insurance for landowners going forward in relation to trees and walls adjoining public roads.

4. SUSPENSION OF STANDING ORDERS:

On the proposal of Cllr. Ó’Cadhla, seconded by Cllr. McCarthy it was agreed to suspend standing orders to discuss the future use of the public space at the Promenade going forward by either the Council or private individuals, as a result of a recent

planning application on behalf of the Titanic Experience. S. O’Callaghan stated that was not appropriate to discuss the issue as it was the subject of a current planning application. P. Lynch stated that no request had been received to transfer any Council property to private ownership; he reminded members that the decision taken by them in July 2017 related only to the issuing of a letter to facilitate the submission of the current planning application and that on completion of the planning process, that the decision to lease or transfer the land in question from the Council would then come before the members for a decision, first by the members of the Cobh Municipal District and then full Council.

Cllr. Rasmussen stated that neither he nor anyone he had spoken to was seeking to change the nature of the public space at the Promenade and that it was his understanding that the letter issued to applicant did not confer any entitlement to the applicant beyond that of submitting a planning application in the usual way. Cllr. Sheppard stated that it was the first she had heard of any issue with the future use of the Promenade, it had been used for a long time as a focus for public events such as festivals and the Farmers Market and was one of the most prominent features of the town. Cllr. McCarthy stated that he was heartened to hear that any final decision in relation to the issue would be with the members. Cllr. Ó’Cadhla stated that he had a list containing the names of over 300 people who were concerned with the future of the public space at the Promenade. P. Lynch clarified that it was a matter for the County Council to decide to grant planning permission, however the development can only be carried out if the developer had the legal right to do so and that the members were not being asked to comment on the merits or otherwise of the planning application, that there were actually two separate issues involved. Cllr. Ó’Cadhla asked if planning permission was granted and the issue then reverts to the members, was there a process by which the public could be consulted regarding the disposal or leasing of Council property? P. Lynch replied that there was no mechanism for public consultation in relation to the disposal of Council property; that this was a matter for the elected members only. Cllr. Rasmussen stated that he was aware that there had been considerable activity on Facebook in relation to this issue and that when the matter was back before the members; he would take the views of the public into consideration when making his decision.

5. DEIMHNIÚ MIONTUAIRSICÍ – CONFIRMATION OF MINUTES:

On the proposal of Cllr. G. Keohane, seconded by Cllr. C. Rasmussen the Minutes of the Monthly Meeting held on Tuesday, 13th December 2017, were adopted.

6. MATTERS ARISING:

TOILET AT FIVE FOOT WAY:

P. Lynch stated that this matter was still with the County Architect’s Department

PEDESTRIAN CROSSING AT COLAISTE MUIRE, COBH:

G. O’Hora stated the road design office was working on the design of the crossing. P. Lynch stated that he had been notified of the Pay Parking Dividend for Cobh which the members had agreed to use to fund this project. He stated that the second allocation for 2016 had been set as €16,000 while an initial allocation of €18,750 had been made for 2017. Cllr. Sheppard stated that it was not good enough that it was only in 2018 that members were informed of how much was available to spend from the 2017 Pay Parking Dividend.

TRAFFIC CALMING AT SARSFIELD HURLING PITCH:

G. O’Hora stated that he LIHAF funds had been secured and a consultant had been appointed to examine traffic calming measures at Riverstown cross.

BARRYS COURT, CARRIGTWOHILL

The potholes on this road had been filled.

LIDL, RIVERSTOWN

G. O’Hora stated new gullies had been installed on the road and that further works were planned for this area, including an additional road gully.

7. CORRESPONDENCE:

- i) Invitation from Cobh Red Cross - P. Lynch stated an invitation from Cobh Red Cross to attend its annual dinner had been received. On the proposal of Cllr. Barry seconded by Cllr. McCarthy it was agreed that Cllr. S. Sheppard and Cllr. C. Rasmussen would attend.
- ii) Reply from Minister for Housing – P. Lynch stated that he has received an acknowledgement from the Office of the Minister for Housing, Planning, Community and Local Government in relation to the Notice of Motion adopted at the December meeting.

8. OFFICERS REPORTS:

- i) P. Lynch stated that the Draft Litter Plan 2018 for Cobh Municipal District had been advertised and submissions sought. The document would be on display at Carrig House and at the Library, Glanmire until 23rd February 2018 and the matter would be placed on the Agenda for the March meeting.
- ii) P. Lynch circulated a synopsis of the Housing report which had been presented at the Southern Committee meeting and which contained details of vacant properties. S. O’Callaghan confirmed to Cllr. A. Barry that this report would be supplied to

the members every six months. In response to Cllr. Barry's request that a member of the Housing directorate be present when the report issued, he said that he would pass on the request to the Housing Department, but that resources may be an issue and that the information supplied was to help members ask specific questions at the Southern Committee where the relevant staff members were available. Cllr. Rasmussen pointed out that the information sought by members in relation to specific vacant houses was supplied in the report they received at Southern Committee.

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

“That this Municipal District look at enforcing stricter controls, procedures and penalties on contractors who open roads in our area and who do not repair them properly which has caused a lot of damage to cars recently”. Cllr. Rasmussen stated that it would appear that many of the potholes and damage caused to roads were as a result of contractors in the area digging up roads and failing to re-instate them properly. G. O’Hora replied that CCC had a road opening licensing system in place, where contractors could apply through the CCC web site for a road opening licence. The procedure in place, had strict conditions which required contractors to be responsible for re-instatement of the road for 24 months. On the proposal of Cllr. Rasmussen, seconded by Cllr. Sheppard, it was agreed to monitor contractors more closely.

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

“That this Municipal District begin another programme of cleaning drains in our area to prevent flooding and blocking of the drains.” G. O’Hora stated that a quarterly programme was in place and that a full programme of works had been carried out throughout the Municipal District before Christmas. The motion was adopted on the proposal of Cllr. C. Rasmussen, seconded by Cllr. G. Keohane.

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

“1) That this Municipal District agree to allow the traffic calming measures remain in place on Harbour Hill, once the restoration works on the two houses are completed which would help prevent motorists driving too fast in this busy area”.
2) That this Municipal District would undertake a full review of the number of loading bays in the town with a view to changing some of them if necessary”.

Cllr. Rasmussen stated that the temporary traffic calming measures in place to facilitate the building works had succeeded in slowing traffic in the area. R. O’Sullivan stated that the current measures had been put in by the contractor working on the construction of the 2 houses but that he had no issue with putting a more permanent solution in place on the completion of construction works. Cllr. Rasmussen also stated that several business persons had approached him regarding the number and location of loading bays within the town, some of which did not appear to be required. P. Lynch requested

that if specific loading bays were not being used that this information should be submitted to the Municipal District office.

On the proposal of Cllr. C. Rasmussen, seconded by Cllr. K. McCarthy, it was agreed that the engineer would investigate the possibility of permanent traffic calming measures in the area and would also review the number and location of loading bays within the town.

12. To consider the following Notice of Motion in the name of Cllr. Diarmaid Ó'Cadhlá:

“Proposals have been invited from a number of sculptors for the design of a statue to Jack Doyle, it is expected that these will be considered in the coming weeks.

On selection of the design, this Council agrees to submit a Part 8 application for the erection of the statue on the south east corner of Pearse Square.”

P. Lynch stated that before a Part 8 process could be set in motion, funding for the proposed statue should be discussed in order to be certain that the project would have a reasonable prospect of going ahead from both a financial and technical standpoint, he suggested that the organisers could apply for an Amenity Grant. On the proposal of Cllr. Ó'Cadhlá, seconded by Cllr. McCarthy, it was agreed that the Council would support a Part 8 application at the appropriate time.

13. To consider the following Notice of Motion in the name of Cllr. Diarmaid Ó'Cadhlá:

“In order to improve road safety this Council agrees to install, or allow residents to install, a mirror or other measures to improve visibility of passing traffic at the junction of Roche's Terrace with Wolfe Tone Street.”

Cllr. Ó'Cadhlá stated that there was a danger to the residents at this location and that the residents had acquired a mirror and sought the Council's help in siting same. G. O'Hara replied that Cork County Council do not install mirrors, on the proposal of Cllr. Ó'Cadhlá, seconded by Cllr. Rasmussen, it was agreed that the residents would submit a proposal to the Council in relation to this junction.

14. To consider the following Notice of Motion in the name of Cllr. Diarmaid Ó'Cadhlá:

“That this Council write to An Taoiseach expressing our dismay that Ireland now has the highest ever recorded number of homeless and the highest ever recorded numbers on hospital trolleys.

That An Taoiseach outline in reply to this Council how Government is dealing with this crisis, and whether it is appropriate that the state should declare a state of emergency in regard to housing and health services immediately.”

Cllr. Ó'Cadhlá stated that everyone around the table was well aware of the current crises facing the country and requested that a letter be sent to an Taoiseach without delay, following a brief discussion, on the proposal of Cllr. Ó'Cadhlá, seconded by Cllr. McCarthy, it was agreed to forward the above motion to full Council.

- 15. To consider the following Notice of Motion in the name of Cllr. Anthony Barry:**
“That speed reducing measures be introduced on the Annsgrove Terrysland road in light of recent incidents there.”

G O’Hora agreed to examine and install additional road safety signage on the road.

Cllr. Barry reiterated concerns regarding the safety of drivers on this road, on the proposal of Cllr. Barry, seconded by Cllr. O’Sullivan it was agreed that additional signage would be provided.

16. Any Other Business/Aon Ghnó Eile:

1) Traffic Warden:

Cllr. K. McCarthy enquired as to the progress of the additional Traffic Warden. Cllr. C. Rasmussen wanted clarification that the duties of the extra Traffic Warden would include Saturdays and the Five Foot Way Camper Van Parking area. P. Lynch confirmed that this was the case. S. O’Callaghan confirmed that the interview process had started.

2) Municipal District Minutes:

Cllr. A. Barry enquired as to whether the Municipal District Minutes were now available on the Council website. P. Lynch confirmed that the minutes to October 2017 were on the website and the rest would be updated by the end of the week.

3) Traffic Management for Cobh:

Cllr. C. Rasmussen enquired as to whether a letter regarding the traffic management for Cobh had been sent to County Hall, S. O’Callaghan confirmed that the concerns of the members had been raised with the Traffic & Transportation Section and with the Divisional Manager.

- 4) Cllr. P. O’Sullivan wished to extend the gratitude of the members to James Hickey, Engineer, who was leaving the Glanmire office.**

This concluded the business of the meeting.

Cathaoirleach

Municipal District Officer