BALLYHEA NATIONAL SCHOOL

THE BOARD OF MANAGEMENT

(18) A

Response to a number of submissions made on behalf of CIE

at an Oral Hearing held at Newcastlewest

27 September 2022

Case no. CASE N. NA04.310286

I wish to thank the Inspector and An Bord Pleanala for the opportunity to make these responses as chairman of the Board of Management of the school.

Firstly, I should like to have it recalled that the Education Act (1998) clarifies that the sole competent instance to determine the good or otherwise of any initiative affecting the schools is the Bord of Management.

While I can appreciate the philanthropic motives of CIE and Cork County Council in the concern shown to the school, at the same time the Board has a responsibility to assert its integrity in the light of determinations made by CIE and Cork County Council in the present application.

This is especially true with regard to the provision of a car park in front of the school that the Board has never requested, on whose design etc. it has not been consulted, as well as with regard its practical operation.

On behalf of the Board of Management, I would respectfully ask An Bord Pleanala to discount all comments made by CIE in the present application with regard to the good or otherwise of Ballyhea National School since these spring from a non-competent body.

Secondly, I have noted CIE's response to concerns raised by the BOM regarding anti-social bahaviour in the precinct of the school should permission be granted for the application in discussion. In particular, I note Healy (74, p.22; 75, p.22; especially 77, p.23; 185, p. 43; 207, p.46), and Sewnath (58, p9; 67[a repetition of Healy 207], p.10). Sewnath (and elsewhere) at 58 assumes that when the BOM refers to anti social behaviour it is referring to fly-tipping. In fact, the BOM would be more than happy were anti-social incidents confined to fly-tipping. I wish to inform the Bord, and would have been happy to apprise CIE had the BOM been consulted, that the anti-social incidents of concern to the BOM are at

the more serious end of criminal activity and include drug dealing, drug supplying activities and issues arising from the voyageur visits. In recent time, the BOM installed CCTV cameras to deter these activities. With regard to Healy 77 and Sewnath assertion that the BOM can rely on prescribed remedies to deal with anti-social and criminal activity, the BOM would rather not have to and the resources to address such situations are simply not sufficiently available to the police.

Thirdly, Healy at 252, p. 52 misunderstands the BOM's point with regard to the access to the school, school yards and community hall that runs along the northern boundary of the property for emergency vehicles. The point here is the access to this emergency route from the minor road running along the eastern boundary of the property and to which works are planned to be carried out. A similar point could be made for emergency access to the parochial house for which no provision has been made.