CHAPTER cviii.

An Act to confirm a Provisional Order of the Local Government Board for Ireland under the provisions of the Artizans and Labourers Dwellings Improvement Act, 1875, relating to the Borough of Cork. [4th July 1878.] A.D. 1878.

WHEREAS the Local Government Board for Ireland has, as regards the borough of Cork, made the Provisional Order set forth in the schedule hereunto annexed, under the provisions of the Artizans and Labourers Dwellings Improvement Act, 1875:

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Order set out in the schedule hereunto annexed shall be and the same is hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. The Provisional Order in schedule confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (Artizans and Labourers Dwellings) Act, 1878. Short title.

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SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Cork Order.

Borough of Cork.

Provisional Order for confirming an Improvement Scheme under the Artizans and Labourers Dwellings Improvement Act, 1875.

To the Mayor, Aldermen, and Burgesses of Cork, being the Urban Sanitary Authority of the Cork Urban Sanitary District;—

And to all others whom it may concern.

WHEREAS the Artizans and Labourers Dwellings Improvement Act, 1875, provides for the making of schemes for the improvement in any areas in Urban Sanitary Districts in Ireland, containing, according to the last published census for the time being, a population of twenty-five thousand and upwards, which, in the opinion of the Local Authorities for such districts, are unhealthy areas within the meaning of that Act; and it provides that a Local Authority, on being satisfied by official representation, made in accordance with the provisions of that Act, of the unhealthiness of any such areas, shall pass a resolution to the effect that such area is an unhealthy area, and that an Improvement Scheme ought to be made in respect thereof, and shall, after passing such resolution, forthwith proceed to make a scheme accordingly; and the said Act further provides that, in respect of each Urban Sanitary District, the Urban Sanitary Authority thereof shall be the Local Authority for the purposes of that Act;

And whereas the Borough of Cork is an Urban Sanitary District containing, according to the last published census, a population of seventy-eight thousand and upwards, and the Mayor, Aldermen, and Burgesses of the Borough are the Urban Sanitary Authority of such district;

And whereas an official representation having been made to the said Urban Sanitary Authority, in accordance with the provisions of the said Act, that certain areas within the said district, and described in the scheme herein-after stated, are unfit for human habitation, and that the sanitary defects of such areas cannot be effectually remedied otherwise than by an Improvement Scheme in pursuance of the provisions of the said Act, and the Urban Sanitary Authority, being satisfied of the truth of such representation, and of the sufficiency of their resources, have resolved that the areas described in the said representation are unhealthy areas, and that an Improvement Scheme ought to be made in respect of such areas·

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And whereas the said Urban Sanitary Authority, after the passing of the said resolution, made an Improvement Scheme (accompanied by plans, a book of reference, and estimates, duplicates whereof have been deposited at the office of the Local Government Board for Ireland in Dublin, and at the office of the surveyor of the said borough, and are herein-after referred to as the deposited plans and book of reference), which scheme is as follows:—

Scheme made by the Mayor, Aldermen, and Burgesses of the Borough of Cork, being the Urban Sanitary Authority, acting as the Local Authority under the Artizans and Labourers Dwellings Improvement Act, 1875, for the improvement of seven unhealthy areas within the said borough.

1. This scheme may be cited as "The Cork Improvement Scheme, 1878:"

2. In this scheme "the Borough" means "the Borough of Cork," "the Corporation" means "the Mayor, Aldermen, and Burgesses of the Borough of Cork," "the Town Clerk" and "the Surveyor" mean respectively "the Town Clerk" and "the Local Surveyor of the said Borough," and "the plans" mean "the plans which accompany this scheme:"

3. The unhealthy areas included in this scheme are the areas delineated and indicated on the plans; duplicates of the plans are deposited at the office of the surveyor, and copies of the plans, or any part or parts thereof, certified by the surveyor shall be received in all courts of justice and elsewhere as evidence of the contents thereof respectively:

4. For making the scheme efficient for sanitary purposes it is necessary to include therein the lands and buildings delineated on the plans, in addition to the area referred to in the consulting sanitary officer's official representation, and otherwise for opening out the same for the purposes of ventilation and health:

5. The scheme will include the following streets and courts, viz.:—

AREA NO. 1.

The entire district, bounded on the north by Evergreen Street and the back yards of part of Evergreen Street; on the east partly by yards of houses in Stephen Street, and partly by Crane Lane; on the south partly by Barrack Lane, yards of houses in Three Hatchet Lane, by Stephens' Hospital, Cat Fort Barracks, and Tower Street, including all houses and lands as delineated on the plans, situate in the parish of St. Nicholas and borough of Cork.

AREA NO. 2.

Bounded on the north by Peter's Church Lane; on the east partly by the North Main Street and partly by premises back of houses in the South Main Street; on the south partly by premises belonging to the North Main Street houses and partly by yards of Broad Lane houses; and on the west by the Quaker's meeting house and grounds, Duncan Street, as delineated on the plan, situated in the parish of St. Peter's and borough of Cork.

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Bounded on the north partly by Harding's Lane and Corbett's Lane; on the east partly by Fair Lane and yards of houses in Mannix's Lane; on the south by back yards of houses in Cattle and Harding's Lane part; and on the west partly by Welsh's Lane and yards of houses in Daly's Lane, as delineated on the plan, situate in the parish of St. Mary's, Shandon, and borough of Cork.

AREA NO. 4.

Bounded on the north by yards of houses in Bailey's Lane; on the east and south by Beecham's Hill and Lane; and on the west by yards of houses in Staunton's Alley, as delineated on the plan, situate in the parish of St. Anne's, Shandon, and borough of Cork.

AREA NO. 5.

Bounded on the north by Murphy's Lane; on the east by Barry's Lane and Clarence Street; on the south by Bailey's Lane; and on the west by Fair Lane and yards of houses in Fair Lane, as delineated on the plan, in the parish of St. Anne's, Shandon, and borough of Cork.

AREA NO. 6.

This area is bounded on the north by St. John's Square; on the east by yards of houses in Clarence Street and Great Britain Street; on the south by the house and salt and lime works of Mr. Simon Kennefick; and on the west by ground in possession of Cornelius Murphy, as delineated on the plan, in the parish of St. Anne's, Shandon, and borough of Cork.

6. The Corporation may enter on, take compulsorily, and deal with, for the purposes of this scheme, all or any of the lands delineated on the plans:

7. The Corporation may lay out, form, pave, sewer, and complete in the lines shown on the plan of Area No. 1, two new streets, with such alterations of level, stopping up, widening, or diversion of existing streets, and otherwise as are shown on the plans of Areas Nos. 1, 2, 3, 4, 5, 6, and 7, or as may hereafter be determined by the Corporation to be necessary or proper for the purposes of this scheme:

8. In laying out the new streets, and executing the approaches and communications shown on the plans, the Corporation may deviate from the lines shown on the plans to any extent within the limits of deviation marked thereon, and beyond those limits with the consent of the owners, lessees, and occupiers of the lands through which a deviation is made, but not otherwise:

9. The Corporation may from time to time appropriate any parts of the unhealthy areas, and also all or any part of the sites delineated and indicated on the plans to be acquired for the erection of suitable dwellings for such of the working class as shall be removed from the said areas, and may take by agreement such sites in fee-farm for that

purpose; and they shall provide, either by appropriation of some parts of the unhealthy areas, and of such sites or grounds respectively, and by securing the erection of suitable dwellings thereon, or in some other manner, for the accommodation of at least as many persons of the working class as will be from time to time displaced within the unhealthy area:

10. All dwelling-houses to be erected in accordance with this scheme shall have at least three apartments, and a yard containing not less than one hundred superficial feet attached thereto, and be well and substantially built; and shall be so situated and constructed as to secure efficient ventilation, and shall be furnished with a proper water supply and with proper drainage and other sanitary appliances and apparatus to the satisfaction of the Corporation; and the Corporation shall enforce the execution and maintenance of all other proper sanitary arrangements within the area and sites shown on the plan:

11. The Corporation shall, as soon as practicable after the passing of the Act authorising this scheme, proceed to carry the same into execution, but they may from time to time purchase and deal with parts of the lands within the unhealthy area without being required to purchase and deal with the whole of the lands within those areas:

12. The expenses of the execution of this scheme (so far as they are not defrayed out of the receipts of the Corporation pursuant to the Artizans and Labourers Dwellings Improvement Act, 1875), and the costs, charges, and expenses preliminary to and of and incidental to the preparation of this scheme, and the application for the Order confirming the same, and the obtaining the confirmation by Parliament of such Order, shall be paid by the Corporation out of the local rates as defined by the said Act (Section 21), or out of moneys borrowed in pursuance of the said Act.

Adopted by the Corporation this 12th day of November 1877.

And whereas the estimate of expenditure accompanying the said scheme is as follows:—

AREA NO. 1.

	£	£	s.	d.
Purchase of property as per estimate -	17,050			
Making roads, sewers, &c., do. - -	2,500			
Contingencies - - - -	1,955			
		21,505	0	0

AREA NO. 2.

Purchase of property, per estimate - -	3,500			
Making roads, sewers, &c., do. - -	250			
Contingencies - - -	375			
		4,125	0	0

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AREAS NOS. 3 AND 7.

	£	£ s. d.
Purchase of property, per estimate -	7,700	
Making streets, sewers, &c., do. - -	482	
Contingencies - - - -	818	
		9,000 0 0

AREA NO. 4.

Purchase of property, per estimate -	800	
Making streets, sewers, &c., do. - -	170	
Contingencies - - - -	97	
		1,067 0 0

AREA NO. 5.

Purchase of property, per estimate -	7,500	
Making roads, sewers, &c., do. - -	900	
Contingencies - - - -	840	
		9,240 0 0

AREA NO. 6.

Purchase of property, per estimate -	4,500	
Making roads, sewers, &c., do. - -	600	
Contingencies - - - -	510	
		5,610 0 0
Preliminary expenses - - -		1,000 0 0
		£51,547 0 0

And whereas the said Urban Sanitary Authority having complied with the provisions contained in Section 6 of the above-recited Act, with respect to the publication of an advertisement and the services of notices, presented a petition to the Local Government Board for Ireland, praying that an Order might be made confirming the said scheme, which petition was accompanied by a copy of the said scheme and a statement of the owners or reputed owners, and lessees or reputed lessees, who had dissented in respect to the taking of their lands, and was supported by such evidence as the Local Government Board for Ireland required;

And whereas upon a Local Inquiry being directed, an inspector was sent by the Local Government Board for Ireland to the area to which such inquiry related, for the purpose of making an inquiry into the correctness of the official representation made to the said Urban Sanitary Authority as to such area being an unhealthy area, and as to the sufficiency of the scheme provided for its improvement, and into any local objections to such scheme;

And whereas before commencing such inquiry the inspector made public by advertisement his intention to make such inquiry, and stated the time and place at which he would be prepared to hear all persons desirous of being heard upon the subject thereof, in accordance with the provisions of Section 17 of the above-recited Act;

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And whereas a report has been made upon such inquiry, and has been received by the Local Government Board for Ireland:

Now therefore, we, the Local Government Board for Ireland, in pursuance of the powers given by the statutes in that behalf, do hereby confirm the Improvement Scheme made by the Urban Sanitary Authority of the borough of Cork as aforesaid, subject to the following modifications:—

The powers hereby conferred shall not extend to nor include the portion of Area No. 2 as delineated in the deposited plans and described in the said plans as No. 2A, but which portion of Area No. 2 (as delineated in the said plans) is not included in the book of reference accompanying such plans; and the said scheme shall be confined to the premises described and defined by the said book of reference.

The portion of the plot numbered 224, delineated and described in the deposited plans as part of the said Area No. 1, marked as No. 1B, which portion of the said plot No. 224 lies to the west of the line of the proposed new road marked on the said plan, and adjoins St. Stephens's Hospital, shall not be built upon further than erecting a boundary wall.

The existing right of way for foot passengers along and through the lane described and delineated as "Hospital Lane" in the deposited plan of Area No. 1 shall not be interfered with, and steps shall be placed by the said Urban Sanitary Authority at the points of intersection of said lane with the proposed new road delineated on the said plan for the use of passengers using such right of way.

And we, the said Local Government Board for Ireland, hereby declare the limits of the areas to which the said scheme relates to be the limits of the areas described in the said scheme, subject to the modifications aforesaid.

And we do hereby authorise such scheme, modified as aforesaid, to be carried into execution when this Order shall have been confirmed by Act of Parliament.

Given under our seal of office, this eighth day of May 1878.

(Signed) A. Power.
R. M. Bellew.
Charles Croker King.

(L.S.)

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Printers to the Queen's most Excellent Majesty. 1878.