

Minutes of East Cork Municipal District Held on 7th September, 2015 at 11.00 a.m. at The Lodge, Midleton, Co. Cork.

I LATHAIR:

Cathaoirleach Michael Hegarty presided.

Cllrs. Linehan Foley, Collins, McCarthy & O' Sullivan.

Apologies were received from Cllr. Buckley.

Ag Freastal:

Joe McCarthy, Municipal District Officer.

Maurice Manning, Senior Executive Officer.

Mr.. Dave Clarke, Senior Executive Engineer.

Christy Ring, Executive Engineer.

Paul Murray, Executive Engineer.

Helen Mulcahy, Municipal District (Youghal Office)

Geraldine O' Connell, Municipal District (Youghal Office)

Cllr. Hegarty addressed the Meeting and advocated that the Municipal District resume after the summer break and work to the best of their ability on behalf of the towns, villages and local groups within the Municipal District Area.

1. Confirmation of Monthly Meeting held on 6th July, 2015, Minutes of AGM held on 6th July, 2015 and Minutes of Special Meeting held on 11th August, 2015.

The minutes of the monthly meeting held on 6th July 2015, minutes of Annual General Meeting held on 6th July, 2015 and minutes of special meeting held on 11th August, 2015 were adopted on the proposal of Cllr. Linehan Foley, seconded by Cllr. Collins and unanimously agreed by the Members.

1.2 Matters arising from the Minutes of 6th July, 2015.

1.2.1 Cotswold's

In reply to Cllr. Collins the Senior Executive Engineer advised that two more technical proposals and quotations had been sought and that the matter of funding would have to be discussed.

1.2.2 Moll Goggin's Corner.

Cllr. Linehan Foley raised the issue of Moll Goggin's Corner and requested an update on same. The Senior Executive Engineer Mr. Dave Clarke informed the Members that this was raised at the Southern Committee who were preparing a report on the matter.

1.2.3 Jail Steps.

Cllr. Linehan Foley raised the issue of the Jail steps and asked when would they be re-opened to the public. Helen Mulcahy, Staff Officer informed the Members that David Kelly Partnership has conducted a study of the steps. The report recommends that the Jail Steps remain closed in the interest of public safety until the problem here has been addressed. A provisional figure of €10,000 was put on the cost of the proposed works. The Staff Officer informed the Members that there is no provision in the Municipal District Budget for these works at present. Funding services will be examined.

1.2.4. Speed Limit at Ballymacoda Village.

Cllr. Linehan Foley raised the issue of the speed limit at Ballymacoda Village. The Senior Executive Engineer, Mr. Dave Clarke informed the Members that new guidelines and training are

to be rolled out by the Department. A general review of speed limits countywide is to be carried out. This will go through the statutory public consultation process. The Senior Executive Engineer informed the Members that the new speed limits should come into effect by April 2017 and stated Ballymacoda will be included in this review. Mr. Paul Murray, Executive Engineer informed the Members that additional road markings have been provided

1.2.5 Hedgecutting at Kilnatoora.

Cllr. Linehan Foley raised the issue of hedgecutting at Kilnatoora.

Mr. Paul Murray, Executive Engineer agreed to investigate same.

1.2.6 Seafield Site.

Cllr. Linehan Foley raised the issue of the disused Seafield Site and informed the Members that it posed a serious risk to residents of the Strand Area as a fire had taken place here at the weekend. The Municipal District Officer, Joe McCarthy informed the Members that he would be considering the matter of Derelict Sites within the East Cork Municipal District Area and the Seafield Site will be included in this exercise.

1.2.7 Road Safety Measures at CBS Secondary School.

Cllr. Collins informed the Members that he was disappointed that no road safety measures at the CBS Secondary School were put in place for the re-opening of the school after the summer recess. Cllr. McCarthy also raised the issue of the provision of road markings/pedestrian crossing at St. Bridget's National School and asked if there was any update on same. The Senior Executive Engineer, Mr. Dave Clarke informed the Members that both items were discussed at both the June and July meetings and informed the Members that he has discussed same with Council's Roads Design Section with a view to having the design completed so as to be in a position to tender the works for completions in 2016 and also informed the Members that funding of €90,000 has been put in place for the implementation of the works. Cllr. Collins requested that some temporary measures be put in place in the meantime. Mr. Dave Clarke, Senior Executive Engineer informed the Members that road safety measures have been put in place at Convent Cross and also stated that he was awaiting the CBS School to submit a school travel safety plan in accordance with the grant of their planning permission. Cllr. McCarthy requested that her motions be read at the start of Notice of Motions as she has to leave the meeting early. The Members were in full agreement with this request.

2. Consideration of Reports and Recommendations.

2.1 Proposed disposal of freehold at 11 Raheen Park, Youghal, Co. Cork.

Before notice is given to the Members of Cork County Council in relation to the proposed disposal of property the matter is brought to the attention of the Members for the East Cork Municipal District for their consideration. Details are set out in the attached draft notice and map. Land held under Leasehold Interest: 10 Raheen Park, Youghal. Folio No. 6868L.

Freehold Interest: Folio No. CK28837.

From Whom Acquired: Unknown.

Person to Whom Freehold Interest In Land is to be Disposed Of: Mark Kelly and Lynda Kelly.

Consideration: €350.00 inclusive of administration charges.

Covenants, Conditions and Agreements: Conditions pursuant to Housing Act, 1966 and Landlord & Tenants Acts, 1947 – 1984.

The Members had no objection to the proposal.

2.2 Proposed disposal of freehold at 27 Rosary Place, Midleton, Co. Cork.

Before notice is given to the Members of Cork County Council in relation to the proposed disposal of property the matter is brought to the attention of the Members for the East Cork Municipal District for their consideration. Details are set out in the attached draft notice and map. Land held under Leasehold Interest: 27 Rosary Place, Midleton, Co. Cork Folio No. 6262L.

Freehold Interest: Folio No. CK28515.

From Whom Acquired: Unknown.

Person to Whom Freehold Interest In land is to be Disposed of: Marion Hourigan Executrix in the Estate of John O' Connor deceased. Consideration: €350.00 inclusive of administration charges. Covenants, Conditions and Agreements: Conditions pursuant to Housing Act, 1966 and Landlord and Tenant Acts, 1947 – 1984.

The Members had no objection to the proposal.

2.3 Draft Casual Trading Bye Laws – Approval for Public Consultation and Identification and Approval of Casual Trading Areas.

The Municipal District Officer, Mr. Joe McCarthy read the following notice in relation to the Draft Casual Trading Bye Laws to the Members:

Following a recent number of decisions from the courts Cork County Council introduced Casual Trading Bye Laws in Bantry Town which were appealed to the District Court and approved, and are now being implemented successfully within the town. Following the introduction of the Bantry Bye Laws draft county wide Bye Laws were prepared by the County Solicitors Department. It is envisaged that these Bye Laws would be adopted by the Full Council and apply across the county. Under the Casual Trading Act the Bye Laws cannot go to the Council for adoption before a statutory Public Consultation period has been observed. There is a requirement in the Legislation that the Bye Laws identify "Casual Trading Areas" where Casual Trading can take place. It is proposed that prior to commencing the Public Consultation Period the Draft Bye Laws would be brought to each Municipal District for (1) their approval of the Bye Laws to go to public consultation and (2) their identification and approval of casual trading areas within their municipal district.

The Municipal District Officer informed the Members that they consider the Draft Bye Laws and also stated that each Member consider areas appropriate for Casual Trading and revert back at the October Meeting.

3. Business Prescribed by Statute, Standing Orders or Resolutions of the Municipal District Members for Transaction at Meeting.

None.

4. Other Business Set Forth in the Notice Convening the Meeting.

None.

5. Notices of Motion.

5.1.12 Cllr. Susan McCarthy, received on 1st September, 2015. This motion was seconded by Cllr. Hegarty.

"To install footpath and introduce road markings at Bailick, particularly between Cherrywood Ridge and the Dark Road where a particularly dangerous bend combines with narrowing of the road. Reduce speed signs may also be a consideration in the area".

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that the road centreline has recently been refreshed along this section and stated that the section of the Bailick Road between the junction of Cherrywood Estate and the Dark Road is twisty and has two pinch points at separate locations and on opposite sides of the road. Mr. Clarke stated that land acquisition would be required at each of these in order to provide a footpath and informed the Members that the need for a footpath at this location will be kept on file for consideration under the low cost safety scheme and in the interim SLOW road markings can be put in place.

5.1.13 Cllr. Susan McCarthy, received on 1st September, 2015. Cllr. Collins seconded this motion.

"To undertake to upgrade the two play areas at Park Street and Fr. Murphy Place and consider a location for a third play area to the south of the town or at Ballinacurra".

The Municipal District Officer, Mr. Joe McCarthy informed the Members that the existing playgrounds are a very popular amenity which are inspected on an annual basis and on identification repair works take place immediately.

In relation to the provision of an additional playground the Municipal District Officer informed the Members that firstly a site would have to be identified and funding would have to be provided under Capital Funding in the Council's Budget as the provision of a new playground would be a Capital Project.

The Senior Executive Officer, Mr. Maurice Manning informed the Members that a three year capital programme on recreation and amenity grants would be coming before the Members shortly and stated it will be up to the Members to prioritize where the funding will be spent.

5.1.14 Cllr. Susan McCarthy, received on 1st September, 2015.

"To make enquiries to Irish Water about the possibility of gaining access to the road running from the Waste Water Treatment Plant towards the Baneshane Road. To investigate the possibility of installing a style/access gate for out-of-hours, path to run alongside this road to accommodate cyclists/runners/walkers. As this is already used by runners and dog walkers, such an arrangement would be most desirable".

The Municipal District Officer, Mr. Joe McCarthy agreed to write regarding access and to request the development of grass verges as a walking/cycling route at this location.

5.1.1 Cllr. Mary Linehan Foley, received on 13th August, 2015.

"Calling on Cork County Council to address the seriousness of the bad condition of Back Street in Youghal from Moby Dicks to Grotto and to resurface ASAP". Cllr. O' Sullivan seconded this motion

The Senior Executive Engineer, Mr Dave Clarke informed the Members that as previously reported at the November 2014 meeting of the Council under the terms of the Road Opening Licence issued by the Roads Authority, the contractor for the Main Drainage contract will be responsible for the permanent reinstatement for a minimum period of two years from installation and stated that the contractor is responsible to remedy any defects or settlement that may occur during this period. Mr. Clarke also informed the Members that there is also an increased risk of issues arising with other utilities; following the main drainage works which may necessitate road excavations for example water main leaks etc., and advised the Members that it will be 2016 before any of the Main Drainage Road Works will be considered for inclusion under the Annual Roads Programme. The Senior Executive Engineer informed the Members that currently the contractor is in the process of dealing with a number of defects that have occurred, including settlement and loose manhole covers.

5.1.2 Cllr. Mary Linehan Foley, received on 13th August, 2015.

"Calling on Cork County Council to resurface Cork Hill, Youghal area as surface is in an appalling condition".

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that there have been a number of more recent repairs to watermains on this road which have only received temporary reinstatement and stated that Water Services will be carrying out remedial works on some of these today and permanent reinstatement on same shortly.

5.1.3 Cllr. Mary Linehan Foley, received on 25th August, 2015.

"Calling on Cork County Council to speed up the repair of footpaths in Waterlane as they are in a serious way and a danger to the public". Cllr. O' Sullivan seconded this motion.

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that full replacement of the footpaths on Water Lane are included in the 2015 Footpath Programme which are to be carried out under contract and stated that following a tender process the contract has been awarded to the successful tenderer Martin O' Callaghan Ltd. with works on the various footpaths to commence later this month which will take a number of weeks to complete. In relation to the replacement of footpaths at Water Lane and The Mall the Senior Executive Engineer informed the Members that these works are not desirable at the moment as Irish Water are expected to install water meters around the town which will require the digging up of footpaths and stated that

works on Strand Street may need to wait until the Easter break in 2016 as the works will need to be carried out when the school is closed.

5.1.4 Cllr. Mary Linehan Foley, received on 29th August, 2015.

“Calling on East Cork Municipal District and Cork County Council to get a full costing on repairs to Blackwater Heights Playground as it is lying derelict with a few years and the residents are willing to take care of it if repaired”.

Helen Mulcahy, Staff Officer, Youghal Office informed the Members that ROSPA had conducted an inspection of this playground in the past week which indicated that the entire playground surface and much of the equipment needs replacing which will require a significant cost factor. It was agreed to obtain costings and to further consider the matter

5.1.5 Cllr. Pat Buckley, received on 29th August, 2015. “I ask that this Council clean and paint the public toilets in Garryvoe Strand”.

Deputation from Glenbower Woods and Lake Glenane Association.

Cllr. Collins requested that a motion be heard at the October meeting that a deputation from Glenbower Woods and Lake Glenane Association be heard by the Council in relation to proposals on the upgrading of bridges and walkways in this area of tourist attraction. The Members agreed that such a motion would be considered.

5.1.6 Cllr. Noel Collins, received on 31st August, 2015.

“Resulting from five road accidents at Bawnard East Junction, on the Midleton/Whitegate Road, in the past few years, Council give serious consideration to the provision of a Ghost Island at the said junctions”.

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that as part of the Roads Programme 2015, this section of the Whitegate Road is being resurfaced and subject to a design check either widen the road to 9 metres locally at the junction (as recommended in the Midleton to Whitegate Traffic and Transportation study) or if feasible provide turning lanes. The Senior Executive Engineer informed the Members that it is also intended to cut back the margins to the private property boundary to maximise the sight lines.

5.1.7 Cllr. Noel Collins, received on 31st August, 2015.

“With the proposed development of a Gael Scoil in Baneshane, Midleton, Council report if this project will necessitate a redesigned roundabout on the region, and if so, will the families living in caravans, in close proximity, have to be trans located”.

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that the Gael Scoil development will result in the completion of the roundabout that was designed but not fully completed as part of the larger Castlelands Development and this will see the completion of the partially constructed new road and closure of the old Baneshane road and also stated that the area where the caravans are located is not directly affected. The Senior Executive Engineer informed the Members that the Housing Department is liaising with the families living in the caravans.

5.1.8 Cllr. Noel Collins, received on 31st August, 2015.

“With the relevant documentation submitted to the Planning Section, Cork County Council, requesting the taking in charge, by Cork County Council of The Estuary Estate, Magner’s Hill, Youghal, Council report as to progress of this transaction”.

The Municipal District Officer, Mr. Joe McCarthy informed the Members that he will request a progress report from the Estates Section, Cork County Council and will revert back to the Members at the October meeting.

5.1.9 Cllr. Noel Collins, received on 31st August, 2015.

“Progress report on the provision of road safety measures at St. Brigid’s School, Ashlin Road, CBS Schools, at Convent Cross and Lower CBS Road – promised for September, 2015, plus related measures in Church Lane, Coolbawn/Broderick Street and the Rock, Midleton

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that the Council are awaiting a submission of a School Travel Plan by the CBS Secondary School in accordance with the grant of planning permission and stated that in relation to the proposed road safety measures on the CBS road, the matter has been raised and discussed with the Council's Road Design Section with a view to having the design completed so as to be in a position to tender the works for completion in 2016. The Senior Executive Engineer stated that consultation with management of the schools in the area will be an important aspect of successfully implementing the road safety measures.

5.1.10 Cllr. Noel Collins, received on 31st August, 2015.

"In the interest of protection of human life Council address the broken down condition of roads at Lower Aghada, serving 8 families, at rear of Rosie's Restaurant and at Ballyeightera, Dungourney, plus repairs to broken down footpaths in Woodbrook Estate, Lisgould".

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that all these roads will be inspected and added to the repair list in order of priority and stated that the cul de sac road at Lower Aghada would be suitable for the CIS Scheme in 2016 if residents wished to apply.

5.1.11 Cllr. Aaron O' Sullivan, received on 31st August, 2015.

"That the East Cork Municipal District undertakes to provide visitor moorings in Youghal Harbour for the 2016 tourist season. While a Marina is the ultimate long term goal, visitor moorings are a cost effective and simple measure that would greatly boost Youghal's tourism potential".

Helen Mulcahy, Staff Officer, Youghal Office informed the Members that there is a significant cost factor required to install visitor moorings and there is also an on-going cost requiring maintenance for the upkeep of the moorings from the Municipal District involved. The Staff Officer informed the Members that she is awaiting a Coastal Management Report on costings for the provision and location of moorings and she would revert back to the Members on this matter at the October meeting.

The S/Director of Services, Mr. Maurice Manning informed the Members that Harbour Bye Laws are presently being considered which will investigate all options for Youghal Harbour.

5.1.15 Cllr. Michael Hegarty, received on 7th September, 2015.

"That a traffic and pedestrian management study be carried out on the junctions of Broderick Street, Coolbawn, Midleton and at Connolly Street, Midleton".

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that traffic movements at both locations would be considered in the towns new pavement project and also stated that he would contact Peter O' Donoghue, Transportation Section, Cork County Council and will revert back to the Members at the October meeting.

5.1.16 Cllr. Michael Hegarty received on 7th September, 2015.

"That road re-alignment and safety measures be carried out at Arnahinch/Ballylongane Cross, Shanagarry on the R632".

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that this road was in the process of being re-aligned and all other issues at this location were presently being investigated.

5.1.17 Cllr. Michael Hegarty, received on 7th September, 2015.

"Repairs to roads at Commons East and Ballybranagh, Cloyne, also trimming of hedges at Ballinamona, Monagurra Cross Roads, Shanagarry on the R629".

The Senior Executive Engineer, Mr. Dave Clarke agreed to investigate these matters.

5.1.18 Cllr. Michael Hegarty, received on 7th September, 2015.

"Update on the low cost safety measures at Ballymacoda village and at Mullins Cross, Garryvoe already committed to".

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that he was meeting with the Non National Roads Design Team in the coming week to discuss a survey conducted by them and he would revert back to the Members on same at the October meeting.

5.1.19 Cllr. Michael Hegarty, received on 7th September, 2015.

“Urgent repairs required to the R626 at Ballincurrig Village adjacent to Smarts Pub, before the King of the Roads Bowling Final. Also when will works commence on the access road to Ballinwilling Beach as discussed at this Municipal District and Coastal Management Meetings”. The Senior Executive Engineer, Mr. Dave Clarke informed the Members that some repairs have taken place at Ballincurrig Village in advance of a road cycle charity race and stated that drainage works need to be dealt with at this location also but in the meantime some patching of the road could take place, Mr. Clarke also stated that this road would be included for potential road works on the 2016 road works programme.

In relation to Ballinwilling Beach the Senior Executive Engineer informed the Members that he will discuss this with Kevin Costelloe, Senior Engineer. Cllr. Hegarty advised that he would raise the matter at a Coastal Management Meeting shortly and would revert back to the Members at the October meeting.

6. Correspondence.

No correspondence was received.

7. Any Other Business.

Cllr. Linehan Foley raised the following issues:

1. The service of a Derelict Site Notice on Moes Off Licence, North Main Street, Youghal.
2. The cutting of hedges in Shanavine, Youghal. Cllr. Linehan Foley asked who was responsible for cutting of hedges in Shanavine. Mr. Paul Murray informed the Members that this estate was in the charge of the Local Authority but stated that Cllr. Foley liaise with the Estates Residents Committee regarding the hedging at this estate.
3. Bus Eireann sign at the Post Office. Cllr. Linehan Foley requested that Bus Eireann be contacted requesting the removal or raising of a sign at the Post Office which was posing a threat to public safety as it is too low on the pole presently.
4. Community Grant Scheme. Cllr. Linehan Foley questioned the delay in the distribution of Community Grants. The Municipal District Officer requested that Cllr. Linehan Foley liaise with him regarding the names of community groups awaiting payment.

Cllr. O’ Sullivan raised the following issue:

1. Painting of public toilets in Garryvoe Strand. Cllr. O’ Sullivan expressed his disappointment that the public toilets in Garryvoe Strand have yet to be painted.

The Senior Executive Engineer, Mr Dave Clarke informed the members that paint would be supplied for same shortly.

Votes of Congratulations:

The Members proposed a vote of congratulations to Sean Coleman on his achievements at the Special Olympics and requested a reception be held in his honour. It was agreed to place this item for discussion at the next meeting of the Council.

The Members agreed that the next meeting of the Municipal District Council take place on October 5th at 11.00a.m. at the Youghal Office.

This concluded the business of the Meeting.