

Minutes of Monthly Meeting of Youghal Town Council held on 11th December, 2012 in the Mall House, Youghal at 10.30 a.m.

**Present:** Mayor Michelle Hennessy presided.

Cllrs. Linehan-Foley, Revins, O'Connell, Burke, Flanagan, O'Sullivan & Beecher .

Apologies were received from Cllr. Murray

**Officials Present:** Mrs. Patricia Power, Town Manager.

Mr. Liam Ryan, Town Clerk.

Mrs. Helen Mulcahy, Staff Officer.

**Opening Prayers:**

The members and officials recited the opening prayers.

**Minutes of Monthly Meeting held on 13th November, 2012:**

The minutes of the monthly meeting held on 13th Nov, 2012 were adopted on the proposal of Cllr. Linehan Foley , seconded by Cllr. Beecher and unanimously adopted by the Members.

**Report of the Town Clerk on matter arising since the Monthly Meeting of Youghal Town Council held on 13th November, 2012.**

The following documentation has been received from Minister Phil Hogan in relation to Municipal District Councils;

The Minister for the Environment, Community & Local Government, Mr. Phil Hogan T.D., has established a committee to review local electoral areas and to report to him not later than 31st May, 2013.

The review of local electoral areas is being undertaken in prospect of the local elections to be held in 2014, having regards to the results of census 2011 and the Action Programme for Effective Local Government published in October 2012.

The Action Programme provides that:

- There will be a rationalized organisation integrating town and county governance with integrated authorities organized on the basis of municipal districts within counties;
- Municipal districts will cover each entire county, drawn as far as possible around existing town authorities and larger non-municipal towns and their hinterlands;
- Councillors will be elected simultaneously to both municipal district and county council, with members in common instead of the current separate town and county membership and;
- In the case of Dublin, the configuration of local electoral areas in Dublin City Council and in the counties of Dun Laoghaire-Rathdown, Fingal and South Dublin will be reviewed separately by the Committee.

The task of the Committee is:

- To review and make recommendations on the division of council areas into local electoral areas, and;
- To make recommendations on the number of members of each council to be assigned to each local electoral area.

The Committee's report will be considered by the Minister as the basis for the revision of the local electoral areas under his statutory powers.

The Terms of Reference of the Local Electoral Area Boundary Committee are attached.

The Committee is now inviting submissions in respect of the work it is undertaking. Submission may be sent by e-mail to: [boundarycommittee@environ.ie](mailto:boundarycommittee@environ.ie) or by post to:

Secretary,  
Local Electoral Area Boundary Committee,  
Room 1.77,  
Custom House,  
Dublin 1.

To arrive no later than Friday 25th January, 2013 at 5pm.

Submissions will be made available on the website of the Committee ([www.boundarycommittee.ie](http://www.boundarycommittee.ie)) after they are received. Further information on the Committee is available from this website or by contacting telephone number: 01-8882769.

Terms of Reference Local Electoral Area Boundary Committee 2012/2013.

1. To review and make recommendations on the division of each council area, other than Cork City, into local electoral areas, and to make recommendations on the number of members of each council to be assigned to each local electoral area.
2. The Committee should have regard to the population as ascertained at census 2011, to the Government's Action Programme for Effective Local Government and to the decision of Government to merge the councils of Limerick City and Limerick County, North Tipperary and South Tipperary, Waterford City and Waterford County and make its recommendations accordingly.
3. (a) The recommendations on local electoral areas will provide the basis for the configuration of the municipal districts to be established in counties outside Dublin. Local electoral areas should be formulated to facilitate this and the Committee should have regard to the Government's Action Programme for Effective Local Government in doing this.  
(b) Generally, each municipal district will consist of a single electoral area. However in some particular circumstances, for example for reasons such as geographic coherence, population, or other factors related to the configuration of municipal districts such as the definition of 'metropolitan' municipal districts within the unified authorities in Limerick and Waterford, a district may comprise more than one local electoral area.
4. Local electoral areas should be designed, as far as possible, around the existing boroughs and other municipal towns and large urban centres which do not currently enjoy municipal status. Local electoral areas should be generally be named accordingly.
5. In recommending changes to local electoral areas, the committee should take due account of local electoral areas, the Committee should take due account of local and community identities and linkages and, as far as practicable, of existing local authority electoral and administrative areas.
6. The number of Councillors representing a local electoral area should typically be 7 and not more than 10 or less than 6.
7. Within any city or county the variance in representation of each local electoral area from the average for the city or county should as far as practicable, be with a range of +/- 10%.
8. The number of members shall be fixed at 63 in Dublin City Council. The number of members shall be fixed at 55 in Cork County Council.
9. Subject to a minimum total of 18 and a maximum total of 40 members of every other council
  - There should be one member for every 4,830 population in each council area
  - In addition, and subject to a maximum of four additional members per council except where councils are merging.

- In counties where there are existing town councils there should be four additional members per Borough Council and one additional member per Town Council, and
- In cases where the city and county councils are being merged, i.e. Limerick and Waterford, there should be five additional members.

Cllr. Revins asked the Town Clerk if he was aware if the Minister had any constitutional right to abolish Town Council's. The Town Clerk stated that that the AMAI and one Town Council in Cork County were already preparing to mount a legal challenge to this point.

The Members agreed that further clarification was needed in relation to the make up of the Boundary Commission, who the decision makers were etc. and requested that a letter be sent to the Minister asking him to clarify same.

#### **Votes of Congratulations:**

The Members proposed a vote of congratulations to the following:

1. Pobail Scoil Na Trionoide U16 Hurling team who won the Munster Championship.
2. Davy Russell, Champion Jockey on his success. The Members agreed that a civic reception should be held for Davy Russell and that the Reception for Canon Browne could be held at the same time.
3. David O'Callaghan who was called up to play for the Munster Rugby Team. The Members also agreed that a civic reception should be held for David O'Callaghan.
4. To Youghal Town Council on the wonderful Christmas Lights this year.

#### **Votes of Sympathy:**

No votes of sympathy were passed at this meeting.

#### **Town Foreman's Report:**

The Town Foreman's Report on works carried out from the 9th November to the 7th December was brought to the attention of the Members and noted. Arising from the report the following items were raised:

1. Potholes in the McCurtainstown Car Park. The Town Clerk informed that Members that this car park needed to be completely resurfaced and if the Members so wished they could consider same under the 2013 Non National Roads Programme.
2. Broken footpaths on Windmill Hill.
3. Update in relation to the seawall on the Lighthouse Hill. The Engineer informed the Members that an application for further funding had been made to the Department of Transport. The Town Clerk stated that it was vital that the issue was driven at National Level . The Members expressed their concern at the lack of progress in relation to same and agreed that each of their respective parties must lobby the Department in an effort to secure funding.
4. Rusting of stainless railings at the Diving Rocks. Cllr. Burke stated that the stainless steel railings at the Diving Rocks were already showing evidence of rust and asked what grade of stainless steel was specified in the contract. The Town Engineer stated that he did not know but would investigate the matter further. In addition the final account had yet to be signed off on and the project would be reviewed at that time. Cllr. Burke stated that he was certain that a particular grade of stainless steel was available specifically for marine projects such as this.
5. Public lights not working at Ardan Na Mara – This is a matter for the Developer/NAMA.

#### **County Council Items:**

ENGINEERS REPORT ON ITEMS RAISED AT THE NOVEMBER MEETING.

1. Cork County Council have applied for a grant from the 2013 Department of Transport Budget for further work to the wall at Lighthouse Hill. This is to include the appointment of a Consultant and carrying out further stabilisation works.
2. A schedule of footpath repairs is being prepared for the 2013 season for the regional road in

Youghal Town. The carrying out of the work will be subject to funding.

The following items were also raised:

1. Poor condition of roadway at Copperalley. The Town Clerk stated that he would get costings for same.
2. Overgrowth on footpath at Carlton Village/Golf Links Road.
3. Update on Phase II of the Boardwalk – The Manager said that discussions with landowners had commenced. Discussions had also commenced with the Department of the Marine in relation to the unregistered portions of land.
4. Update on Sewerage Treatment Plant – The Manager said that she would have an update for the January meeting.
5. Pedestrian access at the Grotto, South Abbey.

#### **Managers Orders:**

Managers Order no's 156/2012 to 176/2012 were brought to the attention of the Council and noted.

#### **Planning Applications:**

Planning Applications P. 12/58010 and P. 12/58011 were brought to the attention of the Members.

#### **Further Information Received:**

The Members were informed that no further information was received.

#### **Disposal of Properties:**

The Members considered Notice under Section 183 of the Local Government Act, 2001 in relation to the disposal of site at 66 Knockaverry, Youghal and as detailed hereunder:-

1. The land is known as site no. 66 Knockaverry and is contained in Folio No. 54089F. 2. The site is to be sold Stephen Twomey & Louise Twomey.
3. The purchase price of this site shall be €70,000.
4. A deposit of 10% of the purchase price – being €7,000, shall be lodged with the Council's Solicitors on or before the 31st December, 2012.
5. The purchasers are required to reside in the property for a minimum of 5 years. land is restricted in use to residential only.
6. The sale shall be completed by the 31st May, 2013.
7. The purchasers shall lodge a valid planning application to Youghal Town Council on or before the 31st December, 2012.

The disposal was unanimously adopted by the Members on the proposal of Cllr. Revins which was seconded by Cllr. Linehan Foley.

#### **Mayors Business:**

The Mayor informed the Members of the following:

1. A letter received from Johnny O'Sullivan to thank the Members for the civic reception held for his Mother Maimie. Cllr. Revins apologised for not being able to attend the reception but he had been unavoidably detained.
2. The Mayor congratulated Youghal Choral Society on their Christmas Concert.
3. Cllr. Beecher reminded the Members that Frank Keane would be retiring on the 7th January - the Members unanimously agreed that a civic reception would be held for Frank.

#### **Budget Meeting 2013:**

On the proposal of Cllr. Burke which was seconded by Cllr. O'Connell the members unanimously agreed to hold the 2013 Budget Meeting on Tuesday 18th December, 2012.

## **Heritage Municipal Policy Committee Report:**

Youghal Town Council Municipal Policy Heritage Committee Report by Cllr. Liam Burke:

### **1. Town Walls**

Works have been completed on the Montmorenci section (Section M) of the Town Walls. The collapsed section of wall at Montmorenci gate has been rebuilt with stone from the site, the interior of the wall strengthened and repair works completed to Parkapika Tower.

### **2. Clock Gate**

A grant of almost €160,000 has been approved from SECAD for Phase 1 of the Clock Gate project involving restoration of the exterior. Phase 2 for which funding is anticipated in 2013 will involve fit out of the interior with an expected opening in 2014. When completed the building will be fully open to the public and there will be access to the roof.

### **3. Historic Towns Initiative**

The Historic Towns Initiative is a joint undertaking by the Department of Arts, Heritage and the Gaeltacht, the Heritage Council and Failte Ireland to promote the heritage-led regeneration of Ireland's historic towns. Youghal along with Listowel and Westport were the 3 towns chosen to pilot the initiative and it is anticipated that a special source of funding will be provided in 2013 for the purposes of the scheme.

### **4. Youghal Heritage App.**

A free audio-visual walking guide to Youghal's Heritage funded by the Heritage Council and downloadable as an app for I-phone was launched in November and is available from the [youghal.ie](http://youghal.ie) website. This is an indispensable tool for the heritage visitor and greatly enhances the enjoyment of Youghal's wonderful Heritage Trail.

### **5. Medieval Day**

Research carried out for Youghal Heritage Committee on the economic value to the town of Medieval Day concluded that the attendance on the day was approximately 6,500 with an economic impact of almost €470,000 on the local economy. This is remarkably consistent with a similar evaluation carried out by KPMG in 2009 which shows that investment in heritage brings major financial benefits to the commercial life of a town.

### **6. St. Mary's Collegiate Church**

A Conservation and Management Plan has been completed on St. Mary's Church and will shortly be presented to the members of YTC.

### **7. Double Slips Restoration Works**

Works have recently been completed on the historic waterfront at the Double Slips which have been restored with a new concrete cap on both slipways, replacement of missing masonry and extensive regrouting works. Works are also scheduled for repairs to the corner of Green's Quay.

## **Unresolved Motions:**

The unresolved motions progress report was brought to the attention of the Members and noted.

## **Town Walls Project 2012.**

The Town Clerk circulated the Members with the Town Walls Project Report 2012 for their information.

## **Double Slips/Quay Wall Report 2012:**

The Town Clerk circulated the Members with the Double Slips/Quay Walls Report 2012 for their information.

## **Youghal Clock Gate Project 2012:**

The Town Clerk circulated the Members with the Youghal Clock Gate Report 2012 for their information.

**Cemetery Lodge Works:**

The Town Clerk informed the Members that Lenane Builders won the contract for the refurbishment of the Cemetery Lodge – the value of the contract is €38,171.19 with work due to commence in January and finish in April.

**Historic Towns Initiative Toolkit:**

The Town Clerk circulated the Members with documentation in relation to the Historic Towns Initiative. The Manager congratulated the Town Clerk and YSEDG on the work done in relation to this initiative. The Manager stated that similar projects such as the Town Walls, Double Slips/Clock Gate were all bringing badly needed employment to the town and that this was a very exciting time for the Town.

**Youghal Active Travel Town Initiative:**

Arising from the November meeting the Town Clerk circulated the Members with a copy of the Presentation which was made at that meeting. Draft Joint Housing Strategy: The Town Clerk circulated the Members with the draft Joint Housing Strategy for their information.

**Transportation in Cork 2012:**

The Town Clerk circulated the Members with details in relation to “Transportation in Cork 2012”.

**Wild Atlantic Way:**

The Town Clerk circulated the Members with details in relation to “The Wild Atlantic Way” for their information.

**Correspondence December 2012.**

1. A letter from the Department of Transport, Tourism and Sport in relation to prohibition on use of unlicensed haulage or passenger operators.
2. A letter from the National Transport Authority in relation to proposed maximum fares for Taxis.
3. A letter from Planning Department, Cork County Council in relation to unauthorised opening of fast food outlet and alleged unauthorised creation of entrance at Claycastle, Youghal.
4. Invitation to retirement function of a number of Gardai.
5. Notice from Kadenza Consultancies in relation to a Health & Safety Seminar.
6. Motion received from Balbriggan Town Council. “Balbriggan Town Council calls on the Minister for the Environment, The Taoiseach and the Tánaiste to meet Balbriggan Town Council to discuss the impact the proposed abolition of the Council will have on the Town”.
7. Motion received from Killarney Town Council: “That this Council supports the need for local government reform, but believes that the steps proposed by the Minister for the Environment are too extreme and will take democracy away from people”.
8. Notice from Superior Training in relation to Information & Communications Technology Seminar for Councillors.
9. Motion received from Bandon Town Council: “That this Council writes to the Minister of Health calling on him to reverse the heartless cuts to Home Help and home Care Packages”.
10. Motion received from Ballinasloe Town Council: “That this Council completely rejects the decision of the Minister for the Environment, Community & Local Government, Phil Hogan, T.D., to abolish all Town Councils. The Council is of the very firm view that abolishing the unit of local government closest to the people and indeed the most efficient unit of local government (Town Councils) certainly does not contribute in any way to bringing “local government” closer to the people. It is further proposed that this motion be circulated to all Local Authorities, T.D.’s, Senators in this State, to the AMAI and the Minister for Local Government for their consideration”.
11. Motion received from Kerry County Council: “That Kerry County Council calls on the government to amend the relevant legislation concerning Local Area Plans so that the review period would be extended to 10 year cycles as distinct to the current review period”.

12. Motion received from Clonakilty Town Council: "That this Council condemns in the strongest possible manner the recent announcement from the Minister of the Environment that he intends to abolish all Town Councils from 2014. We believe that the title of his document Putting People First is an affront to local democracy. Over the decades Town Councils have given great leadership to the local community in areas like Tourism, commerce, Housing, Prudent Financial Management, Environment and Heritage. We call for the strengthening of the powers of local councils by giving real autonomy to make decisions in our own best interests. We call for the publishing of a cost benefit analysis of Town Councils to demonstrate to the public the value for money that each gives to the community".

13. Motion received from Naas Town Council: "Naas Town Council calls on the Minister for Finance to remove the 23% VAT rate on digital school books in the forthcoming budget".

14 Motion received from Donegal County Council "That this Council discuss and agree a response to the government's decision to shut down County Enterprise Boards in every County at a time when there's never been more need for a locally based response to the job crises in every County".

15. Motion received from Donegal County Council: "That this Council call on the Minister for Finance to put some measures in place in the 2013 Budget that will be delivered in early December to help the people in our community who are finding it extremely difficult to pay their mortgage".

#### **Any Other Business:**

1. The Town Clerk informed the Members that the tenders had been received for the Pitch & Putt Clubhouse. Cllr. Burke asked if the work would be carried out in two phases. The Town Clerk said that it was not possible to say at this time as that was dependant on funding from the Department of Sports and Tourism and there was no news from them yet.

2. The Members expressed their disappointment and concern once again at the situation regarding the 'Aldi' application. The Town Clerk explained the appeals process to the Members and advised that the only option open to the Developers now was a judicial review. The Members agreed that something would have to be done in the short term as the building was highly dangerous – the Town Clerk said that he was in discussions with the Developer regarding the matter.

The Town Clerk stated that Bord Pleanala's decision was very regrettable - there was an opportunity here to balance commercial development in the Town and now this is lost. If the application had not been appealed the development would now be nearing completion. The Manager also expressed her frustration, anger and disappointment at the decision.

Both the Manager and her Technical Staff felt the development would have been economically very important and would have prevented retail leakage from the Town.

This concluded the business of the meeting