

Minutes of Monthly Meeting of Youghal Town Council held on 15th January, 2013 in the Mall House, Youghal at 10.00 a.m.

Present: Mayor Michelle Hennessy presided.

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

Apologies were received from Cllr. Burke.

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 11th December, 2012:

The minutes of the monthly meeting held on 11th December 2012 were adopted on the proposal of Cllr. Revins, seconded by Cllr. Linehan Foley and unanimously adopted by the Members.

Minutes of Pre-Budget Meeting held on 27th November, 2012:

The minutes of the pre-budget meeting held on 27th November 2012 were adopted on the proposal of Cllr. Revins, seconded by Cllr. Linehan Foley and unanimously adopted by the Members.

Minutes of Budget Meeting held on 18th December, 2012:

The minutes of the Budget meeting held on 18th December, 2012 were adopted on the proposal of Cllr. Murray, seconded by Cllr. Linehan Foley and unanimously adopted by the Members.

Report of the Town Clerk on matter arising since the Monthly Meeting of Youghal Town Council held on 11th December 2012.

1. 2013 Statutory Assessment of Housing Need:

The Department of the Environment, Community & Local Government have notified all Local Authorities of the Department's intention to undertake a Statutory Assessment of Housing Need in 2013, as provided for under Section 21 of the Housing (Miscellaneous Provisions) Act 2009. It is expected that Regulations under Section 21 setting out the form of the assessment will be published before the end of this year. The last statutory assessment was carried out in 2008.

The assessment of need will be in the form of an extract of data from your housing system in respect of each household that has been approved for social housing support at 30th April, 2013. It is envisaged that this extract will provide both the Department and local authorities with an up-to-date picture of demand for housing support in each local authority area and nationally.

Full guidance as to the conduct of the assessment will be issued to local authorities shortly. Further details on the 2013 assessment criteria will be provided to local authorities in the form of workshops to take place during January 2013, details of which will be circulated shortly.

Authorities will be required to ensure that the information on their social housing waiting lists is up-to-date and may be required to –

- Re-examine or re-interview applicants for housing support that have already been approved for

social housing support;

- Require applicants who have already been approved to complete the prescribed form issued under the Social Housing Assessment Regulation's, or
- Obtain additional information on an applicant's current housing situation, household composition and income; or
- Ask applicants to confirm that they are still seeking social rented housing.

A separate assessment will also be required to be undertaken of the need for residential caravan parks for Travellers. This will, along with the extract, provide an assessment of the accommodation needs of Travellers. As required under the Housing Accommodation Act 1998, councils should also assess the likely increase in the need for accommodation arising from growth in the numbers of Traveller families. The results of this assessment should be returned as a figure for the total number of units of accommodation, irrespective of whether the authority considers this need or other means. As above, full guidance as to the conduct of this assessment will be issued to local authorities shortly.

Authorities will be required to consult with the Local Traveller Accommodation Consultative Committees in relation to the assessment. These Committees should also be consulted about the appropriate mechanisms for ensuring that all Travellers who are unable to provide their own accommodation apply to the authority for housing or accommodation in caravan parks. Social workers employed by local authorities should also be involved in the assessment of the accommodation needs of Travellers.

2. Commercial Rates 2012;

Youghal Town Council have in its Budget for 2013 maintained the rate in the euro at €65.31 for the fifth consecutive year in an effort to encourage business in the Town.

The 2012 rate account has now been finalised and reads as follows;

Arrears of Commercial Rates on the 1st January 2012	€239,149.28
Demand for Commercial Rates for 2012	€1,402,886.76
Total for Collection	€1,642,036.04
Amount collected in 2012	€950,560.64
Balance	€691,475.40
Amount written off as uncollectable in 2012	€458,158.22
Amount carried forward as arrears in 2013	€214,877.54
(less decrees/amounts transferred to County Sheriff for collection €18,439.64).	

The Council would again like to encourage Ratepayers to actively engage with the Council's Rate Collector to make agreements/avail of easy payment options to help make 2013 easier for everyone and to avoid possible legal proceedings and Court appearances for non payment of commercial rates.

3. Tenant Handbook and Council Policies Contained Within;

As you are aware the Council's Tenant Handbook 2009 which followed on the Council's previous publication in 2005 has proved to be a tremendous success and asset to both the Local Authority and individual tenants. One of the policies contained within the Handbook relates to tenancy

succession and was the subject of a recent Court case. While the Council was unsuccessful on the minor issue in relation to the individual concerned and what constituted residency proofs, the Council was successful in defending its Succession Policy contained in the handbook which was the major substantive issue for the Council. The Court did not alter that Policy which has pleased the Council. In relation to the more minor issue of proofs the Council will issue a guidance letter to all tenants shortly outlining exactly the necessary proofs required to show residency.

Votes of Congratulations:

The Members proposed a vote of congratulations to the following:

1. David O'Callaghan for securing a two year contract with the Munster Rugby Team.

Votes of Sympathy:

The Members proposed unanimous votes of sympathy to the following:

1. Helen Carey on the death of her husband Jimmy Carey.
2. Vincent Neville on the death of his wife Joan Neville.
3. Catherine Cunningham on the death of her mother Mary Lynch.
4. Eileen Hunt on the death of her husband John Hunt.
5. The McCarthy Family on the death of their brother Danny McCarthy.
6. Ber O' Driscoll on the death of her aunt Agnes O' Sullivan.
7. Pad Joe Terry on the death of his wife Phil Terry.
8. The Troy Family, Ardmore on the death of their mother Mary Troy.
9. Simon Pomphrett on the death of his brother Bill Pomphrett.
10. Breeda and David Mangan on the death of their daughter, Geraldine Cunningham.
11. Vaughan Buckley on the death of his father, Joe Horgan.
12. Therese Lewis on the death of her husband, Michael Lewis.
13. The Downes Family on the death of their mother, Philomena Downes.
14. Teresa Murphy on the death of her daughter, Mary Ryan.
15. Richard Pardi on the death of his mother, Margaret Pardi.
16. Mary Coyne on the death of her mother, Biddy Stillwell.
17. The Roche family on the death of their mother, Pauline Roche.
18. The Farrell Family on the death of their brother, John Farrell.
19. John & Helen Walsh on the death of their son, Mark Walsh.

The Mayor and Members expressed their deepest sympathy to all those families who lost loved ones over Christmas and the New Year. The Members stood for a minutes silence as a mark of respect.

Town Foreman's Report:

The Town Foreman's Report on works carried out from the 8th December to the 11th January, 2013 was brought to the attention of the Members and noted. Arising from the report the following items were raised:

1. Provision of yellow box/bollards outside the Social Welfare Office on Store Street to prevent parking directly outside the door.
2. Clarification regarding the re-location of the disabled parking space at Fairfield Car Park. The Engineer stated that the sign for that space would be moved to the correct location shortly.
3. Update re public lighting in Ardan Na Mara. The Town Clerk stated that no reply had been received from the Developers responsible for the Estate.
4. Update re public lighting on Spa Hill. The Town Clerk stated that no reply had been received from the Developers responsible for the lights.
5. Dangerous wall at Golf Links Road. The Town Clerk asked Cllr. Flanagan if he could meet with him to identify specifically the location of the wall in question.
6. Litter on Paxes Lane.

7. Potholes in McCurtainstown Car Park. The Town Clerk informed the Members that he would have costings available for consideration by the Members under the Non National Roads Programme of Works for 2013.

Cllr. Revins asked if Youghal Town Council could make an application for funding to the Minister from the Household Charge Fund. The Town Clerk suggested that the Members do this first by way of Motion.

County Council Items:

ENGINEERS REPORT ON ITEMS RAISED AT THE DECEMBER MEETING.

1. Youghal R634 Stabilisation Works: It is expected that works should be completed by Quarter 3, 2013.
2. Diving Rocks: Any outstanding issues regarding the Diving Rocks have been referred to the Contractor. A meeting to resolve these is to take place within the next week or so.

The following items were also raised:

1. Loose manhole covers on the North Main Street.
2. Potholes all around the Town in general.
3. Potholes at Colaiste Eoin.
4. Sunken manhole cover at Kilcoran Road.
5. Pothole at Bawnmore.
6. Dangerous road cutting at Woodview Court.
7. Update on R634 Stabilisation Works. The Engineer informed that Members that he had spoken with the Engineer in charge of the project, Tom Comerford and he had been advised that the traffic lights would remain in place until the stabilisation works had been completed. It was envisaged that the works would be completed by the end of quarter 3 of 2013 at the latest.
8. Potholes in disabled parking space at Friar Street.
9. Water Ponding at Friar Street.
10. Update on the main drainage – the Town Clerk informed the Members that he would obtain an update for the February meeting.

In addition the Town Engineer said that the Council's Technical Staff were in the process of reviewing the Tenders. Cllr. Murray stated that she had also discussed the matter with the County Manager who had informed her that he had lobbied the Government requesting that they provide the full cost of the Main Drainage Scheme instead of Cork County Council. The County Manager had advised her that he had made some progress in relation to the matter.

Managers Orders:

Managers Order no's 177/2012 to 179/2012 and 1/2013 to 8/2013 were brought to the attention of the Council and noted.

Planning Applications:

The Members were informed that no planning applications had been received since the December meeting.

Further Information Received:

The Members were informed that further information had been received in respect of P 12/58008.

Disposal of Properties:

The Members were informed that there were no Disposals for December.

Mayors Business:

The Mayor informed the Members of the following:

1. The Mayor informed the Members that she had attended a meeting organised by Midleton Town Council in relation to the abolition of Town Councils. The meeting was very well attended.
2. Tenders for work on sea wall at Nealons Quay.

The Mayor opened 6 no. tenders in respect of the works on the sea walls at Nealons Quay. The Tenders were as follows:

- 1) Newcourt Construction.
- 2) Portiasun Ltd.
- 3) Niall Barry & Co. Ltd.
- 4) McMahon Underground Services.
- 5) Stephen Byrne Plant Hire.
- 6) Cumnor Construction Ltd.

The Town Clerk stated the tenders would now be sent to the Council's Consulting Engineers for their appraisal.

County Development Plan:

The Town Clerk circulated the Members with information in relation to the Review of the Cork County Development Plan 2009 and the preparation of the new Development Plan. He advised the Members that submissions should be lodged no later than the 4th March, 2013.

RAPID Programme:

The Town Clerk circulated the Members with a copy of letter he had received from the County Manager in relation to the Government's proposals for the withdrawal of funding for RAPID Coordinators.

The Town Clerk then read a letter to the Members which he had sent as Chairperson of Youghal RAPID AIT to the DECLG. He expressed his deep concern and regret at the Government's decision to withdraw this funding and asked if Youghal RAPID AIT could be part of any consultations which would be taking place to consider the future of RAPID Programmes.

IBAL Report 2012:

The Town Clerk circulated the Members with the IBAL Results for 2012 which placed Youghal 16th out of 42 towns surveyed, and again, for the 8th year running Youghal was declared "Cleaner than European Norms".

The Town Clerk also read out An Taisce's report for Youghal and noted the excellent overall result. The Town Clerk, Manager & Members congratulated the staff of Youghal Town Council and all the various community groups for their efforts and continuing great work in achieving such success again for 2012.

Driving Licence Changes:

The Town Clerk circulated the Members with information in relation to the forthcoming changes in the Driving Licences application process.

Housing (Sale of Houses) Regulations 2012:

The Town Clerk circulated the Members with information to the Government's decision to cease the Tenant Purchase Scheme as and from the 31st December, 2012. The Scheme would be replaced in 2013 – the details of the type of Scheme would be released at a later date.

Youghal District Court:

The Town Clerk advised the Members of a letter that he had received from the Courts Service in relation to the future of the District/Circuit Courts Service in Youghal. The Members unanimously agreed that such a move would be a devastating blow for Youghal and should be strongly resisted by Youghal Town Council and the people of Youghal. Cllr. Murray read a letter to the Members which she had received from the local solicitors in Youghal highlighting their concerns at the loss of the Courts Service and also the loss of the economic benefits of same to Youghal.

Irish Water Safety 2013:

The Town Clerk circulated the Members with documentation received from Irish Water Safety in relation to a contribution for 2013. The Town Clerk informed the Members that provision had already been made in the 2013 Budget for same.

AMAI Spring Seminar 2013:

The Town Clerk circulated the Members with details in relation to the forthcoming AMAI Spring Seminar which is to be held in Wexford on the 15th & 16th February. One of the items on the Agenda was the abolition of Town Councils and the establishment of the Boundary Commission. The Members unanimously agreed that it was important the every Member of the Council would attend.

Suspension of Standing Orders:

On the proposal of Cllr. Hennessy which was seconded by Cllr. Revins the Members unanimously agreed to suspend Standing Orders to proceed with the business of the meeting.

Hatherton Report:

Cllr. Hennessy gave the following report to the Members on Hatherton, T/A Enterprise Youghal:

1) Financial Report 2012

A report on the Income and Expenditure for 2012 was presented to the Board. This report showed the Expenditure for the year at €107,225.33 and Income of €104,569.97.

2) Licensing of St. Mary's College Gardens

At a recent sitting of Youghal Town Council the members passed and adopted a motion to Licence the gardens at St. Mary's College to Enterprise Youghal. Since then Enterprise Youghal have advertised for a Garden Caretaker for a fifteen month contract. The closing date for applications was Friday 14th December 2012 and 8 applications were received. Interviews for this position will be held in the New Year with the position being taken up in March 2013.

3). Budget 2013

A Budget for 2013 was presented to the Board. The expected running costs for the Centre for 2013 is estimate to come in around €104,308.98. The Secretary noted that this year the Company will be receiving a €10,000 grant from Youghal Town Council but will be paying out €16632.72 to Youghal Town Council. This is the first year that the centre will be paying more to the Council than they receive in funding. This will set the company on the road to being self sustainable.

4) Establishment of Four Artisan Workshops. The renovation of the Out houses at Enterprise Youghal is due to begin in January 2013. Funding from SECAD is at the contract stage and will cover 75% of the total cost of the project.

Claycastle Leisure Company Report:

Cllr. Linehan Foley gave the following report to the Members on Claycastle Leisure Company Ltd.:

1) Budget 2013

A proposed budget was presented to the Board in the sum of €34,220.00. This budget reflects spending in 2012 and is reflected in the budget of Youghal Town Council 2013.

2) The Directors inquired what would happen to the Directorship of the Company after the Town Councils were abolished in 2014. The Secretary informed the Directors that there would be a change

to the Board and that the elected members of the new Municipal Authority would be elected on to the Board of Claycastle Leisure Company.

Michelle Hennessy requested that the Management Company (Aura) would meet with the Board of Claycastle Leisure Company for an informal meeting to familiarise the both groups. This meeting is to be arranged for June 2013.

Motion in the name of Cllr. Murray:

The following motion was proposed by Cllr. Murray, seconded by Cllr. Beecher and unanimously adopted by the Members:

“That this Council initiate a mechanism whereby, there is a complete audit of the available office space in Youghal or units suitable to accommodate office space. That report would also include the condition of the various units and various possible uses”.

Cllr. Murray stated that Youghal had an awful lot of vacant retail space and it was important that all of this space was identified for its potential suitability for various different types of businesses. This would allow Youghal to be marketed more aggressively. Cllr. Murray suggested that YSEDG could be used as the vehicle to collect this information.

Correspondence January 2013.

1. Letter from Seachtain na Gaeilge in relation to Seachtain na Gaeilge 2013.
2. Motions received from Monaghan Town Council:
 - (a) “That this Council calls for a minimum jail term for anyone convicted of assaulting or threatening the life of a frontline emergency worker such as an on-duty Garda, Fireman, Ambulance Worker or Nurse”.
 - (b) That this Council calls for legislation to limit the height of overly tall boundary trees (such as Leyland’s) which affect a neighbours “right of light” by casting excessive shade over another person property”.
3. Notice from LAMA in relation to their Spring Seminar.
4. Notice from Mid West Regional Authority in relation to their 18th Annual Conference.
5. A letter received from Donegal County Council expressing concern in relation to the value for money aspect of registering for the following conference on the evening of the 17th January, 2013. : “Tourism in Recessionary Times” A National Tourism Conference to be held from Thursday 17th January to Saturday 19th January, 2013 in the Falls Hotel, Ennistymon, Co. Clare.

On the proposal of Cllr. Linehan Foley which was seconded by Cllr. O’Connell the Members unanimously agreed that Cllr. Revins & O’Sullivan would attend this conference .

6. Notice from Kadenza Consultancies Ltd Seminar in relation to a Councillor Conference on “Health & Safety and the Councillor”

On the proposal of Cllr. Linehan which was seconded by Cllr. Hennessy the Members unanimously agreed to Cllr. Flanagan’s attendance at the training seminar in Clonmel.

Any Other Business:

Cllr. Linehan Foley once again raised the issue of the South Doc service in Youghal. She said that it was totally unacceptable that patients, some of who were very ill, had to travel to Midleton for treatment when a state of the art facility was available and empty in the Millennium Court facility.

Cllr. Murray read an email which she had received from the HSE in which it sought details of people

who had been sent to Midleton for treatment, waiting times etc. The members agreed to put the word about and attempt to gather this information This concluded the business of the meeting.