

Minutes of Youghal Town Council held on 15th March 2011 in the Mall House, Youghal at 10.00 a.m.

Present:

Mayor Mary Linehan Foley presided.

Cllrs. Revins, Coyne, Burke, Hennessy, Beecher, O' Conaill & Murray.

Officials Present:

Mrs. Patricia Power, Town Manager.

Mr. Liam Ryan, Town Clerk.

Mrs. Geraldine O' Connell, Clerical Officer.

Mr. Paul Murray, Executive Engineer.

Opening Prayers:

The member and officials recited the opening prayers.

Deputation by DeValera Street Residents:

A deputation was received by the members on behalf of the residents of DeValera Street. The deputation consisted of the following residents:

Lanson Kelly.

Marcella Reardon

Maurice Cronin

John Roche

Pat Twomey

Tim Twomey

The deputation outlined how unsafe the lane was for pedestrian access due to the high volume of traffic accessing the lane and also outlined the poor condition of roadway. They asked for commitment from the Council to implement the previously published Traffic Management Plan for the area.

The Mayor thanked the deputation and informed them that the matter would be discussed under "any other business". The Mayor informed the deputation that they will revert back to the residents, when they have arrived at a decision.

Minutes of Monthly Meeting held on 15th February 2011:

The minutes of the monthly meeting held on 15th February 2011 were adopted on the proposal of Cllr. Hennessy, seconded by Cllr. Coyne and unanimously adopted by the Members.

Report of the Town Clerk on Matters Arising from the Monthly Meeting of Youghal Town Council held on 15th February 2011.

Casual Vacancy:

The Town Clerk circulated to the Members Circular LG 02/11 issued by Joe Allen, Principal Officer, Local Government Policy Section, Department of the Environment, Heritage & Local Government on the position of Councillors who are elected to Dail Eireann dated 25/02/2011. Cllr. Sandra McLellan has been elected to Dail Eireann and as the Meetings Administrator, it is my duty to formally inform you that a casual vacancy now exists.

The Standing Orders of Youghal Town Council no. 78 specifies how this matter is to be addressed "A Casual Vacancy shall be filled in accordance with Section 19 of the Act".

Section 19(3)a of the Local Government Act, 2001 specifies the following: "A casual vacancy shall

be filled by the co-option by the Local Authority of a person to fill the vacancy subject to such person being nominated by the same registered political party who nominated for election or co-option the members who caused the casual vacancy”.

A co-option shall be made, after due notice, at the next meeting of the Local Authority after the expiration of 14 days from the occurrence of the vacancy or as soon after the expiration of the 14 days as circumstances permit.

Therefore I am requesting the nomination prior to 4.30 p.m. on Thursday 7th April 2011 for inclusion on the Agenda of the April Monthly Meeting of Youghal Town Council due to be held on Tuesday 12th April 2011 at 10.00 a.m.

Please note that written consent of the nominated candidate together with official party nomination and certificate of party affiliation must also be provided by the aforementioned date.

Report on Youghal Landfill:

Current Intake and Operation

The current intake into Youghal Landfill on a weekly basis is 500 tonnes. The landfill only accepts waste for disposal from Monday to Friday each week. The working face is still operating at 8m by 20m which is much less than the allowable 20m by 20m under the licence. Extra cover material has been sourced to ensure that all waste is adequately covered at the end of each working day.

Approximately 80% of the waste delivered to the landfill is treated waste, whereby the organic fraction (malodourous) has been reduced to comply with new standards directed by the EPA, through legislation.

Complaints on Tuesday 8th March 2011:

A complaint was made regarding odours from the landfill being present in the town area on Tuesday the 8th of March. Any odours in the Youghal Town area could not have been caused by fugitive emission from Youghal Landfill as the weather records show south westerly winds for that day. www.corkharbourweather.ie will confirm this as well. This wind would take any odours directly over the Blackwater Estuary towards Waterford County and away from the Town.

Landfill Gas Extraction System and Emissions Survey:

As reported previously a Volatile Organic Carbon (VOC) survey was completed by a private firm in December 2010 at Youghal Landfill to assess the success of repair works done on the well heads in the capped section of the landfill - Cells 6, 7 & 8. The results of this survey were issued in February 2011 and showed that all the works undertaken had successfully stopped fugitive emissions.

Cell 9, the active and last cell, has approximately 6 months of a lifespan with current intake rates. Landfill gas is being extracted from this cell through 24 wells. The extraction pressure has steadily increased since December 2010 from 3mBar to 25mBar in March 2011 ensuring increased capture of gas from within the waste body. This system is attended on a daily basis to ensure optimum running conditions. The site staff tests the gas twice a week and they adjust the gas field to ensure area of high gas concentrations have adequate suction.

Votes of Congratulations:

1. The members proposed a vote of congratulations to Sandra McLellan on her recent election to Dail Eireann.
2. The members also proposed a vote of congratulations to David Stanton, Sean Sherlock and Tom

Barry on their recent election to Dail Eireann.

Votes of Sympathy:

The Members proposed a vote of sympathy to the Japanese Embassy on the recent tragic events in Japan.

Town Foreman's Report:

The Town Foreman's Report on works carried out from 11th February to 6th March 2011 were brought to the attention of the members and noted. Arising from the report the following items were raised:

1. Light no. 10 at North Main Street, Youghal.
2. Name plaque at Struthain na Saili.
3. Yield sign at junction of Kilcoran Road/Seafield.
4. Connection of lights at Seafield.
5. Number of lights out of order at the Jail Steps.
6. Rubbish at the Jail Steps.
7. Update of disabled parking space at Raheen Park.
8. Repair of wall and seat replacement at Summerfield Cross.
9. Pothole on the road at Watsons Corner.
10. Loose pebbles on Mall Lane.
11. Ongoing works at 100 Blackwater Heights.
12. Installation of CCTV on the Jail Steps.
13. Light no. 10 Prospect Farm.
14. Dumping of rubbish at the recycling centre at Tesco.

Cork County Council Items:

Engineers Report:

1. Potholes around the town are being filled on an ongoing basis.
2. Areas of ponding mentioned at the February meeting are being investigated with a view to eliminating same.
3. Reservoir cleaning at Cork Hill is complete. Bed no. 2 at Boola is due for an upgrade shortly with pipes and filter media to be replaced.
4. Pipes for the Front Strand outfall extension are ordered and this work will proceed once tides are suitable.

County Council Items:

1. 2 potholes at Magners Hill.
2. Manhole at the bottom of Spa Hill. The Town Engineer informed the Members that this has been filled.
3. Overflowing bins at Claycastle.
4. Condition of footpaths from the District Hospital to Quains Terrace.
5. Potholes on the promenade.
6. Rubbish dumped at Muckridge.
7. Potholes on Strand Street.
8. Manhole at Raheen Road. The Engineer informed the members that this pothole has been repaired.
9. Dip on the road between Youghal & Killeagh. The Engineer informed the members that the NRA had employed contractors to do the works here and had implemented restricted speed limits and erected warning signs at this area.
10. Condition of the Tallow Road. The Engineer informed the members that the funding from the Non National Roads had just been received for these works and that works would be conducted on the road this season.

11. Piece of tarmac jutting out onto the road at Tallow Street. The Engineer will investigate this section of road.
12. Dangerous wall at Copperally. Broken footpaths around town.
13. Missing concealed entrance sign for Summerdale Lawn. The Engineer informed the members that this sign was in the Council Yard.
14. Yellow box at 5 Fitzgerald Terrace.

Managers Orders:

Managers Orders nos. 26/11 to 45/11 were brought to the attention of the Council and noted.

Planning Applications:

Planning application reference no. 58001/11 was brought to the attention of the Council and noted.

Further Information Recieved:

The members were informed that no further information was received.

Disposal of Properties:

Pursuant to Section 183 of the Local Government Act 2001 and on the proposal of Cllr. Revins which was seconded by Cllr. Linehan Foley the members unanimously agreed to the lease of buildings and land at St. Mary's College, Youghal to Hatherton Ltd. t/a Enterprise Youghal, subject to the following terms and conditions:

1. The building known as St. Mary's College and right of access lands as shown on the attached map, subject to the surrender of the existing original lease dated 1st February 2007.
2. The building and land is to be leased to Hatherton Ltd., t/a Enterprise Youghal for the purpose of establishing an Enterprise Centre.
3. the building and access lands in contained in folio 36660.
4. The lese rent is €15,000 per annum for a ninety nine year period with a rent increase of 10% or the cumulative CPI (whichever is the greater) after every fine year period.
5. The building and access lands shall revert back to Youghal Town Council immediately should the lessser's business fail for whatever reason financial or other.

Mayor's Business:

1. The Mayor informed the members that she had received correspondence in relation to the Joint Policing Committee requiring a Chairperson and a Vice Chairperson for the twice yearly Joint Policing Committee Meetings. On the proposal of Cllr. Coyne which was seconded by Cllr. Beecher the members unanimously agreed that Cllr. Linehan Foley be nominated as Chairperson. On the proposal of Cllr. Beecher which was seconded by Cllr. Linehan Foley the members unanimously agreed that Cllr. Coyne be nominated as Vice Chairperson.
2. The Mayor reminded the members in relation to the St. Patrick's Day Parade.

Unresolved Motions Report:

The Town Clerk circulated to the Members the Unresolved Motions Report.

Cllr. Revins raised the issue of motion no. 1 in Work in Progress in relation to the pedestrian crossing at the top of Cork Hill and asked what the status of this motion was at present as not decision was ever made on this motion. The Town Clerk informed the members that a traffic count could take place here but no funding was available at present for a pedestrian crossing. The Town Clerk informed the members that he would submit a cost estimate for these works and that the members could make a provision for a crossing at the 2012 Budget Meeting.

Notice Under Section 38 of the Road Traffic Act 1994 "Closure of Part of Chapel Lane To Vehicular Traffic":

The Town Clerk circulated to the members public notice, map and submission in relation to the proposed closure of part of Chapel Lane, Youghal to vehicular traffic. On the proposal of Cllr. Burke which was seconded by Cllr. Linehan Foley the members unanimously agreed to the closure of part of Chapel Lane to vehicular traffic, as per the attached map.

Wildlife Acts 1976 and 2000: "Restrictions on the Destruction of Hedgerows and the Destruction of Vegetation on Uncultivated Land:

The Town Clerk circulated to the members the Wildlife Acts 1976 and 2000 "Restrictions on the Destruction of Hedgerows and the Destruction of Vegetation on Uncultivated Land". The Town Manager informed the members that the Department of the Environment were becoming quite strict on this matter and would quickly take action on any person or authority who contravened with hedge cutting and such.

Cork County Council Traveller Accommodation Programme:

The Town Clerk circulated to the members the Cork County Council Traveller Accommodation Programme 2009 - 2013.

This was noted and marked as read by the members.

Appointment of Council Nominee to Irish Public Bodies Mutual Insurances Ltd. to replace Cllr. Donie Daly:

The Town Clerk circulated to the Members a notice from Irish Public Bodies Mutual Insurances Ltd. requesting a nominee from the Council to replace former Cllr. Donie Daly. On the proposal of Cllr. Hennessy which was seconded by Cllr. Beecher the members unanimously agreed that Cllr. Tomas O' Conaill be nominated as Youghal Town Council's representative to the IPBMI.

The Mall Arts Centre - Operation by YSEDG For the Calendar Year 2010:

The Town Clerk circulated to the Members a report on the Mall Arts Centre for the year 2010 as operated by the YSEDG. The Members welcomed the report as very positive for the future of the centre.

New Financial Regulations:

The Town Clerk circulated to the members the new Financial Regulations which consisted of the following:

- a) General Government Secured Borrowings Order 2011.
- b) Circular Fin 01.a/2011; Quarterly reporting to the IMF, European Commissioner and the ECB.
- c) Circular Fin 01.b/2011; Control of secured borrowing by Central Government and debt reporting to the IMF, European Commissioner and the ECB.
- d) Credit Institutions (Stabilisation) Act 2010.

This item was marked as read and noted.

New Housing Regulations:

The Town Clerk circulated to the members the New Housing Regulations which consisted of the following:

- a) Social Housing Assessment Regulations 2011.
- b) Assessing Eligibility and Need for Social Housing. Circular Ship 2011/06.
- c) Housing (Miscellaneous Provisions) Act 2009. (Commencement Order) 2011.
- d) Circular SHIP 2011/04 - 2011 Fixed Term Purchase Scheme.
- e) Housing (Transfer of Functions) Order 2011.
- f) Housing (Sale of Houses to Long Standing Tenants) Regulations 2011.

This item was marked as read and noted.

Cllr. O' Conaill raised the issue of the circulation of such material and asked if it is important to do so when so many important issues relating to the town needed to be prioritised. The Town Clerk stated that it is important for him to inform the Members of any legislative changes so that the Council is fully aware at all times of legislation changes at National Level.

Motion in the name of Cllr. Coyne seconded by Cllr. Linehan Foley:

“That this Council as a matter of public safety and coastal protection, call upon Cork County Council to investigate the possibility of fully restoring the public viewing areas at the Forty Nine Steps and Moll Goggin's Corner, otherwise in the interest of safety permanently close off and remove them to avoid the danger and possibility of full or partial collapse in the near future”.

Cllr. Coyne requested that this motion be amended to read:

“That this Council as a matter of public safety and coastal protection, call upon Cork County Council to investigate the possibility of fully restoring the public viewing areas at the Forty Nine Steps and Moll Goggin's Corner:.. Cllr. Coyne stated that the area which was used by tourists and locals alike was in an unattractive state since having been closed off for safety reasons and he called on Cork County Council to restore this area as soon as possible. This motion was proposed by Cllr. Coyne, seconded by Cllr. Linehan Foley and unanimously adopted by the members.

Correspondence:

1. Brochure received from Enniscorthy Town Council in relation to the 1916 Rebellion Conference.
2. Letter from the Local Government Policy Section in relation to the position of Councillors who are elected to Dáil Éireann.
3. A letter from the East Cork Branch of the Irish Wheelchair Association requesting funding.
4. Notice from Greystones Town Council in relation to the 2011 La Touche Legacy Seminar.
5. Brochure from the Walled Towns Friendship Circle.
6. A thank you letter from the Central Statistics Office in relation to the availability of the Town Council premises for the interviewing/training of Census Enumerators.
7. A notice from TGR Seminars in relation to a conference on the Professional Development for Councillors.
8. A motion received from Monaghan Town Council.
9. An appreciation card from the Community & Family of the late Sr. Coleman Reid.

Any Other Business:

1. Cllr. Revins stated that he would hope in the interest of the town that Sinn Fein would select a member of the Youghal Cumann to replace Deputy Sandra McLellan as a County Council representative.
2. In relation to the deputation received from the DeValera Street Residents the members agreed that a special meeting would take place to discuss this issue on Tuesday 29th March 2011 at 10.00 a.m. The Manager informed that she would contact Eileen Coleman, Traffic Engineer and request that she attend the meeting.

This concluded the busines of the meeting