

**Minutes of Monthly Meeting of East Cork Municipal District Held on 7<sup>th</sup> March, 2016 at 11.00 a.m. at the Mall House, Youghal.**

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**I LATHAIR:** Cathaoirleach Michael Hegarty presided.  
Cllrs. O' Sullivan, McCarthy, Linehan Foley, & Collins.

**Ag Freastal:** Mr. Maurice Manning, S/Director of Services  
Mr. Dave Clarke, Senior Executive Engineer  
Mr. Christy Ring, Executive Engineer  
Mr. Paul Murray, Executive Engineer  
Mr. Joe McCarthy, East Cork Municipal District Officer  
Mrs. Helen Mulcahy, (Youghal Office)  
Mrs. Geraldine O' Connell (Youghal Office)

**1. Minutes of Meeting Held on 1<sup>st</sup> February, 2016 and of Special Meeting held on 23<sup>rd</sup> February, 2016.**

The minutes of the meeting held on the 1<sup>st</sup> February, 2016 and of Special Meeting held on 23<sup>rd</sup> February, 2016 were adopted on the proposal of Cllr. Collins seconded by Cllr. Linehan Foley and unanimously adopted by the Members.

**Deputation of residents from Lauriston Estate, Midleton.**

A deputation of residents from Lauriston Estate, Midleton consisting of Fergus Kenneally, Chairman, Rory Curtin, Vice-Chairman and Charlie Kelly, resident came before the Members to air their grievances regarding flooding which occurred in Lauriston Estate on 30<sup>th</sup> December, 2015.

Mr. Kenneally expressed his fears regarding a boundary wall which divides the estate from neighbouring Tattans Yard and stated that the wall acted as a dam to a huge volume of water at the time of the recent floods.

Mr. Kenneally also stated that the wall poses a major risk as children congregate around the wall and stated that he feels it disgraceful that no action has been taken to make the area safe. Mr. Kenneally also called on Cork County Council to inspect the drainage system in the estate

Mr. Rory Curtin Vice Chairperson of the residents committee informed the Members that the obvious course of action taken at the estate will be the investigation of the condition of the wall and to make the area safe.

Cllr. Michael Hegarty thanked the deputation for their presentation and stated that the Dungourney River is only working at 50% of its capacity due to trees both growing and being dumped in the river and stated that the riverbank had signs of cattle going in and out of the river . Cllr. Hegarty informed the deputation that a report from ARUP was due to come before the Members with recommendations on recent flood events. Cllr. Hegarty stated that in the

meantime temporary measures will be taken to erect fencing around the wall to make the area safe.

## **2. Consideration of Reports and Recommendations.**

### **2.1 East Cork Footpath Programme.**

The Senior Executive Engineer, Mr. Dave Clarke circulated the following report in relation to the East Cork Municipal District Footpath Programme 2016 to the Members:

<b>Project #</b>	<b>Location</b>	<b>Type of Works</b>	<b>Length (m)</b>	<b>Estimated Cost (€)</b>	<b>Status</b>
1	R624 Strand Street Phase 2 to the Grotto	Replacement	150	21,000	Proposed
2	Killeagh Rd. Mogeely – extension towards Gleann Fia Estate	New	195	26,325	Proposed
3	Youghal North Main Street – localized areas	Replacement	50	7,000	Proposed
4	Elsinore Heights Midleton – localized areas	Replacement	30	3,780	Proposed
5	Fr. Murphy Terrace, Ballinacurra – localized area	Replacement	20	2,100	Proposed
6	Mogeely Road, Killeagh – at Eircom Compound	New	11	5,188	Proposed
7	Golf Links Road vicinity South Abbey NS	Replacement	100	14,800	Proposed
8	Sweetfields Estate, Youghal (9509-2)	Replacement	140	10,080	Proposed
9	Woodbrook Estate, Lisgoold	Replacement	30	3,240	Proposed
10	L7901 From Chestnut Drive to St. Coran's Well	New	260	31,200	Proposed
11	Rock Street, Cloyne	Replacement	75	9,000	Proposed
12	Ferrygrove, Scartleigh Upper, Saleen	Replacement	20	2,160	Proposed
13	The Rocky Road, Midleton	New	30	2,700	Proposed
14	O' Rahilly Street, Youghal*	Replacement	140	12,600	Proposed
			Total =	<b>151,173</b>	

Funding Source: 1. East Cork MD Footpath Programme Allocation=	<b>106,050</b>
2. Allocation from Discretionary Road Maintenance Grant =	<b><u>45,123</u></b>
Total:	<b>151,173</b>

\*Note: Consideration could be given to allocating funding under the Town Development Fund to upgrade the proposed replacement footpaths on O' Rahilly Street, Youghal from concrete to limestone (Public Realm).

Cllr. Linehan Foley raised the issue of footpath replacement at Strand Street and asked the Engineer when would these works be complete.

Mr. Dave Clarke, informed the Members that these works would be completed during the Easter period and also informed the Members that the provision of rumble strips at this location, which would require road closure would take place during the summer period.

Cllr. Collins congratulated the Senior Executive Engineer on his report and on his adoption which was seconded by Cllr. Linehan Foley the Members unanimously adopted the East Cork Footpath Programme 2016.

Cllr. Hegarty informed the Engineer that he was disappointed that Brooklands Bar to the Co-Op in Ballinacurra. Mr. Dave Clarke, Senior Executive Engineer agreed to investigate same.

Cllr. McCarthy raised the issue of Ardnabouhy Hill in Whitegate. The Senior executive Engineer informed the Members that this would be a strong contender for the 2017 Footpath Programme, but stated that there was an issue with land acquisition at this location.

Cllr. Linehan Foley complimented the Engineer on the inclusion of Gleann Fia, Killeagh Road and Sweetfield Estate, Youghal on the roads programme.

## **2.2 Standing Orders:**

Mr. Joe McCarthy, Municipal District Officer circulated the following synopsis of Cork County Council Standing Orders to the Members:

10. The Council shall be divided in Municipal District Committees as follows:-

- Kanturk/Mallow Municipal District Committee.
- Fermoy Municipal District Committee.
- Bandon/Kinsale Municipal District Committee.
- Blarney/Macroom Municipal District Committee.
- Ballincollig/Carrigaline Municipal District Committee.
- Cobh Municipal District Committee.
- East Cork Municipal District Committee.
- West Cork Municipal District Committee.

11. The members of the council elected for the local electoral areas situated in each of the municipal districts shall be the members of that municipal district.

12. Unless upon any occasion when it is otherwise fixed by statute a schedule of Ordinary Meetings of the municipal district members for the ensuing year shall be approved at each Annual Meeting.

In every year in which a local election is held the Annual Meeting shall be held on the date specified by the local authority, which shall be not later than ten days after the Annual Meeting of the local authority, and not on an excluded day. In every other year the Annual Meeting shall be held in the month of July.

13. Every Notice of Motion dated and signed by the Member or Members giving it shall be delivered to the Municipal District Officer and shall be recorded in the order of their receipt and shall appear on the Agenda in that order. No Notice of Motion shall be set down on the Agenda for any meeting unless such Notice of Motion shall have been delivered at least 6 clear days before the date of such meeting.

Members may also submit questions in writing for which written responses shall issue. Whilst these questions shall be listed on the Agenda they shall not be debated.

14. If any Notice of Motion of which notice has been duly given relates to a matter normally dealt with by a Committee or comes within the terms of reference of any Committee or Committees, it shall be referred to such Committee or Committees as the Municipal District Officer may determine. Any dispute on such reference shall be determined by the Chairperson.

15. No member shall be permitted to have more than 4 notices of motion/question on the Agenda for any one meeting. Questions shall be submitted in writing and shall be listed on the Agenda but not debated. A written response shall issue in response to each question.

16. A member who wishes to raise an issue under “Any Other Business” must bring this to the attention of the Chairperson and the Municipal District Officer in advance of the meeting and should only deal with a matter that has arisen since the Agenda for the meeting issued. The Chairperson shall have absolute discretion to disallow this issue being discussed.

On the proposal of Cllr. Hegarty which was seconded by Cllr. Linehan Foley the Members unanimously adopted Standing Orders.

### 2.3 Report on Safety of Trees/Removal along public roads.

The Senior Executive Engineer circulated to following report to the Members on the safety of trees/removal along public roads.

At Council meeting of 25<sup>th</sup> January 2016 it was agreed that the “Council would develop a policy concerning the safety of trees along public roads in each Municipal District” and that the matter be referred to the Roads and Transport SPC for further consideration.

While the development of such a policy is given further consideration by the Roads and Transport SPC, the issue of dangerous trees, or low overhanging branches posing a risk to road users is dealt with as with overgrown roadside ditches. Under Section 70 of the 1993 Roads Act landowners and occupiers of land are obliged to take all reasonable care to ensure that structures, trees, ditches, hedges and other vegetation growing on their land are not or could not become a danger to people using or working on a public road. Landowners/occupiers are required to fell, cut, log, trim or remove such trees, ditches and hedges to prevent them from becoming a hazard to persons or property in the area. Examples of hazards include dead or dying trees, ditches or hedges which interfere with traffic, by blocking footpaths, obscuring a clear view of the road ahead.

In the 6 months to end February, written notices have been issued to 27 property owner in this Municipal District, requiring the cutting back of overgrown roadside ditches and/or low and overhanging branches. While some follow up inspections are outstanding, typically property owners have carried out the necessary hedge cutting and tree surgery and there is only one case known where works have not been carried out to date.

Cllr. Hegarty thanked the Senior Executive Engineer for his report and asked that the media take note of same as it is important that landowners are fully aware of their obligations regarding this matter.

On the proposal of Cllr. Collins which was seconded by Cllr. Linehan Foley the Members fully supported the report on safety of trees/removal along public roads.

## **2.4 Proposed Disposal of Freeholds.**

### **2.4.1 Proposed Disposal of Freehold at 43 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: 43 Rosary Place, Midleton, Co. Cork. Folio No. 5845L

Freehold Interest: Folio No CK28515

From Whom Acquired: Unknown.

Person to Whom Freehold Interest  
In Land is to be Disposed Of: Angela Butler

Consideration: €350.00 inclusive of administration charges.

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

On the proposal of Cllr. Collins which was seconded by Cllr. Linehan Foley the Members had no objection to the proposal.

### **2.4.2 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: Christopher and Laura Hourigan

Consideration: €350.00 inclusive of administration charges.

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

On the proposal of Cllr. Collins which was seconded by Cllr. Linehan Foley the Members had no objection to the proposal.

#### **2.4.3 Proposed Disposal of Freeholds at Nos. 1-5 Gleann Bui, Ballymacoda, 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.

Situation: Nos. 1 – 5 Gleann Bui, Ballymacoda (5 partially constructed townhouses).

From Whom Acquired: ECK Construction

Person to Whom Freehold Interest  
In Land is to be Disposed Of: Tipson Ltd.

Consideration: Nos. 10 & 11 Gleann Bui, Ballymacoda (2 fully constructed semi-detached houses).

On the proposal of Cllr. Collins which was seconded by Cllr. Linehan Foley the Members had no objection to the proposal.

### **3. Business Prescribed by Stature, 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.

5.1.1 Cllr. Noel Collins, received on 2<sup>nd</sup> February, 2016.

“Council consider the provision of an additional handicapped parking space in Lower Main Street, Midleton in close proximity to the Barry/Motherway Medical Centre; Letter in support of same from the said Medical Centre herewith appended.

Mr. Joe McCarthy, Municipal District Officer informed the Members that this motion will be addressed under the Streetscape Enhancement Project for Midleton and stated that he will do his best to move the project forward.

5.1.2 Cllr. Noel Collins, received on 2<sup>nd</sup> February, 2016.

“Progress report on the response plans and corrective action of Cork County Council resulting from the recent flood storm in Lauriston Estate, Midleton plus a similar report on “Ashley”, Ballintubber, Carrigtwohill”.

The issue on Lauriston Estate has been addressed under the deputation at the beginning of the meeting. The matter regarding Ballintubber, Carrigtwohill is within the Cobh Municipal District remit.

5.1.3. Cllr. Noel Collins, received on 2<sup>nd</sup> February, 2016.

“Tree surgery requested at rear of residence at 10 Glenbower, Killeagh”.

Mr. Paul Murray, Executive Engineer informed the Members that this is private property but stated that he would make contact with the owner.

5.1.4 Cllr. Noel Collins, received on 2<sup>nd</sup> February, 2016.

“Major road repairs and drainage urgently requested by residents in East Ferry/Jamesbrook, Midleton – roads almost impassable and in the interest of road safety and human life residents in Dungourney and Ballyspillane the very serious hazards of overgrowth of briars, hedges and trees”.

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that a contractor had been identified for the works in East Ferry/Jamesbrook and stated that he was awaiting a start date for these works. The Engineer requested that Cllr. Collins identify the specific location at Dungourney/Ballyspillane and he will then investigate same. Cllr. Hegarty supported this motion.

5.1.5 Cllr. Collins, received on 2<sup>nd</sup> February, 2016.

“Council report when works can be expected to commence on the flood defences for Midleton town and environs and if consultant has been appointed to progress the development”.

This motion has previously been dealt with.

5.1.6 Cllr. Noel Collins, received on 2<sup>nd</sup> February, 2016.

“When can Council expect to complete footpath infrastructure in Rocky Road, Midleton”.

This item was dealt with under item 2.1 East Cork Footpath Programme. The Senior Executive Engineer, Mr. Dave Clarke clarified that this was in respect of a short section of missing footpath between the pedestrian underpass and the Midleton Downs housing estate in the Rocky Road.

5.1.7 Cllr. Mary Linehan Foley, received on 22<sup>nd</sup> February, 2016.

“Could I ask that drains be cleared on Mogeely to Dungourney Road as it is still flooding and seems rain has nowhere to go”.

Mr. Paul Murray, Executive Engineer informed the Members that this road slopes northwards and stated that he will contact the landowner in question and put forward a proposal to him. Cllr. Hegarty supported this motion.

5.1.8 Cllr. Linehan Foley received on 22<sup>nd</sup> February, 2016.

“Investigate pothole and the provision of a one way traffic system at Tallow Street & provision of a roundabout at the Golf Links Road/St. Raphael’s junction”

Cllr. Linehan Foley requested that the Engineer investigate the provision of a one way traffic system at Tallow Street as traffic parked on one side of the street was making it almost impossible for traffic to pass on both sides at this location.

Mr. Paul Murray, Executive Engineer informed the Members that he had suggested this measure at a former Youghal Town Council meeting but received no support.

Cllr. O’ Sullivan supported this motion and asked if a gully outside of Dr. Kennedy Place could be looked at in the short term as water flowing from same was not reaching the main drain.

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that Cork County Council are presently looking at funding to advance a traffic study in Youghal, the Engineer stated that he is hoping this will come to fruition in the next number of years.

In relation to the provision of a roundabout at Golf Links Road/St. Raphael’s junction the Engineer informed the Members a preliminary design was being done for this junction and stated that these works could be considered under the 2017 Footpath Programme.



5.1.9 Cllr. Aaron O' Sullivan, received on 2<sup>nd</sup> March, 2016.

“A progress report in relation to the current position following my previous motion seeking the installation of visitor moorings in Youghal Harbour”.

Mrs. Helen Mulcahy advised the Members that Part VIII process has commenced in relation to the proposed provision of a 20m pontoon and 6 visitor mooring in Youghal Harbour. This application was made following on from a very favourable indication from the Department that funding would be available for the provision of these facilities, however the situation has changed and the Department have indicated that funding would only be given towards the visitor moorings in 2016.

Mrs. Mulcahy informed the Members that it was important hta the Part VIII Process was completed in respect of both elements of the proposals in the event that finding for the pontoon would become available towards the end of the year and we would be “shovel ready” to move on this immediately.

The Members expressed their deep concerns on this misleading information that funding was available.

5.1.10 Cllr. Michael Hegarty, received on 2<sup>nd</sup> March, 2016.

“That a representative from Irish Water be asked to attend meeting of East Cork Municipal District re: the boiled water notices for the Whitegate Regional Water Supply”.

Cllr. Hegarty stated that it is essential that a representative from Irish Water attend a meeting of the Council in order to be made aware of the situation.

Cllrs. Collins and McCarthy supported this motion.

5.1.11 Cllr. Michael Hegarty, received on 2<sup>nd</sup> March, 2016.

“What is the update with TII re: the flooding issues on the N25 between Castlemartyr and Killeagh”.

The Senior Executive Engineer, Mr. Dave Clarke informed the Members that the Drainage District (Womanagh) does not back as far as the area on the N25 between Castlemartyr and Killeagh. The Engineer informed the Members that he has inspected this road and has make recommendations to both the TII and the Roads Design Office and stated that he will revert back to the Members once he has received an updated plan of action.

Cllr. Collins supported this motion and stated that funding will have to be sought from both departments. The Members were in full support of this agreement.

5.1.12 Cllr. Michael Hegarty, received on 2<sup>nd</sup> March, 2016.

“Flooding issues in Ladysbridge to be attended to”.

Cllr. Hegarty stated that the provision of an extra gully/drain would alleviate the problem at this location

5.1.13 Cllr. Michael Hegarty, received on 2<sup>nd</sup> March, 2016.

“Damaged gullies at Barrack Hill, Ballycotton, and also on road from Cliff Palace, Ballycotton to the car park are washed away.

The Senior Executive Engineer, Mr. Christy Ring informed the Members that the gully at Barrack Hill is running free presently and stated that further investigation and maintenance will be carried out in time. In relation to Cliff Palace, the Engineer informed the Members that this road has been repaired recently.

5.1.14 Cllr. Michael Hegarty, received on 2<sup>nd</sup> March, 2016.

“Road down to Knockadoon Pier and Popes Cross in need of urgent attention.

The Executive Engineer, Mr. Christy Ring informed the Members that the road to Knockadoon Pier has been inspected and is on a list of repairs and stated that the road at Popes Cross will be carried out in order of priority.

## **6. Correspondence.**

No correspondence was received.

## **7. Any Other Business:**

1. The Members passed a vote of congratulation to Cllr. Pat Buckley on his success at the recent elections and also congratulated Cllr. Linehan Foley on a job well done and stated they were delighted she remain a Councillor of East Cork Municipal District.
2. Cllr. McCarthy raised the issue of the provision of lighting at Castleredmond Estate and asked of the Council could take charge of lighting only at this estate. The Senior Executive Engineer suggested that the Estates Department of Cork County Council be written to regarding this estate.
3. Cllr. McCarthy raised the issue of the Baneshane Gael Scoil Traffic Management Plan Report.
4. Cllr. Linehan Foley raised the issue of lighting in the Spa Hill and informed the Members that 4 poles are still not working at this area.
5. Cllr. Linehan Foley raised the issue of 2 apartment blocks at Parklands and asked if anything could be done to speed up the process of having these buildings blocks knocked and the provision of a green are be put in place. Cllr. Hegarty fully supported cllr. Linehan Foley on this matter and suggested that the Estates Department in County Hall be written to regarding this matter.

**Votes of Congratulations:**

1. Cllr. Linehan Foley proposed a vote of congratulations to Brú na Sí, Youghal on reaching the Munster finals.

The Members agreed that the next meeting of the Municipal District Council take place on April 4<sup>th</sup> at 11.00a.m. at the Midleton Office.

**This concluded the business of the Meeting.**