

Minutes of Monthly Meeting of Youghal Town Council held on 13th May, 2014 in the Mall House, Youghal at 9.30 a.m.

Present:

Mayor Sammy Revins presided.

Cllrs. Linehan-Foley, Hennessy, Murray, O'Connell, Burke, and Beecher & Flanagan.

Officials Present:

Mr. Derek O' Gorman, Town Manager.

Mrs. Helen Mulcahy, Town Clerk.

Mrs. Geraldine O' Connell, Clerical Officer.

Mr. Ger Lupton, Town Foreman.

Mr. Paul Murray, Town Engineer.

Opening Prayers:

The members and officials recited the opening prayers.

Minutes of Monthly Meeting held on 15th April, 2014:

The minutes of the monthly meeting held on 15th April 2014 were adopted on the proposal of Cllr. Hennessy seconded by Cllr. Linehan Foley and unanimously adopted by the Members.

On the request of the Mayor the Members agreed to by pass Votes of Congratulations, Votes of Sympathy, Town Foreman's Report, Cork County Council Items, Managers Orders, Planning Applications Received, Further Information Received.

A list of any works requested can be submitted to the Town Clerk.

Disposal of Properties:

1. Hatherton Ltd., T/a Enterprise Youghal.

A Notice under Section 183 of the Local Government Act, 2001 was served on the Members of Youghal Town Council in relation to disposal of land, by way of licence of 5 acres of land at The College Gardens, Emmet Place, Youghal, to Hatherton Ltd., T/a Enterprise Youghal, Emmet Place, Youghal, for the purpose of maintaining the Gardens, as detailed hereunder:-

1. The licence is for the period from 1st January 2014 to the 31st December 2015, with an option to review at the end of term.
2. The land consists of 5 acres at the College Gardens, Emmet Place, Youghal.
3. The property forms part of property owned by Youghal Town Council contained in Folio 36660 Co. Cork.
4. The land is to be leased to Hatherton Ltd., T/a Enterprise Youghal.
5. Youghal Town Council shall pay a grant to Hatherton Ltd. to maintain the College Gardens for the period of the license agreement. The amount of this grant shall be agreed in the adoption of the 2014 Town Council Budget and will be agreed with Hatherton Ltd.
6. Hatherton Ltd. shall maintain the Gardens in recognition of no. 4 above for the period of the licence agreement.
7. Hatherton Ltd. shall keep the College Gardens open to the Public on a daily basis from 9.00 a.m. to 5.00 p.m. for the duration of the license agreement.
8. Hatherton Ltd. shall keep the property in a good and well maintained condition.
9. Hatherton Ltd. shall not erect any permanent structures on the property or to carry out any alteration in permanent boundaries on the property without the prior written permission of the Owner.
10. Hatherton Ltd. shall not assign or underlet or part with possession of all or any or part of the property.

11. All mines, minerals, gas and other substances under the Property shall remain the property of the Owner and they shall be entitled to excavate or remove same, provided they pay reasonable compensation to the Licensee.

On the proposal of Cllr. Burke which was seconded by Cllr. Linehan Foley the Members unanimously agreed to the disposal, by way of licence 5 acres of land at the College Gardens, Emmet Place, Youghal, to Hatherton Ltd. T/a Enterprise Youghal, Emmet Place, Youghal.

2. 11 Sarsfield Terrace

A Notice under Section 90 of the Housing Act 1966 and Section 26 of the Landlord and Tenant (Ground Rents) Act, 1978, was served on the Members of Youghal Town Council:

The Sale of Freehold Interest in premises situate at 11 Sarsfield Terrace, Youghal for the sum of €800 inclusive of sale price, fee and administrative costs.

On the proposal of Cllr. Hennessy which was seconded by Cllr. Linehan Foley the members unanimously agreed to the sale of freehold interest in 11 Sarsfield Terrace, Youghal to Michael Carey.

Mayor's Business:

1. The Mayor congratulated Pobalscoil na Trionoide on reaching the finals of the Millipore Science Project.
2. The Mayor congratulated Youghal GAA on reaching the final of TG4's Scor 2014.
3. The Mayor informed the Members that he had received a letter from Youghal Chamber of Tourism and Commerce in relation to Cliff Winsers participation in the Town Criers World Championships to be held in the U.K. in August requesting funding for same. The Mayor stated that Cliff Winser is a wonderful ambassador for the Town and asked if any funding was available.

The Town Clerk informed the Members that very little funding was available and that quite a lot of applications had been received which were not made at the time of budget preparation. The Town Clerk suggested a figure of €300 be allocated to Cliff Winser.

The Manager agreed to investigate the possibility of further funding from Cork County Council through Tourist Development Initiative.

On the proposal of Cllr. Revins which was seconded by Cllr. Hennessy the Members unanimously agreed to allocate the sum of €300 to Cliff Winser for the Town Criers Championships.

Annual Financial Statement 2013:

The Town Clerk circulated the Members with copies of the Annual Financial Statement for 2013 and sought their approval in relation to same and to the over/under expenditure/income as per Note 17. On the proposal of Cllr. Burke, which was seconded by Cllr. Revins the Members unanimously approved of the AFS 2013 and the over/under expenditure as per Note 17.

Progress Report on Boardwalk:

The Manager had circulated the draft report on the Boardwalk which was prepared by Malachy Walsh & Partners over the last week and informed the Members that the final report was due later this week. Cllr. Burke stated that it was an excellent report which identified all areas of weakness but stated that he was surprised no comment had been made in relation to the top panels remaining intact where they were protected by the steps.

Cllr. Murray stated that she was conscious that time was slipping by and stated that once clarification of the works were solidified the tender time should be kept at a minimum. Cllr. Murray

queried if Malachy Walsh & Partners would oversee the costing of the Boardwalk. The Manager informed the Members that this was as yet undecided but he himself would be in favour of Malachy Walsh & Partners undertaking same.

Cllr. Hennessy asked if the Manager had a rough timescale for the reconstruction works. The Manager informed the Members that the timescale was presently unclear, he stated that he would engage the services of an Engineer to go through timelines for same.

Correspondence:

No correspondence was received.

Any Other Business:

Cllr. Linehan Foley stated that it was a sad day being the last Town Council Meeting. Cllr. Linehan Foley stated that it has been an honour to work for the people of Youghal with her fellow Councillors.

Cllr. Hennessy thanked the Town Clerk and both the outdoor and indoor staff. Cllr. Hennessy wished all the candidates well going forward for the upcoming elections. All Cllr. Hennessy's fellow Councillors concurred with her sentiments.

Cllr. Burke gave the following statement:

Youghal Town Council Final meeting May 13th 2014

I would like to thank the people of Youghal for having elected me in 4 elections to Youghal Town Council over 20 years since 1994. It has been a great privilege and honour to have served the town during that time. I would like to thank all those colleagues with whom I have served for their cooperation and friendship over those years. I think especially today of those former colleagues who are no longer with us like Paddy Linehan, Willam Nooche Kennefick, Denis Murphy, and Tomás Ó Conaill. For all of those 20 years it has been a great pleasure serving with the last Mayor of Youghal Cllr. Sammy Revins. For 15 of those years it was my privilege also to have worked in the closest cooperation with my good friend and former colleague former Councillor Oliver Casey. I wish to thank in addition all those excellent officials including Assistant Co. Managers, Town Managers, Town Clerks, Acting Town Clerk Helen Mulcahy, Acting Town Manager Derek O`Gorman, and all the office staff and outdoor staff with whom I had the pleasure to serve. The longest serving Town Clerk during my years on Youghal Town Council was of course the incomparable and exceptional Liam Ryan who did such excellent work for our town during his years in the Mall House.

During my first term of office 1994 to 1999 with successive Town Clerks Larry Cunningham, James Keane and Ned Brennan the great issue (promoted by former Councillor Alice Walsh) was how to restore a semi-derelict Mall House building and develop the old ballroom into an Arts and Culture amenity for the people of Youghal. This was accomplished with a Government grant from the then Minister for Arts, Culture and Heritage and now President of Ireland Michael D. Higgins. The next term of office 1999 to 2004 with Town Clerk Liam Ryan saw the great issue of a Swimming Pool for Youghal which eventually became a reality in 2006. The 2004-2009 term began with a 23 candidate election and a marathon election count going on until 5 am the following morning, even necessitating a recount on the following Monday before the outcome was fully decided. Sadly such cliffhanging election excitement with all its colour and anticipation, will never again be seen in our town. The great issue of those 5 years was Heritage with the publication of our heritage blueprint The Youghal Heritage Regeneration Plan together with the Youghal Town Walls Conservation and Management Plan and the Youghal Public Realm Plan. These years saw unprecedented investment in Heritage with restoration works to the Town Walls, the acquisition of St. Mary's Collegiate Church on a 999 year lease and heritage repaving of Church Street, Mall Lane and Foxe's Lane. The 2009-2014 term saw the continuing investment in heritage although on a reduced scale as the recession began to bite, with emphasis on the restoration of the Clock Gate, extensive repaving works at Emmet Place, the Market Square and Nealon's Quay and the repair works to the Quay Walls and a

number of slipways.

Today, after over 700 years of history stretching from Norman times, our final meeting marks a sad end to the existence of a Town Council in Youghal. It is indeed a tragedy for the town of Youghal and the people of Youghal. There will no longer be a Town Council elected by the people of Youghal to highlight the needs of the town or the particular circumstances of our town. There will be no Town Council to initiate projects, seek funding for them, drive them or administer them. There will be an end to centuries of tradition and to civic ceremonies honouring local achievements and heroes, and instilling a great sense of civic pride in our Council and our town. There will be no office of Mayor to extend an official welcome on behalf of the people of Youghal to visiting dignitaries such as Presidents, Taoisigh, Government Ministers and Ministers of State. The economy of the town will suffer as Youghal Town Council was a significant purchaser of local goods and services. Business costs are set to increase as the rates which were always lower than those of Cork County Council will rise over a number of years to the much higher level of Cork County Council.

The abolition of the Council will be felt most seriously by the old, the vulnerable and the disadvantaged many of whom do not have the skills to communicate their problems to officials.

They will no longer have a friendly human face at their immediate service to call to them, find out what the problem is, communicate it to the Town Clerk and respond to them with a possible solution.

The abolition of Town Councils has long been the agenda of an alliance of County Managers and senior civil servants of the Department of the Environment who by stealth over a number of years have set about gradually eroding the powers and functions of Town Councils, with the transferring of water and refuse functions to the County Councils; denying Town Councils the power to recruit their own staff making them instead the employees of County Councils; downgrading Town Councils by passing their management from Assistant Co. Manager level in the case of Youghal, to the inferior grade of Director of Services; financial control of Town Councils passing to County Councils; and the final straw in the wind when the Department of the Environment in a singular act of disrespect towards Town Councils as legally separate local authorities, decided to no longer send department circulars directly to Town Councils, only to County Councils from where they would eventually filter down to the Town Council. What happened in the case of water was particularly disgraceful; when the water function transferred over to Cork County Council only the revenue-earning assets were to pass over, not the liabilities and Youghal Town Council was left with the entire repayment of a €3 million loan for improvements carried out by Youghal Town Council to Youghal's waterworks and water supply. The agenda of the County Managers and senior civil servants was finally realised with the arrival on the scene of a Fine Gael-Labour Coalition Government with Phil Hogan as Minister for the Environment who, instead of reforming local government, has destroyed it by abolishing Town Councils. In Youghal Town Council's place will be a toothless, powerless talking shop of an East Cork Municipal District Council which will not be a rating authority, will have no revenue raising powers, but will simply be an area committee of Cork County Council working with whatever financial handouts that will be allocated to it by Cork County Council and the DOE.

The ballot paper for the new Municipal District already spells trouble for Youghal. There are 14 candidates for 6 seats. Only 5 candidates are from Youghal. There will be 9 names whom the population of Youghal will largely have never heard of, who will not knock on any door in Youghal seeking a vote or who if elected will do nothing for Youghal. With the weighting of population in favour of Midleton the probability is that only 2 candidates will be elected from Youghal giving the majority Midleton Councillors control of the budget. This is a major concern for Youghal. For example it could easily arise that the Midleton majority may decide quite democratically that spending on a swimming pool for Midleton should take priority over spending on Heritage in Youghal. Another side-effect of the abolition of Town Councils could be what happened in the UK when local authority boundaries were extended. People felt no identification with, or loyalty to, or civic pride in the new enlarged area authorities and turnout at local elections dramatically reduced. If this happens here how long will it be before the same disconnection becomes evident in General

Election turnouts with grave consequences for democracy? The appalling decision to abolish Town Councils could eventually return to haunt Fine Gael and Labour when they try to rebuild their parties in the future, if as widely forecast, Independents and Sinn Fein and a possible new political party gain an increasing share of the vote in years to come.

I will conclude by thanking my Council colleagues Sammy, Mary, Michelle, Barbara, Michael, Eoin, Aaron and Tara and wishing you all good health and every success in the future. To those of my colleagues Mary, Michelle, Barbara and Aaron, who are contesting the forthcoming election and also to the other Youghal candidate Paddy Bulman the very best of luck on May 23rd