

Minutes of Youghal Town Council held on 11th September, 2012 in the Mall House, Youghal at 10.00 a.m.

Present:

Mayor Michelle Hennessy presided.

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

Officials Present:

Mr. Kevin O'Neill, Substitute Town Manager.

Mr. Liam Ryan, Town Clerk.

Mrs. Helen Mulcahy, Staff Officer.

Mr. Paul Murray, Executive Engineer.

Opening Prayers:

The members and officials recited the opening prayers.

Minutes of Monthly Meeting held on 10th July, 2012:

The minutes of the monthly meeting held on 10th July 2012 were adopted on the proposal of Cllr. Revins, seconded by Cllr. Beecher and unanimously adopted by the Members.

Minutes of Special Meeting held on 27th July, 2012:

The minutes of the Special Meeting held on 27th July 2012 were adopted on the proposal of Cllr. Revins, seconded by Cllr. Beecher and unanimously adopted by the Members.

Report of the Town Clerk on matters arising since the Meeting of 12th June 2012.

The Town Clerk informed the Members that he did not have a report to circulate this month as almost everything relevant was already contained within the Agenda.

A copy of the Tidy Towns Results for 2012 were circulated to the Members for their information. The Town Clerk informed the Members that Youghal had once again won bronze in Category E and had gained a point on last years results and congratulated The Tidy Towns Committee, staff of Youghal Town Council, and all the local groups and volunteers who work so hard throughout the year.

Votes of Congratulations:

The Members proposed a vote of congratulations to the following:

1. Orla Barry on her bronze medal win at the 2012 Paralympic Games.
2. Youghal Town Council and YSEDG on the beautiful banners recently erected on the Killeagh Road.
3. Conor Coyne on his recent success at the Irish Youths Golf.
4. To all of the Festivals Committee on their hard work and commitment to the running of so many successful festivals over the Summer months.

Votes of Sympathy:

Cllr. O'Connell proposed a vote of sympathy to the family of the late Eileen Cooney who had recently passed away in London. Cllr. O'Connell said that Eileen was a wonderful ambassador for Youghal through the Youghal Association in London and helped so many people from Youghal down through the years. The Members were in unanimous agreement with this.

Town Foreman's Report:

The Town Foreman's Report on works carried out from 6th July to the 6th September was brought to the attention of the Members and noted. Arising from the report the following items were raised:

1. Loose railing at the Jetty.
2. Condition of footpaths in general around the town.
3. Poor condition of footpath on the Promenade.
4. Cracks in steps on Jail Steps.
5. Rubbish dumped at Jail Steps.
6. Dangerous steps at Pope John Paul Place.
7. Millennium Park – removal of dangerous bars in the Ponds.

The Town Clerk reminded the Members that parents have a responsibility to their children to ensure their safety and children should be supervised at all times in the Park. Parents should not allow their children climb into these Ponds – the bars in question were installed to prevent children from falling in.

8. Update on kerbing for the Graveyard – to be dealt with at the October meeting.
9. Update for Main Drainage Project – The Town Clerk agreed to obtain this and send same out to Members.
10. 2 boards on Boardwalk slightly damaged after recent storm.
11. Pothole at the entrance to The Rise.
12. Missing stopcock covers on top road of Blackwater Heights.
13. Lights not working on Church Street & Quarry Vale

The Town Clerk informed the Members that Quarryvale had not been taken in charge and was still the responsibility of Blackwater Homes Ltd.

County Council Items:

ENGINEERS REPORT ON ITEMS RAISED AT THE JULY MEETING.

1. Road surfacing at Knockaverry Estate is complete except for road lining.
2. Diving rocks area complete except for signage.
3. Road lining for town area gone out to tender.

The following items were also raised:

1. Cllr. Linehan Foley sought an update on the situation regarding dangerous parking at Quarryvale. The Town Clerk stated that the redesign of the area is contained in the plan for the R634 – this plan was all subject to funding – particularly from Cork County Council.
2. Potholes at Copperalley.
3. Double yellow lines for Mistletoe Grove.
4. Disable Bus Space markings.
5. Call for emptying of bins at Claycastle to be done on a regular basis.
6. The Members requested a progress report on Phase II of the Boardwalk for the October meeting.
7. Dangerous groyne on the beach.

The Town Clerk informed the Members that Youghal Town Council submitted a detailed plan 6 years ago to deal with the issue of coastal erosion on our beaches. The issues in relation to coastal erosion and the lack of progress in relation to same should be taken up at national level.

Managers Orders:

Managers Order no's 93/2012 to 113/2012 were brought to the attention of the Council and noted.

Planning Applications:

The Members were informed that planning applications P. 12/58004 to P. 12/58006 were received.

Cllr. Murray asked if there was any progress in relation to Seafield Partnership planning application and the appeal to Bord Pleanala.

The Town Clerk said that it was indeed regrettable – particularly in the current climate – that a development of this scale and potential be held up for so long without a decision being made. It was agreed that a letter would issue to Bord Pleanala in relation to same.

Further Information Received:

The Members were informed that no further information was received.

Disposal of Properties:

The Members were informed that there were no disposals.

Mayors Business:

The Mayor informed the Members of the following:

1. Culture Night on Friday 21st September, 2012.
2. Cork Gathering Meeting Wednesday 21st September, 2012 at the Midleton Park Hotel.
3. Birthday wishes to Maimie O’Sullivan on celebrating her 100 birthday.

JPC Annual Report:

The Town Clerk circulated to the Members copy of the Statutory Annual Report for the JPC.

Development Plan - 6 Acre Site at Claycastle:

The Town Clerk circulated to the Council Members a draft plan for the proposed development of the 6 acre site at Claycastle into a motorhome park.

The Members unanimously welcomed the proposals and commended the Town Clerk on his hard work.

On the proposal of Cllr. Revins which was seconded by Cllr. O’Connell the Members unanimously approved of the Draft Plan and agreed to move onto the planning process. The Town Clerk stated that the planning would be in two parts – a Part 8 application to Youghal Town Council for the section of the site owned by them. Then a planning application to Cork County Council for the second part of the site, located in their area of jurisdiction.

2012 Budget Amendments:

The Town Clerk circulated the following to the Members in relation to proposed budget cuts for 2012:

RE: Local Government Fund Allocation 2012 – Budget Adjustments.

I refer to notification by the Department of Environment, Community & Local Government of adjustments to the Council’s Local Government Fund/Household Charge allocation of €100,000. The Council are required to achieve a balanced budget, taking into account the reduced income, and should reforecast expenditure for the remainder of this year to achieve balance.

Required Budget Adjustments to Town Council Budget:

Budget Heading	Adjustment	Comment
Housing	€10,000	Reduction in Expenditure on Housing Repars
Roads	€10,000	Reduction in Expenditure

		on Road Programme
Heritage Plan	€10,000	Reduction in Expenditure on 2012 Heritage Programme
Street Sweeper	€5,000	Reduction in 2012 Provision of Street Sweeper
Claycastle Leisure Company	€5,000	Reduction in Grant payable to Company
Painting Scheme	€5,000	Reduction of €5,000 in Painting Scheme Grant
Insurance Dividend	€30,000	Off set possible insurance dividend against expenditure.
NPPR	€7,000	Increase in NPPR income over Budget
Contributions to other Bodies	€5,000	Reduction of €5k in grants payable to other bodies.
Superannuation Fund	€8,000	Use this income to offset expenditure.
Cut in Administration Expenditure	€5,000	Reduction of €5k in admin expenditure
Total	€100,000	

The foregoing will provide a total adjustment of €100,000 to the 2012 Budget.

The financial position will be reviewed again in October/November and any other adjustments required will be advised to the Members as required.

The Members unanimously agreed that these cuts were necessary and expressed their disappointment at the Governments decisions in relation to funding cuts.

On the proposal of Cllr. Revins which was seconded by Cllr. O'Connell the Members unanimously adopted the cuts to the Budget for 2012.

Unresolved Motions:

The unresolved Motions were brought to the attention of the Members and read.

AMAI Annual Report:

The Town Clerk circulated to the Members for their information copy of the AMAI Report for 2011.

Cllr. Revins said that he would be unable to attend the forthcoming conference and perhaps a 'proxy' should be nominated to cover such absences.

On the proposal of Cllr. Linehan Foley which was seconded by Cllr. Revins the Members unanimously agreed that this Councillor should be Cllr. O'Sullivan.

The Aarhus Convention:

The Town Clerk circulated to the Members for their information details in relation to the ratification of the Aarhus Convention and associated obligations for Public Authorities.

Nealons Quay Car Park:

The Town Clerk circulated to the Members proposals in relation to the redesign and resurfacing of the Nealon's Quay Car Park. The Town Clerk reminded the Members that the Non National Road Grant for 2013 had already been prioritised for this project and he was hoping that some public realm monies would be made available which would fund the remainder of the project.

On the proposal of Cllr. Beecher which was seconded by Cllr. O'Sullivan the members unanimously approved of the draft plan for the redesign and resurfacing of Nealons Quay.

Proposed Licensing of St. Marys College Gardens to Youghal Enterprise Centre:

The Town Clerk circulated the following report to the members:

As the Members are aware Youghal Town Council acquired St. Mary's College and five acres of Medieval Walled Gardens in 2002. The History of the property is well known but I will give a broad outline of same for your information.

Property History:

1472 – James, Ninth Earl of Desmond confirmed the foundation.

1494 – Pope Alexander VI, by a Bull of that date, confirmed all grants to the College. 1496 – Maurice, tenth Earl of Desmond, confirmed the foundation.

1509 - Pope Julius II bestowed the Vicarage of Kilmacdonough on the College and confirmed the Bulls of his predecessor.

1579 – The College was damaged in the Desmond Rebellion of that year.

1580/81 – Queen Elizabeth 1, by patent granted to Dr. Marmaduke Midleton, Bishop of Waterford and Lismore, the Provostship of the College of Youghal.

1588 – Sir Thomas Norris, Lord President of Munster, resided in the College and purchased all the rights of the College.

1602 – On the death of Sir Thomas Norris, the remaining portion of the Lease on the College was granted to William Jones, Esquire, of Youghal in trust for Sr. Walter Raleigh. At about the same time Sir George Carew, Lord President of Munster, took a sub lease of the College from Jones with the intention to reside in it and spent £220 in repairing it. He remained only a few months and went back to England on the death of Queen Elizabeth 1.

1602 – (December) Richard Boyle purchased all of Walter Raleigh's land grants in Ireland, among which it is specified all the Estate of the said Sir Walter Raleigh in the College of Youghal, called the New College of the Blessed Virgin Mary of Youghal with its rights and hereditaments, spiritual and temporal.

1605 - Sir Richard Boyle, married the daughter of Sir Geoffrey Fenton and they resided in the College where several of his children were born, including Roger, his eldest son, Richard his successor on title, Geoffrey who accidentally drowned in the College Well in January 1617, Lady Alice, afterwards Countess of Barrymore, Lady Mary, later Countess of Warwick.

Sir Richard Boyle laid out a garden comprising two terraces cut into the hill. Some of the planting for the garden can be identified as a consignment of Roses shipped from Bristol in 1613.

1624 – Lord Falkland, the Lord Deputy, visited Youghal and knighted Richards's eldest surviving son as the Earl of Cork at the College of Youghal.

1633 – Thomas Stafford's Paccata Hibernia is published. Included in it is a map of Youghal, which shows the garden of the College, set out in formal pattern.

1634 – Sir Richard Boyle paid Sir Charles 1, a voluntary fine of £15,000 rather than face trial on a charge of diverting the Revenues of the College for his own use. During the following decade or so Boyle lived principally at Lismore but in 1641 when Rebellion broke out he was ordered by the Lord President of Munster to maintain Youghal in person and returned to the College as his main resident which he strongly fortified. He built the five circular turrets at the angles of the park at that time.

1681 – Thomas Dineley in his tour of Ireland described the College as been in good condition. During the early part of the 18th Century the College was still in use by the Earl of Cork's family and his agents but in 1740 Richard, Earl of Cork, leased the College for 999 years to Alderman George Giles of Youghal.

1748 – The College was described as been in tolerable order and still the residence of George Giles, but by 1750 Smith described it as been in very run down condition. 1765 – Richard Giles, who was a freeman at the time, was given liberty to make a door through the Town Walls to the road on the outer side.

1782 – Nicholas Giles Esquire carried out major rebuilding and renovation.

1812 – The Duke of Devonshire purchased for £3,500 the interest of the Giles Family in the College.

1813 – Thomas Moore, the poet, with company of Lord and Lady Lansdowne, visited the College and lunched there.

1860 – The College was purchased by D.L. Lewis Esquire of London.

1862 – The Northern wing, designed in the then fashionable Gothic revival architecture was built at a cost of £500.

1868 – Mr. Samuel Allen, a local merchant, purchased the College. In the early part of the 20th Century it was purchased by Mr. Martin Fleming, also a local merchant, whose sister sold it to the Sisters of the Sacred Heart in about 1950.

In 2007 Youghal Town Council entered into a 99 year lease of part of the building to Hatherton Ltd. for an Enterprise Centre. In 2011 the remainder of the building was transferred on the approval of the Council to Hatherton Ltd. T/A Enterprise Youghal.

Youghal Town Council have continually maintained the 5 acres of College Gardens since 2002 the date of this original purchase. The gardens have been maintained to a very high standard and have been publically accessible for that entire period. Youghal Town Council have lost four full time and four part-time positions over the last three years. This has resulted in considerable cut backs and staff redeployment over that period. During this time Youghal Town Council have continued to maintain the Gardens.

It now transpires that Youghal Town Council will lose two further staff through retirement over the next 18 months commencing in January 2013, one of those being the Gardener who currently maintains the College Gardens. The Government through its recruitment embargo will not allow Youghal Town Council to replace these staff.

It is I'm sure you will agree, vitally important that these important Medieval Gardens are maintained and will continue to remain open to the public. The historic core of Youghal is a vital tourism attraction for the Town.

Consequently after mature reflection on the subject matter I am recommending to Council the following:

- 1) That Youghal Town Council License on an annual basis the 5 acres of Medieval College Gardens to Hatherton Ltd., T/A Enterprise Youghal. (Subject to the approval of Hatherton Ltd. T/A Enterprise Youghal).
- 2) That Youghal Town Council pay a sum by way of amenity grant (to be agreed annually as part of the Youghal Town Council Budget) to Hatherton Ltd. T/A Enterprise Youghal to maintain the College Gardens and to open these to the public as is currently the case.
- 3) That should the Employment Embargo cease the License arrangements shall cease within a reasonable time.

Alternatives to the above would be:

- 1) Remove an existing member of staff from the main thoroughfare of the town (such as from street cleaning/grass cutting etc) and assign to maintain the gardens. This would just transfer the problem from one area to another as we are short staffed currently, and would be detrimental to the look of the Town.
- 2) Hire a private contractor to maintain the gardens. (This would result in no visible council presence in the area on most days and would lead to other difficulties in the opening & closing of same to the public.
- 3) Close the gardens. This would be a complete disaster after the many years of loving maintenance carried out by Frank Keane.

On the proposal of Cllr. Revins which was seconded by Cllr. Beecher the members unanimously agreed to Option 1 – the licensing of the Medieval College Gardens to Hatherton, T/a Enterprise Youghal on an annual basis.

Taking in Charge of Springfield Court:

On the proposal of Cllr. Murray which was seconded by Cllr. Linehan Foley the Members unanimously agreed to commence the taking in charge process for Springfield Court.

Extension of time:

On the proposal of Cllr. Revins which was seconded by Cllr. Linehan Foley the Members unanimously agreed to an extension of time.

Southern Regional Drugs Task Force:

On the proposal of Cllr. Hennessy which was seconded by Cllr. Revins the members unanimously agreed to the nomination of Cllr. O’Sullivan to the Southern Regional Drugs Task Force.

Youghal Light Keepers Cottage:

The Town Clerk circulated to the Members copy of a letter he had received from Commissioners of Irish Lights in relation to the lease of the Light Keepers Cottage. The Members agreed to defer the matter to the Budget 2013 Sub-Committee.

IBAL Results:

The Town Clerk circulated the Member with a copy of the IBAL Results for 2012. Youghal came 18 in the rankings of 42 Towns and Cities and rated “cleaner than European Norms”.

Report by Cllr. Burke On the Municipal Policy Heritage Committee

1. Town Walls

A grant of €30,000 has been secured for the Town Walls and Cumnor Construction Ltd. are due to commence work shortly. The works will involve repairs to the Montmorenci Gate section and are due for completion at the end of October.

2. Clock Gate

The formal transfer of the Clock Gate to Youghal Socio-Economic and Development Group has been completed and a grant of €160,000 has been approved by SECAD for works to the exterior of the building. A contractor will be appointed as soon as the formal approval issues from the Department of Heritage.

3. Public Realm

Works have been completed on the Market Square and works are presently ongoing on paving the central part of Chapel Lane to the same high standard as Emmet Place and Church Street. In 2013 it is hoped to undertake major refurbishment works to Neylin’s Quay to include resurfacing, paving in a similar manner to Market Square, a covered area for events and transparent flood barriers.

4. St. Mary's Collegiate Church

A grant of €8,000 has been secured for a Conservation and Management Plan and this work is being carried out by John Cronin and Associates. Minor works have been completed to the Church including rewiring, refurbishment of the kitchen, and repairs to the roof .

5. Youghal Medieval Day

This year's Medieval Day was yet again another outstanding success with an attendance of in excess of 6,000 visitors to St. Mary's College Gardens on the day despite threatening weather conditions. This was probably again the largest attendance of any participating town in Ireland. Prizes for the raffle were sponsored by local traders whom I wish to sincerely thank for their support. The great success of this event is due to a very hard-working voluntary committee whose members included Cllr. Mary Linehan-Foley, John Foley, Catherine Desmond, Eileen MacDonald, Clodagh Mahon, Kieron Groeger, John Kelly, Ned Brennan and Youghal Boy Scouts. Gratitude is extended to all who assisted in the organizing, all who helped on the day, also to the participating stall-holders and to the media for their coverage.

6. Town Atlas.

Publication of the Youghal Town Atlas is eagerly awaited and is due for publication in 2013.

Motion in the name of Cllr. O' Sullivan:

"That this Council shall write to the Minister for the Environment, Community and Local Government, Mr. Phil Hogan T.D. to reverse his decision to cut the Local Government Fund 2012 allocation to Youghal Town Council by €86,663 and to hold true to his promise of redistributing the monies raised by the household charge into the local community forthwith".

This motion was seconded by Cllr. Revins and unanimously adopted by the Members.

Correspondence September 2012.

1. Letter from the OPW in relation to funding for the collapsed sea wall at Lighthouse Hill.
2. E-mail from An Bord Pleanála in relation to Aldi Planning Application.
3. Notice from AOIFE in relation to the Irish Festival Events Annual Conference 2012.
4. E-mail from Cllr Murray in relation to a Traffic & Transportation Presentation.
5. A letter from An Garda Síochána in relation to correspondence and Annual Report of the Joint Annual Policing Committee.
6. Letter from the Department of the Environment, Community & Local Government acknowledging letter in connection with the 2011 Annual Report for the Joint Policing Committee.
7. Motions received from Monaghan Town Council.
 - a. "That this Council write to Joan Burton, Department of Social Protection regarding her decision to stop unemployment payments to part-time firemen who are on 24 hour call, who are deemed to be unavailable for work".
 - b. "That Monaghan Town Council supports the introduction of bye-laws or other measures which would ensure that circuses which use wild animals are prohibited from performing in any part of this local authority area, in light of the well documented evidence of suffering endured by the animals involved and the serious animal welfare issues raised".
8. Acknowledgment of letter from the Department of Justice and Equality.
9. Thank you letter from the Irish Blood Transfusion Service.
10. Agenda from the Rattoo Heritage Society in relation to their forthcoming seminar. On the proposal of Cllr. Linehan Foley which was seconded by Cllr. Revins the Members unanimously agreed that Cllr. Burke would attend this Seminar,
11. Letter seeking sponsorship for the National Council for the Blind from Seamus Kelly.
12. Invitation to the Charity 3 Ball Open Scramble from Claycastle Pitch & Putt Club.
13. Notice of Motion received from Nenagh Town Council:

" That this Town Council write to the appropriate Government Department to start the process of allowing Irish Passport Holders that are living abroad the right to a vote in our National Elections and

that we seek support from other Councils for this motion” 14. Notice of Motion received from Donegal County Council:

“That the Government

assesses fairly “Small Enterprises” in the County to establish whether or not they are in a position to meet the current demand for commercial and water rates and that Donegal County Council offer to be involved in a pilot project of the review of rates nationally” .

15. Brochure from LAMA in relation to their Autumn Seminar 2012.

16. Traffic Management Plan in relation to Lighthouse Road from Manning Ground Engineering Contractors Ltd.

17. Notice from TGR Seminars in relation to Information Seminar for Councillors.

18. Notice from Celtic Conferences in relation to a conference on Local Government Reform.

19. Notice from Superior Training in relation to a Training Seminar for Councillors.

20. Notice of Motion received from Donegal County Council.

“In keeping with the will of the Irish people as emphatically expressed in the referendum of 1983, Donegal County Council opposes any form of legalisation of abortion in any circumstances”.

21. Notice from TGR Seminars in relation an Education Seminar for Councillors.

Cllr. O’Connell asked if each Councillor would give an account of each seminar that they attended.

Cllr. O’Connell said it would be beneficial to all the Councillors to listen to the experiences of other Councillors.

Any Other Business:

The Mayor asked for an update in relation to proposed Town Twinning with New Bedford. The Town Clerk informed the Members he was in the process of having the Charter drawn up. The Members would be required to set aside funding for this new twinning in 2012 and a new committee formed to develop this new twinning arrangement.

This concluded the business of the meeting.