

**Minutes of the Fermoy Municipal District Meeting
held on Tuesday, 21st February 2017**

In Attendance: Cllrs. Kay Dawson, Ian Doyle, Noel McCarthy, June Murphy, Deirdre O' Brien, Frank O' Flynn; Mary Hayes SEO, Brendan O' Gorman SEE, Pauline Moriarty MDO, Lydia Kelly ASO.

1. MINUTES:

(1) Minutes of the Fermoy MD Meeting held on 17th January 2017.

The Minutes were agreed on the proposition of Cllr. Noel McCarthy, seconded by Cllr. Kay Dawson.

2. DISPOSAL OF PROPERTY

(1) To consider the disposal of disused spring and reservoir at Glenarousk, Castlelyons, Co. Cork to Mr. Paul Cashman, Glenarousk, Castlelyons for the consideration of €1.00.

The Members noted the documentation and map submitted in relation to this disposal of property, and it was agreed on the proposition of Cllr. Frank O' Flynn, seconded by Cllr. Noel McCarthy.

3. REPORTS and RECOMMENDATIONS

(1) 2017 Restoration Improvement (RI) Programme

Brendan O' Gorman SEE introduced this programme, explaining the numbered, colour-coded references on the relevant map and spreadsheet. The yellow indicators, numbered 1-25 show the wet-mixing proposals for 2017 and the projects indicated in pink, numbered 26-38 on the map, are urban, blacktop areas for 2017. The last three jobs listed (in red text) in each programme are discretionary items and will be done subject to satisfactory funding being in place, and every effort will be made to finish the entire programme as shown. Brendan explained the background and extent of each of the proposed jobs. If warranted, traffic calming (ramps) will be incorporated as part of the blacktop work when it is being done on a particular section of road, subject to compliance with traffic calming policy. Brendan informed the Members that the total RI budget allocation for 2017 is €1.6 million, which represents a slight increase on 2016, but the maintenance budget is down 10% this year.

In relation to CIS jobs, of a potential five planned for this year, one has already paid the 15% community contribution, two schemes are agreed and there are one or two others to be finalised. There is one LIS project planned for 2017, a continuation of the roadway to 'Kartworld', Watergrasshill. Total cost here is €25,260, the cost of which to CCC after local contribution is paid is €20,480. Brendan requested the Members acceptance of this proposed LIS and it was agreed on the proposition by Cllr. Noel McCarthy, seconded by Cllr. Frank O' Flynn and this will be taken out of our 1007 allocation for the year.

(2) 2017 Restoration Maintenance (RM) Surface Dressing Programme.

Brendan O' Gorman SEE went through the proposed programme for these works for 2017, informing the Members that the budgetary allocation here is €648,762. Some of these roads included on this programme have been the subject of recent representations and notices of motion over the past number of years but mostly based on road condition surveys. Brendan explained the background and extent of each of these jobs, totalling 36km in length. Fermoy MD is the first district to start its wet-mixing programme, due to begin on 27th February, and this will continue for six to seven months. The surface dressing season will take six to seven weeks. Further to a query from Cllr. Ian Doyle if any other location can be considered, Brendan replied that additional work could be considered, if required, using discretionary funding. Brendan answered any queries the Members had and said the entire programme as presented will be completed this year, subject to meeting our budgets.

The Members welcomed both of the programmes and complimented Brendan on his work preparing them. They voiced their dissatisfaction on the 10% reduction of the maintenance budget, saying this is unacceptable. Further to a discussion, it was agreed by the Members that this issue would be raised at full Council, and highlighted to the Director of Roads for his consideration. It was also agreed that the TII are to be contacted to call attention to the unacceptable situation where local

roads being used as diversions are being damaged, but no funding for repair /repair work is being provided.

On the proposition of Cllr. Noel McCarthy, seconded by Cllr. Frank O' Flynn, both the RI and RM programmes for 2017 were agreed.

(3) 2017 Footpath Programme.

Brendan O' Gorman SEE went through the provisions of the 2017 Footpath Programme, informing the Members that funding for this programme is from three sources this year, discretionary funding of €72k, a development contribution of c.€39k for Kilworth and capital funding to the value of €105,945. Brendan informed the Members that Avondhu Leader are considering a project for the area incorporating Oliver Plunkett Hill and Casement Row on the north side of Fermoy town. The MD programme will be carried out in conjunction with the Town Development Fund programme and includes proposals in towns, villages and higher population areas throughout the district. Brendan answered any queries the Members had and the Members, in turn, welcomed the programme. Pauline Moriarty MDO advised the meeting that proposals under the 'Town Development Fund', 'Village Enhancement Programme' and 'Public Realm Enhancement Fund' are currently being compiled and will be presented at the March 2017 meeting for consideration. With eleven villages in the district, it is planned to concentrate on two this year, for which there is funding of €62.5k, equalling c.€31.25k each. Mary Hayes SEO added that all villages will be funded for similar projects over the coming years and the CPG have identified the need for these types of works using Public Realm Enhancement Funding. Brendan O' Gorman said the Council will be working closely with the villages to agree schemes and said communities are very pro-active in coming forward with proposals. Cllr. Kay Dawson requested that 'weaker' communities be encouraged and supported to prevent their being left behind and further to Cllr. Dawson's enquiry Pauline confirmed that these grants to communities do not impact on Amenity Grant application funding.

The 2017 Footpath Programme, as presented, was agreed on the proposition of Cllr. Frank O' Flynn, seconded by Cllr. Noel McCarthy.

(4) UPDATE 2016 Public Lighting Capital Works Programme.

The progress to date on the 2016 Public Lighting Programme was noted by the Members. Brendan O' Gorman SEE informed the Members that the 2017 programme is currently being compiled and said it is planned to have this year's contract tendered out earlier in the year to have the new lighting in place before the darker months of winter approach. Cllr. Noel McCarthy asked for an update in relation to McCurtain Street, Fermoy, to which Brendan O' Gorman SEE replied that an upgrade to the existing lights has been agreed by the Public Lighting Section and will be carried out, but that funding is not currently available for the installation of the additional lights Cllr. McCarthy is requesting on the opposite side of the street.

(5) REPORT Beechfield Junction (Traffic Signalisation Works)

Brendan O' Gorman SEE informed the Members that the works at this junction were now complete and operating as designed and will continue to be monitored on an ongoing basis. Improvements and adjustments have been made to the lighting sequence since inception. The issue of the bollards at the laneway off the junction has come to the fore since the introduction of the scheme, however, there have been no conflict issues noted. There are some driver issues that will need the attention of An Garda Síochána. The issue of the new signalisation works and all associated matters will be raised at our next MD meetings as previously committed and any observations by the executive or the Members can then be discussed. The Members welcomed the benefits brought about since the installation of the signalised junction, which had been sought since 2009, and agreed that the safety of road users had improved. They did acknowledge that the issue of the removed bollards is still of concern.

Cllr. June Murphy said, as representative of the over 400 signatories of the petition, there are safety issues here and she proposed the immediate re-instatement of the bollards. Cllr. Murphy's proposal was not seconded by any of the Members. Brendan O' Gorman SEE responded saying it is not the recommendation of the executive to do so at this time, but agreed to have a final decision at the

March meeting . Following a discussion, it was agreed that the junction would be monitored over the coming month, all aspects of the situation considered and a decision made in due course.

(6) UPDATE Casual Trading Bye-Laws

Noting the contents of the correspondence from Mac Dara O' h-Icí, which indicates a delay in the introduction of the Bye-Laws, Pauline Moriarty MDO advised the Members that the only recourse now is to await progress on this situation and a further update. Mary Hayes SEO added that a Market Manager is being consulted in relation to the issues raised and that a six-month research timeline is being envisaged. The Members voiced their disappointment at the delay, but acknowledged that it is important to get the Bye-Laws (and the matter of casual trading) right and agreed that the additional time is an opportunity to consider if there are any other provisions to the Bye-Laws which might be required. Pauline Moriarty MDO advocated the allocation of a casual trading space in every area of population to allow for any future casual trading need. The Members will await the updated report when issued.

4. NOTICES OF MOTION

Cllr. June Murphy

1. "requesting an update on the motion asking Coillte to carry repair works to the road and parking area in Kilworth woods".

I wrote to Coillte on the 5th July 2016 on foot of my reply to the Notice of Motion at our June meeting. We got no acknowledgement or reply. I have sent them a reminder letter seeking a reply in this matter. (BO'G)

This motion was supported by Cllrs. Noel McCarthy and Frank O' Flynn.

Cllr. Kay Dawson

2. "call on Cork County Council for a update on the sale of the Convent building in Mitchelstown".
On 2nd February the Council was informed that the interested party has returned the contracts unsigned and is not proceeding with the sale, citing the protected structures on the site as causing an insurmountable difficulty to them. It is likely that the property will be put up for auction in March. I will review the file to establish the Council's next course of action and revert to Members. (PM)
Cllr. Dawson said this news is a cause of huge concern for the people of Mitchelstown. The building is falling into further disrepair as time passes and it is now a site of anti-social behaviour. Pauline Moriarty MDO said she will consider the building from a Derelict Sites perspective and revert to the Members at the next meeting. Cllr. Ian Doyle highlighted the issue of buildings being 'protected structures' which acts as a dis-incentive to Developers, while Cllr. Frank O' Flynn enquired if the building could be acquired by the Local Authority for future use. Pauline agreed to make enquiries and provide an update at the March meeting.

Cllr. Ian Doyle

3. "that Cork County Council would take away double yellow lines in front of Old Christian Brothers school in Main Street Charleville. This school is idle and this action would release valuable parking spaces on Main Street".
Approved. By-law will be amended in due course. (BO'G)

Cllr. Frank O' Flynn

4. "that Cork County Council call on the Transport Infrastructure Ireland to retain the present speed limit of 50km at Glenahulla Mitchelstown in the interest of safety of school children, and all road users".

This executive of Cork County Council have already called on Transport Infrastructure Ireland to reconsider this during the consultation phase on foot of concerns of the elected members and the executive and we were advised of the following in their reply: (BO'G)

10 ROUTE 10 - N73

The submission relating to this location has been assessed in accordance with the Guidelines and it is recommended that retaining the 50km/h SL is not appropriate on this section at this time. This recommendation is the result of the following criteria:

- Level of development density is below that required in the Guidelines for the purpose of applying an urban SL of 50km/h (Table 7.4, Para 7.3.4);
- Roads should be self-explaining or self-regulating (Para 5.3.6), therefore other engineering measures would be required in order to reinforce a SL of 50km/h.

Taking into consideration the items identified within this submission, in addition to the findings of the independent assessment of this section, it is recommended that the existing 50km/h SL should not be retained. However it is proposed to provide an urban 60km/h speed limit based on the provision of some ribbon development. In addition it is proposed to provide a 40km/h periodic speed limit in the vicinity of Glenahulla N.S. which will be in operation during school hours which is a reduction. Cllr. O' Flynn requested if the TII could be contacted again with a view to reversing the decision on the speed limit changes proposed at this location. Brendan O' Gorman SEE outlined the full scope of the correspondences to the TII to date on this issue, and said the TII are now due to reply to the RSA on this matter, details of which reply will be forwarded to the Members. However, Brendan undertook to, once again, convey the Members concerns to the TII.

Cllr. Noel McCarthy

5. "that this Committee receive an Engineer's report on what extra traffic calming measures can be put in place on the Rathealy Road, Fermoy".

I would propose that the Sub-Aqua club engage with the local roads office in the provision of a speed detector (driver feedback sign) for the area in question, which will be supported by means of a 50:50 cost arrangement. (BO'G)

This motion was supported by Cllr. Frank O' Flynn.

Cllr. June Murphy

6. "requesting a schedule of works, including time-frame, for the proposed work on the soil vents in Stag Park, Mitchelstown".

Housing Directorate.

This motion was supported by Cllr. Frank O' Flynn; and Pauline Moriarty MDO undertook to seek a reply to this motion from the Housing Directorate for the next meeting.

7. "that this Council begin the formulation of a plan that would remove the numerous unsightly electricity poles and cables from the town of Mitchelstown to be replaced by something more in keeping with a town trying to enhance its image with a view to increased tourism etc."

Undergrounding of overhead wires can only be considered if there is major funding allocated towards a major capital or street refurbishment project. The costs involved in undergrounding said infrastructure is astronomical at present, we have been quoted in the past €150K to do a 200m stretch in a town centre. Unless a source of funding is readily identified, there is no benefit in formulating a plan that in itself would have resource implications. (BO'G)

Brendan further explained that this type of works will be possible when improvements in the economy lead to an increase in development, which in turn will generate development contributions that could be used for capital projects. The request for undergrounding will be kept to the forefront going forward and for consideration on an ongoing basis.

8. "do the Council have any knowledge of work being carried out at the Farahy River around the landfill area and if so what is the purpose of these works and are the Council directly involved in the work? If work is being carried out can it be confirmed that all the proper planning permission is in place as the area is the home of the Hen Harrier which is a protected species? With the river being an important source of water supply for North Cork can we be sure that any work being carried out is not causing potentially very problematic environmental issues? Could the Council also confirm who are the owners of the site?"

Works at the racetrack site are all currently under investigation by the Agri and Planning Sections, CCC and Fisheries. (BO'G)

Brendan told the Members that when information on this issue becomes available to him he will forward to them. He further advised that it is a Planning issue with regard to Enforcement.

9. “request that members and a representative from CCC and also a representative from An Garda Síochána meet with the Board of management of Glenahulla National School to discuss all their concerns regarding the new speed limit changes, health and safety concerns and any other issues they may have so we can work together to improve health and safety conditions at the school”.
As this is a National Road the speed limit suggestions are coming from the Consulting Engineers employed by Transport Infrastructure Ireland”. Following representations and further internal correspondence from the Council, the Road Safety Authority (RSA) have already requested the matter to be reconsidered by the TII and we are awaiting their response, which will be conveyed to the members when received. I have already met and spoken to the Gardai in this matter. (BO’G)

Cllr. Kay Dawson

10. “call on the Council for a progress report on the By-Laws for street traders in the Fermoy MD”.
See email attached with this agenda re: same. (PM)
11. “request information as to the times allocated to Mitchelstown by Litter/Traffic Warden”.
Two Traffic Wardens monitor three towns - rota in place with 50% of their time spent in Fermoy due to pay parking and 25% of their time spent in both Mitchelstown and Charleville. In days this equates to three days in Mitchelstown per week for one month and two days per week the following month. (PM)
Cllr. Noel McCarthy complimented the two Traffic Wardens on their work. Cllr. Kay Dawson enquired if there was an update on the recruitment embargo. Pauline Moriarty MDO undertook to write to the Personnel Department for an update in this regard. Mary Hayes SEO informed the Members that a county-wide survey is being undertaken to ascertain the current level of service and identify the required level of service and a report will issue to them in due course.
12. “call on Cork County Council to repair footpath on the Mallow side of Stack’s Funeral Home in Doneraile”.
Local repairs will be done. (BO’G)

Cllr. Ian Doyle

13. “that Cork County Council would resurface road at cross Bakers Road /Railway Road. High volume of traffic /heavy goods vehicles has caused road deterioration”.
Based on our current level of funding, it will be early 2018 before a funding stream can be identified for this body work. However, smaller patch repairs will be carried out in the coming weeks. (BO’G).
14. “that Cork County Council would look into traffic calming measures through Newtown Village particularly outside Church coming towards School”.
There is no funding for traffic calming in this MD presently. I will advise the Members of any changes to this if and when it arises. As notified previously, if we are resurfacing a street that has a traffic calming requirement, we will install tarmac ramps as we go, subject to meeting traffic calming policy. (BO’G)
15. “that Cork County Council in conjunction with Respond would work with proposals re Lighting and access to Hill View Estate in Charleville as a result of last meeting with statutory bodies and residents”.
Cllr. Ian Doyle informed the meeting that there are two additional lights required here. He has conveyed this request to Donal O’ Carroll and Pat O’ Connor, Housing Department and it is to be considered.
16. “that Cork County Council in conjunction with Irish Water would ensure roads in Ballinakill East and West are repaired satisfactorily after much needed works”.
Irish Water or their agents are subject to the same stringent conditions attached to MRL road openings, as per any other private contractor, and this will be strictly enforced. (BO’G)

Cllr. Frank O' Flynn

17. "that Cork County Council put in place traffic calming measure and road refurbishment at Clonmel road Mitchelstown out as far as the bridge in the interest of safety".
Dairygold are actively engaging with us with a proposal for a new controlled pedestrian crossing and raised ramp and buildouts adjacent to the Main Office reception building /staff car park across the way (funded by special development contributions from planning). I expect these works to commence within a number of weeks and will be subject to a formal road opening application by their appointed contractor. There is no requirement for road refurbishment out to the bridge and any additional traffic calming requirements will have to be deferred until an additional budget becomes available. (BO'G)
Brendan O' Gorman SEE acknowledged the request in this motion but advised that lack of funding prevents any further works here. He will request An Garda Síochána to monitor the situation.
18. "that Cork County Council provide a traffic warden at the school crossing at Bunscoil na Toirbrithe, Mitchelstown in the interest of safety of school children".
Pauline Moriarty MDO informed the Members that the CE had agreed the provision of an additional School Warden could be considered when preparing the budget, and to this end €10,000 had been provided. Further to a brief discussion, on the proposition of Cllr. Frank O' Flynn, supported by Cllrs. Kay Dawson and Noel McCarthy and agreed by all the Members, it was agreed that recruitment of a School Warden at Bunscoil na Toirbrithe, Mitchelstown would commence.
19. "that Cork County Council put in place a footpath from Cornahinch Cross, Doneraile up to the first dwelling house on the left hand side of the road to Two Pot House which has been the scene of accidents recently in the interest of road safety of pedestrians and all road users".
Will be referred to the correct MD i.e. Kanturk /Mallow MD. (BO'G)
20. "that Cork County Council clean and refurbish the large cross in St Dominic's Cemetery, Glanworth".
Pauline Moriarty MDO will arrange an inspection of this request and arrange for works, if warranted. She agreed to also consider the cross at Killisane Cemetery for similar works.

Cllr. Noel McCarthy

21. "that this Committee would carry out road works outside the home of Chandlers at Dundellerick East, Leamlara, Co. Cork to alleviate flooding at this location".
Works can be progressed once the second unauthorised entrance is closed up. (BO'G)
22. "that this Committee would get an up-to-date report on when the extra traffic calming measures are to take place at the entrance of Barry's Boreen, Fermoy".
Two design solutions are to be brought to the landowner in question in the coming weeks and if we have agreement on one of these, the land purchase process can continue in the background and an agreed plan can then be put through by Cork County Council for a Part VIII planning to progress planning and construction. Funds have been ring fenced for the project via our capital plan for 2017. (BO'G)
This motion was supported by Cllr. Frank O' Flynn. Brendan further informed the Members that there should be progress here by Q2 /Q3 of 2017.
23. "that this Committee would carry out road works and drainage works outside the cottage of John Maher, Rahard, Ballyhooly to alleviate flooding at this location".
Further investigations required. (BO'G)
Brendan O' Gorman SEE will carry out an inspection here with a view to providing a resolution.
24. "that this Council would clear the drain outside 117 De Valera Drive, Beechfield, Fermoy".
For investigation. (BO'G)
Brendan O' Gorman SEE will carry out an inspection here with a view to providing a resolution.

5. REQUEST for CIVIC RECEPTION

The following request for a Civic Reception was received by the MDO in advance of the meeting and read out on the day by the Cathaoirleach, Cllr. Deirdre O' Brien:

"that this Committee would give a Civic Reception to Ploemur visitors who are twinned with Fermoy on the occasion of their visit to Fermoy in May".

A secret ballot was carried out and this request was agreed unanimously (six yes votes).

6. CORRESPONDENCE

(1) LETTER TII 7.2.2017 RE: CPO Approval for N73 Clogher Cross to Waterdyke Realignment Scheme.

Noted.

(2) LETTER Fermoy MD to Coillte 5.7.2016 RE: June 2016 Notice of Motion 10(5).

Noted.

7. TO CONSIDER MATTERS ARISING FROM THE MINUTES

None.

8. ANY OTHER BUSINESS

(1) SHANBALLYMORE GAA - Request to re-allocate 2014 Amenity Grant of €2,000 from construction of hurling wall to Phase 3 completion of boundary fence around pitch.

Pauline Moriarty MDO explained the reason for the change and recommended the re-allocation of this grant; which was agreed on the proposition of Cllr. Frank O' Flynn, seconded by Cllr. Noel McCarthy.

(2) Cllr. Noel McCarthy - Kilcrumper Cemetery

Cllr. McCarthy complimented the work carried out at the cemetery and enquired if there were plans to deal with the re-occurrence of the build-up of waste material. Pauline Moriarty MDO replied that a refuse collection is provided for wreaths, the spoil is to be moved to behind the container and the area will be re-seeded as a deterrent to dumping.

(3) Cllr. Noel McCarthy - Old Court Cemetery, Doneraile

Cllr. McCarthy asked what arrangements could be made for the upkeep of this cemetery as the current level of maintenance is inadequate. Pauline Moriarty MDO replied that there is no full-time Caretaker here, as with many of the cemeteries. All options with regard to Cemetery maintenance, including that of assigning this work to Contractors, are being considered and Pauline will revert to the Members is due course.

(4) Cllr. Kay Dawson - Pruning of trees on George's Street, Mitchelstown

Cllr. Dawson requested an update on the situation with the tree-pruning proposed for George's Street, to which Brendan O' Gorman SEE replied that these works have been arranged.

Signed: _____



Date: _____

21/3/2017