

**Minutes of the Fermoy Municipal District Meeting
held on 18th January 2022**

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

1. MINUTES

a. Minutes of 'In Committee' Meeting held on 21.12.2021 (Mitchelstown RRDF Project).

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

b. Minutes of Fermoy MD December 2021 Meeting held on 21.12.2021.

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

2. DISPOSALS, GRANTS, LEASES ETC.

Situation: Grant of Right of Way at James St., Mitchelstown.

From Whom Acquired: Property registered to Cork County Council since 1985.

To Whom It Is Proposed To Dispose: Ann Honan, Lpr in the Estate of Michael O'Grady.

Consideration: €1.00.

The Members considered the information provided in relation to this proposal and the grant of Right-of-Way, as detailed above, was agreed on the proposition of Cllr. Deirdre O' Brien, seconded by Cllr. Frank O' Flynn.

3. REPORTS & RECOMMENDATIONS

a. REPORT : MDO January 2022 Report

Pauline Moriarty MDO went through her report, which was uploaded to QuickMinutes and displayed onscreen for the Members information. Items of note and discussed were as follows:

- Mary Hayes SEO informed the Members that general upgrade, repair and refurbishment works are to be carried out in Doneraile playground, to include repairs to the damaged ground surface. These works are scheduled to commence on 21st February 2022 pending OPW approval. She confirmed, further to a query from Cllr. Frank O' Flynn, that the playground will be closed while these works are being carried out and that the elected Members and the public will be notified beforehand of the planned works and closure timeframe.

- Cllr. Noel McCarthy, in relation to pay parking in Fermoy, enquired if the facility to pay by card could be provided and also enquired if weekly / monthly tickets are available. Pauline Moriarty MDO replied that there are 25 pay machines in Fermoy and it could be very costly to adapt or replace these machines to take card payments, but she undertook to refer this query to the Director and will revert back to the Members in due course. Weekly tickets are currently available on the pay machines (except Library Car Park, which is pay per hour only) and monthly tickets can be purchased from the MD office in Fermoy Town Hall.

Cllr. William O' Leary endorsed Cllr. McCarthy in relation to the option of card payments, saying many people no longer have cash / coin with them to make payments.

- Cllr. Noel McCarthy, in relation to funding to Fermoy Tidy Towns, enquired if their application for funding from the Community Fund is separate from their usual funding. Pauline Moriarty MDO replied that there are no changes to the rules from 2021, it is the same as last year.

- Cllr. Kay Dawson enquired if a list of the Derelict Sites could be provided, to which Pauline Moriarty MDO replied yes. Cllr. Dawson also sought clarity on the difference between a 'derelict site' and a 'dangerous structure' to which the executive replied different legislation applies to each of these situations - a derelict site is one which detracts from visual amenity and these are governed under the Derelict Sites Act 1990. It can also include for significant structural dereliction where loose masonry, falling plaster, significant cracks, structural defects, generally ruinous conditions are bordering on dangerous. A dangerous structure is any part of, or anything attached to a building, wall or other structures of any kind that, in the opinion of the Sanitary Authority, is or is likely to be dangerous to any person or property, and this is governed by the Local Government Sanitary Services Dangerous Structures Act 1964.

· Cllr. William O' Leary asked if there will be flexibility for applicants of 2021 Community Grants to enable delayed drawdown as many groups are finding it difficult to get works done. Pauline Moriarty MDO replied yes, this leeway is certainly available and community groups can make contact and liaise with Catherine Price in Fermoy, who administers these grants, to discuss their situation accordingly.

The Members noted the contents of the report under other headings and thanked Pauline for the report.

b. UPDATE : Derelict Sites Progress Update

This item was discussed within the context of the MDO report (Item 3a).

c. Safety Improvement Scheme : draft layout Duntaheen Road/Relief Road Junction .

Brendan O' Gorman SEE informed the elected Members of the plans to carry out accommodation works here to widen the roadway, providing for a two metre footpath. The land purchase is currently being organised and it is to be determined if planning permission is required. Following completion of the land acquisition by the Property Section, the Design Team will then prepare the drawings and plans, the landowner will be updated and the executive will make the arrangements necessary for the works to proceed. Brendan is hopeful to complete the works within 2022 and will keep the elected Members updated. The elected Members thanked Brendan and welcomed the proposals, agreeing this will enhance safety at this location.

d. 2022 Fermoy RI Programme

Brendan O' Gorman SEE went through this €3.4million programme which was uploaded to QuickMinutes and displayed onscreen for the Members information. Brendan advised that if the budget is reduced this will be reflected in a reduction in the blacktop work, with no change to the RI wetmix programme foreseen, but he is hopeful that the budget will be, at least, the same as 2021. Works on this programme will start in Lyre, Araglin on 31st January and proceed for eight months. Members comments and queries were as follows:

· in reply to a query from Cllr. William O' Leary, Brendan confirmed that the drainage and other ancillary programmes / updates will be available for the elected Members when the final budgets are announced and as works proceed to commitment.

· Brendan replied to a query from Cllr. Kay Dawson that the second section of the road in Ballybeg will be done in 2023 or 2024. Cllr. Deirdre O' Brien advised that there are natural springs in this area causing damage to the road surface on an ongoing basis. Brendan said he is aware of this and will bear this in mind when planning work for this road, adding that relevant landowners will need to co-operate here to take water off the road.

e. PROGRESS UPDATE : Public Lighting Programme

Brendan O' Gorman SEE went through this programme, uploaded to QuickMinutes and displayed onscreen for the Members information. Members comments and queries were as follows:

· Cllr. Deirdre O' Brien enquired for a light on Arch Avenue between Lower Cork Street and Thomas Street, to which Brendan replied he has requested this of our Public Lighting Section.

Cllr. O' Brien also enquired for an update on the additional lighting sought between Stag Park and Mallow Road roundabout, to which Brendan confirmed funding will be sought for this lighting.

· Cllr. Noel McCarthy enquired if any improvement could be made to the lighting on the northside of the pedestrian crossing on McCurtain Street, Fermoy (Avondhu Newspaper office side) to which Brendan replied an additional beacon is planned for installation here early this year.

f. Proposed Extinguishment of Public Road under Section 73 of the Roads Act 1993 – Rathcormac Green (old school road).

Brendan O' Gorman SEE advised the Members that planning permission has been secured by the Community Council for the Innovation and Learning Centre adjacent and road widening under Cork County Council of the other public road is nearing completion. A public consultation under Section 73 will now be carried out for the internal road in order to have this process complete and site ready for the commencement of these future third party works.

4. NOTICES OF MOTIONS - to consider Notices of Motions (15)

Cllr. Noel McCarthy

1. “that this Council would carry out works to alleviate flooding in Barry’s Boreen outside the home of P61 KP63”.

Works are scheduled in Q1 2022. (BO’G)

Cllr. McCarthy also requested the potholes be filled at this location, which Brendan undertook to arrange.

Cllr. Frank O’ Flynn

2. “that Cork County Council replace and repair the damaged footpath at Fitzgerald Place, Clondulane and alleviate the water ponding on the road and footpath in the interest of safety”.

We have included this locus for substantial surface water drainage and footpath raising works as part of a submission application for funding under 2022 climate adaptation funds. (BO’G)

Cllr. Kay Dawson

3. “call on Cork County Council to resolve the problem of water pooling at the exit of Ballinwillin near Maxol”.

Will be addressed in due course. (BO’G)

Cllr. William O’ Leary

4. “that this Council would install a disabled parking bay at the outside of the Abbey Bar, Castlelyons”.

No objections to the request. (BO’G)

Cllr. Deirdre O’ Brien

5. “that this Council will install yellow box outside private residence, 2 Edward Street, Mitchelstown”.

Existing faded markings will be renewed in due course. Road also on this year’s resurfacing programme. (BO’G)

Brendan commented in addition to this reply that the two small boxes will be re-done imminently and the larger box will be renewed following the resurfacing work.

Cllr. Noel McCarthy

6. “that pothole repairs be carried out at Ballinahoun Cross, Fermoy”.

Will be done. (BO’G)

7. “that this Committee would write to the new owners of the old Mart site in Fermoy asking them have they plans to tidy up the area”.

Correspondence was issued to the new owner using Derelicts Sites procedures in Nov 2021.

Following this letter, the owner contacted me outlining that they had scheduled works to render this area non-derelict. Works are currently underway. (PM)

Cllr. McCarthy noted that very effective and satisfactory clean-up works have been carried out here by the new site owner and he thanked them, and Pauline Moriarty MDO for her intervention.

Cllr. Frank O’ Flynn

8. “that Cork County Council repair the damaged sections of the footpath at Monument Hill, Fermoy in the interest of safety”.

Will be addressed under our 2022 footpath programme and discretionary funds. (BO’G)

9. “that Cork County Council repair and replace the sections of the damaged footpath at Conna village in the interest of safety”.

There are no damaged sections at the particular locus identified. If the pub owner needs to install a DPM along the front wall, we will reset the existing cobbleblock to meet his requirements. (BO’G)

Cllr. O’ Flynn clarified that some sections of the footpath here are sunken, undulating and slippery to which Brendan replied this has been caused by vehicles parking on the footpath causing consolidation and settling of the cobbleblock.

Cllr. Kay Dawson

10. “update on a lay by at Castleblagh, Ballyhooly (P51 FP64)”
Localised widening to facilitate passing traffic will take place over Q1 2022. (BO’G)
11. “call on Cork County Council to fill pothole on L-14092-0 Killeagh, Glanworth”.
Will be done. (BO’G)

Cllr. William O’ Leary

12. “that this Council would re erect the cross roads sign at Hags Cross, Castlelyons Coole Lower that was knocked down”.
All warning signs on the main road are in place. Advance warning junction sign and pole on the side road will be erected in due course. Regulatory stop sign is in place at the junction. (BO’G)
Brendan confirmed, further to a query from Cllr. O’ Leary, that he was aware that a sign had been knocked down here following a collision but that this has since been replaced here.
13. “that this Council would provide a progress report with regard to improvement works at Leary’s Cross, Castlelyons”.
The survey is completed. Design options under our L&RDO are ongoing in the background with draft options likely to be ready by the end of January. All proposals here will be presented to all Councillors in due course for further discussion. (BO’G)
Cllr. O’ Leary enquired on the timescale for the works here, asking if works will commence here in 2022 to which Brendan replied yes, route options will be available for the elected Members consideration in early January and works will be included in 2022 SIS (Safety Improvement Schemes) proposals.

Cllr. Deirdre O’ Brien

14. “that this Council would provide further traffic calming measures to ensure the safety of school children at Glenahulla NS or give consideration to the position of a Traffic Warden on site”.
This village, approaching from the east, has legacy traffic calming in place. There is a 60kph zone but a dropped down variable speed limit of 40kph in place during school peaks. The school has purchased lands to facilitate marked improvements to car parking and set down areas for buses and received planning permission from Cork County Council for same in 2021. We had sought Clár funding to part fund this in 2021 but were unsuccessful. We will try again in 2022. There is minute crossing of pedestrians here so a School Warden is not a viable solution. There is no warrant for a Traffic Warden. (BO’G).
This motion was supported by Cllrs. Kay Dawson and Frank O’ Flynn, who commended the Board of Management of the school who have been very proactive in their endeavours to enhance safety. On the recommendation of Brendan O’ Gorman SEE it was agreed that An Garda Síochána would be requested to provide additional presence at this location at peak school times and Brendan undertook to make contact with them accordingly.
15. “that this Council would resolve the surface water issue by laying a pipe around the perimeter of boundary wall in the green space of Roches Heights/Captain Keane’s”.
MD and Housing will liaise and resolve any surface water issues at this location. (PM)
Cllr. O’ Brien is now requesting that this issue be sorted out as soon as possible and Pauline Moriarty MDO undertook to liaise with the Housing Department to arrange a resolution here.

5. CORRESPONDENCE

None

6. TO CONSIDER MATTERS ARISING FROM THE MINUTES

RE: AOB 10(2) - Cllr. Noel McCarthy - Pedestrian safety concerns on Kent Bridge, Fermoy
Cllr. McCarthy enquired for an update on this matter saying there are at least three of these lights not working and the bridge is very poorly lit. Brendan O’ Gorman SEE replied that he had reported this to Airtricity and the required works should be done.

7. **ANY OTHER BUSINESS**

1. Cllr. Noel McCarthy - Grass cutting in Rathowen Estate, Fermoy

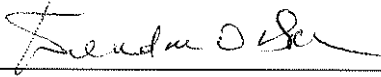
Cllr. McCarthy asked if the green area grass in Rathowen Estate could be included in the Council's grass cutting contract for 2022 as the residents here have difficulty collecting funds for such work owing to the high number of rental properties in the estate and they do not qualify for a grant as the estate is not taken-in-charge. He was supported in his request by the other elected Members.

Brendan O' Gorman SEE replied that unfortunately this is not feasible as this will set an untenable precedent for other such estates across the MD. Mary Hayes SEO and Pauline Moriarty MDO undertook to examine the situation in relation to the MD funding community grants to estates irrespective of 'in charge' status and Cllr. McCarthy was advised to recommend to Rathowen Estate that they submit the relevant application before the due closing date. Consideration will be given to the overall situation cognisant of what is happening in the other MDs across the county and a decision will be communicated to the elected Members, and the applicants, in due course.

2. Cllr. William O' Leary - Issues in Glencairn Estate, Rathcormac

Cllr. O' Leary highlighted two issues are this estate, namely an unsafe risen slab at the entrance to the estate and the unsightly boundary wall from which two layers of the material has disintegrated. Brendan O' Gorman SEE replied that the raised slab will be investigated and if it is deemed to be a roads safety issue it will be resolved immediately. In relation to the boundary wall, Brendan advised that the estate is still in the charge of the developer and accordingly it is the developer who is responsible for the green areas and boundary walls.

Signed _____



Date _____

17/2/2022