

**Minutes of the Fermoy Municipal District Meeting  
held on 21st September 2021**

**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.

At the outset of the Meeting, a vote of sympathy was passed by the Members to Lydia Kelly on the death of her father, Tony Newport. *Ar dheis Dé go raibh a anam dilis.*

**1. MINUTES**

**a. Minutes of Fermoy MD 'In Committee' meeting held on 21st July 2021 at 12.00pm**

The Minutes were agreed on the proposition of Cllr. Noel McCarthy, seconded by Cllr. William O' Leary.

**b. Minutes of Fermoy MD 'In Committee' meeting held on 21st July 2021 at 2.00pm**

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

**c. Minutes of Fermoy MD July 2021 meeting**

The Minutes were agreed on the proposition of Cllr. Noel McCarthy, seconded by Cllr. Deirdre O' Brien.

**2. DISPOSALS, GRANTS, LEASES ETC.**

**a. Disposal of lands at Ballydoyle, Castletownroche :: Disposal of lands at Ballydoyle, Castletownroche, Co. Cork as comprised in Folio CK14230, Plans no. 12 & 13. Area: 0.82 hectares/2.02 acres. From Whom Acquired: record not available. Land acquired by: Cork County Council in 1956. To Whom It Is Proposed To Dispose: Margaret Leamy, Ballydoyle, Castletownroche, Co Cork (purchaser is in longstanding possession of the lands). Consideration: €2,000.**

The Members considered the information provided for this proposal and the Disposal of Property, as detailed above, was agreed on the proposition of Cllr. Deirdre O' Brien, seconded by Cllr. Frank O' Flynn.

**3. REPORTS AND RECOMMENDATIONS**

**a. REPORT : September 2021 MDO Report (including update on Fermoy Weir Remediation and Fish Bypass Project).**

Pauline Moriarty MDO went through her report, which was uploaded to QuickMinutes and displayed onscreen for the Members information. Pauline firstly requested the Members approval for the Glenville Community Council Community Grant Re-Allocation and this was agreed on the proposition of Cllr. William O' Leary, seconded by Cllr. Frank O' Flynn. Pauline then requested the Members consider the issue of car parking charges in Fermoy town and following a brief discussion, on the proposition of Cllr. Noel McCarthy, seconded by Cllr. Frank O' Flynn, it was agreed that free parking in the town car parks would continue to the end of the year. It was also decided, further to a request from the Members, that a meeting would be convened prior to year end to discuss all aspects of car-parking arrangements in Fermoy, including pay-parking.

The Members noted items in the report under varying headings, and comments and concerns in relation to these items included the following:

- Pauline assured the Members that progressing a resolution for the recently collapsed building at No. 49 Upper Cork Street, Mitchelstown is a high priority, and that she is hopeful of some progress within the next two weeks.
- Cllr. O' Brien requested if two-hour parking could be extended up James Street to the entrance of the new carpark, to which Pauline replied she will check the relevant by-laws and revert.

- the Members requested the re-instatement of bins from Fermoy and Mitchelstown town centres which were removed under Project ACT 2020, to which Pauline replied these bins will be returned.
- all the elected Members unequivocally condemned the vandalism to the public toilets on Ashe Quay, Fermoy. They welcomed the Gardaí plan to speak to school students in relation to this unacceptable behaviour. The media were requested to highlight this vandalism to the public. The elected Members commended and thanked those staff who clean the toilets following such events.
- Cllr. Noel McCarthy requested street cleaning be extended to include Chapel Square and Little William O' Brien Street in Fermoy, which Pauline will arrange. Cllr. McCarthy asked if the Gardaí could also refer to littering when they are speaking to the school students.
- Cllr. Kay Dawson enquired for a pedestrian crossing in James Street at the new carpark, to which Brendan O' Gorman SEE replied the scope does not exist here for a full crossing but the newly installed ramps will slow traffic down to allow pedestrians cross the street safely.
- Cllr. William O' Leary asked if CLÁR works could continue in the future to extend and complete the walkway from the school to the GAA pitch in Ballynoe to which Brendan O' Gorman SEE replied the plan is to continue these works year-on-year to completion, pending funding.
- Cllr. William O' Leary enquired in relation to Community Grants and the percentage levels of match-funding required, saying he concurred with Cllr. O' Flynn that with reduced activity and income due to Covid-19, some community groups will struggle to meet these requirements. Pauline advised Cllr. O' Leary of the match-funding needed but assured him and the elected Members that requests by recipient groups to reduce or amend grants will be considered favourably in the circumstances. Pauline answered any questions the Members had and they in turn thanked Pauline for her comprehensive report.

**b. PROGRESS REPORT : 2021 RI / CIS / LIS Update**

**c. PROGRESS REPORT : 2021 Public Lighting Programme Update**

**d. PROGRESS REPORT : 2021 RM Programme Update**

Brendan O' Gorman SEE informed the Members that there are only two wet mix jobs remaining in the Mitchelstown area to be done and the indicative dates for completion of the blacktop work are included on the report. He added that works are almost complete on all 2021 programmes and all programmes are on schedule and within budget. Airtricity have been given the orders and should get works completed by year end on the Public Lighting programme. Drainage works will continue throughout the winter months, both planned and as the need arises. All the Member commended Brendan and the staff for the work carried out to date this year throughout the district under all the programmes, commenting that all work is to the usual high standard notwithstanding the difficult circumstances.

**e. PROGRESS REPORT : 2021 Footpath Programme Update**

Brendan O' Gorman SEE confirmed that the Footpath Programme works will continue throughout the winter months with an immediate roll-over from remaining 2021 programme works to the 2022 programme. He said additional NTA funding received will be used to carry out works in Barrack Road, Mitchelstown; Pike Road, Fermoy; Curraglass; Conna at Knockmourne Cemetery and from the Glanworth 'five roads' junction to the Mill. Lower Cork Street in Mitchelstown will also be done from Town Development Funds. These works will be carried out by the footpaths contractor and area staff and will be all complete by end November 2021. Cllr. Kay Dawson requested the drainage channels which run from downpipes across the path on Lower Cork Street in Mitchelstown be covered when this work is being done (to protect wheelchairs and mobility scooter users from jolting when going over them), Brendan replied that this will be facilitated as much as possible, but that the required depth may not be available in some instances to bring surface water pipes out under the footpath.

**4. NOTICES OF MOTIONS - to consider Notices of Motions (10)**

**Cllr. Frank O' Flynn**

1. "that Cork County Council extend and put in place public lighting from Doneraile out to the entrance to Doneraile GAA field in the interest of safety".

This has been investigated by our public lighting section previously on foot of previous representations but there is insufficient width available on the at grade public road to safely install in the absence of a protecting footpath. Perhaps a solar option on the raised demesne mid height wall is an option - for discussion. (BO'G)

Following this discussion, Brendan undertook to refer this option to the PL section for consideration. It will also need to be determined if the wall is suitable from a protected heritage perspective and if this proposal is acceptable to the local community.

#### **Cllr. William O' Leary**

2. "that this Council would request a deputation of the elected members from this Municipal District to be sent to the Department of Transport to obtain funding for the upgrade of O'Leary's and Kenny's Crosses in the interest of safety for all road users".

For discussion. (BO'G)

All the elected Members supported Cllr. O'Leary's motion and his statement that the dangerous situation that exists at O' Leary's cross is the single most important roads safety issue for consideration at present in the district. Brendan O' Gorman SEE replied that a confirmed funding stream mechanism has just been secured and that works would commence imminently at O' Leary's Cross subject to a finalised design, with two local landowners co-operating to facilitate the re-alignment of the junction. Brendan stated that it is errant driver behaviour and speeding which is the biggest contributory factor to the danger and the incidents / accidents at this location. Brendan advised that at Kenny's Cross, improved bigger, higher-impact signage will be installed and An Gardaí Síochána have agreed to increase their speed enforcement at this junction. Again, it is driver behaviour which poses the greatest risk to other motorists here. Cllr. O' Leary acknowledged his fellow-councillors who have been campaigning for remedial measures at these two locations for years and thanked Brendan for his update, welcoming the proposed works.

#### **Joint Motion - Cllr. William O'Leary, Cllr. Frank O'Flynn and Cllr. Noel McCarthy**

3. "that this Council would call on a member of the Estates Management Directorate to attend a meeting of the Fermoy Municipal District at the earliest opportunity to discuss issues pertaining to the Shanowen Housing Estate, Rathcomac, owing to the absence of a roadway in a large section of the estate and failures around the completion of other ancillary site works".

For decision at meeting. (PM)

Cllrs. O' Leary, O' Flynn and McCarthy wholeheartedly supported the residents in relation to this motion. The estate is in a dreadful condition, dangerous and like a third world country. Works which have been identified and promised have not been done and the residents now say they will not pay the LPT, to which Cllr. O' Leary added he will abstain from future LPT votes while situations such as this persist. This impasse has existed for circa twelve years and is completely unacceptable. This motion was fully supported by the elected Members and the requirement for someone from the Estates Management Directorate to attend an MD meeting was fully endorsed. Mary Hayes SEO explained that the situation here is a private developer legacy and is not a Cork County Council issue. She said a schedule of unfinished estates is being compiled and prepared. A response will be sought from the Estates Section and a representative will be asked to attend the next MD meeting. Pauline Moriarty SEO reminded the elected Members that specific estate queries can be submitted prior to the meeting so that appropriate replies can be prepared.

#### **Cllr. Noel McCarthy**

4. "that this Committee would be given an up-to-date report on when road repairs will be carried out on the cross of Cork Road following a recent water break in July".

We have been advised by Water Services that this permanent repair will be undertaken on behalf of Irish Water on the 24th September (night time works). (BO'G)

Cllr. McCarthy requested that area residents be advised of the timeline for these works as this is a very busy junction.

**Cllr. Deirdre O' Brien**

5. "that this Council would install ramps on Robert Street to help alleviate cars speeding and make safe laneway from New Square".  
Street is too narrow and too much parking on both sides of the side to safely install ramps.  
Regardless there is no funding available for stand alone traffic calming in the district. (BO'G)  
Brendan undertook to examine this locus with a view to providing a resolution here next year.

**Cllr. Frank O' Flynn**

6. "that Cork County Council improve the realignment of the road and put in place advance signage and on-road markings at Galvin's Cross, Coole Lower, Castlelyons, which has been the scene of many accidents on this stretch of road, in the interest of safety of residents and road users".  
Local primary road on a rolling bend and intersection with local secondary road. Old cottage adjacent precludes any feasible future realignment here. We will look to upgrading the signage and improving the road surface. (BO'G)  
This motion was supported by Cllr. William O' Leary. Cllr. O' Flynn emphasised the need for additional safety measures at this location.

**Cllr. William O' Leary**

7. "that this Council would organise a clean up outside the boundary wall of Killavullen Graveyard adjacent to the roadside owing to the unsightly condition of same".  
Clean up will be carried out. (PM)  
This motion was supported by Cllrs. O' Flynn, Roche and O'Brien. Works will be done here in the coming weeks (grant provided to Road Operations by Municipal Operations) which should allay the situation here and restore this area to an acceptable standard.

**Cllr. Noel McCarthy**

8. "that this Committee would be informed on the arrangement in place with Bus Eireann School Transport on the parking in Emmet Street at school collection time. Also, the route being used via Devlin Street and the White Wall on to Cork Road".  
There is no local authority arrangement in place with Bus Eireann. All bus drivers are commercial and professional drivers and their employers undertake risk assessments on all routes. There is a legacy bus set down area and bylaw on Emmet Street that is generally respected by road users and is used correctly by buses. The legacy bus routes on Devlin Street and the White Wall are used by buses to coordinate a one way system onto the Cork Road and loop around the southside of the town and again works quickly and efficiently during that very busy 15/20 min. peak in the evenings. Buses should not be using adjacent streets; Clancy Street and/or John Redmond Street as they are not wide enough for buses and do not facilitate passing traffic. We have looked at making these three streets one-way in the distant past to aid with congestion but this was rejected by residents. (BO'G)  
Following a discussion in relation to the ongoing issues with traffic and congestion in this area at peak times, Brendan undertook to arrange to meet a representative of Bus Eireann on the ground here and investigate a mutually acceptable resolution to this situation. He will revert to the Members in due course with the outcome of this meeting.

**Cllr. Deirdre O' Brien**

9. "that this Council would alleviate ponding on the Ballyhooly to Killavullen Road at Ballydague".  
Clarification required re location. Piping works done on the main road to deal with long standing issue in 2020. (BO'G)  
Cllr. O' Brien will inform Brendan directly of the exact location of this ponding issue.
10. "that this Council would provide up to date report on the building which collapsed in Mitchelstown on 7th July last".  
Refer to update on MDO report. (PM)  
This motion was supported by Cllr. Kay Dawson who, with Cllr. O' Brien, urged that Fermoy MD continue to 'keep the pressure on' to achieve a satisfactory resolution to this regrettable situation.

**5. CORRESPONDENCE**

None

**6. TO CONSIDER MATTERS ARISING FROM THE MINUTES**

None

**7. ANY OTHER BUSINESS**

**(1) Cllr. Noel McCarthy - Update on works to be done at Barry's Boreen, Fermoy**

Brendan O' Gorman SEE replied that an agreement with the landowner is a work in progress and once a suitable budget is identified and secured work here could proceed in 2022.

**(2) Cllr. Noel McCarthy - Market Place, Fermoy; short-term parking spaces**

Cllr. McCarthy requested that four or five of the carparking spaces in Market Square, Fermoy be designated 'fifteen minutes' spaces, as they work very well. Brendan O' Gorman SEE agreed to arrange for five such spaces on Cllr. McCarthy's proposition, seconded by Cllr. Frank O' Flynn.

**(3) Cllr. Noel McCarthy - Parking issues in Beechfield Square, Fermoy**

Brendan O' Gorman SEE advised that An Gardaí Síochána and Housing Directorate personnel are involved in this parking issue where four and five vehicles are being parked indiscriminately and Brendan agreed to update the elected Members in due course.

**(4) Cllr. Kay Dawson - Request for planting of replacement trees on Cork Road, Mitchelstown**

Pauline Moriarty MDO will arrange for the planting of these replacement trees.

**(5) Cllr. Kay Dawson - Update on Policy for Outdoor Dining arrangements/facilities.**

Cllr. Dawson asked for a Cork County Council policy on outdoor dining to be made available as there are some unsuitable installations now constructed at hospitality premises, without due consideration to footpath users and with other safety concerns. Cllr. Deirdre O' Brien concurred with Cllr. Dawson on this request and viewpoint. Also, are the canopies to remain in place after the lifting of restrictions and when pubs re-open fully? Pauline Moriarty MDO replied that feedback on the canopies is positive to date and their use will continue to be monitored to ensure they are being used appropriately. The installation of add-on customer facilities at premises is very much 'of this time'; these are subject to temporary licences issued to facilitate the return to business during restrictions and will be scrutinised next year when these licences are due for renewal. Mary Hayes SEO responded that she will take on board the elected Members comments re: design, aesthetic etc. and all these installations will be examined to ensure they meet requirements viz-a-viz townscape, place-making and other such considerations. Brendan O' Gorman SEE added that some business proprietors had been contacted to make changes to resolve issues which had arisen. However, it was also recognised by the elected Members that outdoor dining can be a positive addition to towns and villages and is 'here to stay' and with proper guidelines and management can be very successful.

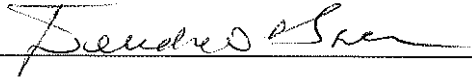
**(6) Cllr. Deirdre O' Brien - Additional carparking in Glenview estate, Doneraile**

Cllr. O' Brien asked if there was any update on the additional carparking to be provided in Council housing estates, saying Glenview estate in Doneraile is now completely congested and there is a risk that, if required, emergency services could not access the estate. She was supported by the other elected Members in this enquiry. Mary Hayes SEO replied that the list of estates for extra car parking has been compiled and will be examined and that a budget now needs to be identified and secured to proceed with this initiative.

**(7) Cllr. Frank Roche - Barriers on Glanworth Bridge**

Cllr. Roche said the barriers on Glanworth Bridge have been removed and need to be replaced as soon as possible. Brendan O' Gorman SEE explained that these barriers are being deliberately damaged by contractors who are doing so to allow access to the bridge and avoid the need to 'go around'. They are gone for repair currently and have had to be repaired / replaced numerous times due to this vandalism, which is an ongoing issue and needs to be continually monitored. Garda authorities have again been notified.

Signed



Date

22/10/2021,