

CORK COUNTY COUNCIL

Minutes of the February Kanturk / Mallow Municipal District meeting held on Friday 5th February 2021 at 9 a.m. Via MS Teams.

PRESENT:

In the chair: Cllr. Pat Hayes

Councillors: Gearóid Murphy, Liam Madden, Gerard Murphy, Tony O'Shea, John Paul O'Shea, James Kennedy, Ian Doyle, Bernard Moynihan.

IN ATTENDANCE:

Mary P. Hayes, Senior Executive Officer, Municipal District Operations & Rural Development, Jim Moloney, Senior Executive Engineer, Liz Donovan, Municipal District Officer, Jennifer Murphy, Staff Officer and Anita Leader Meetings Administrator.

1. CONFIRMATION OF MINUTES

Confirmation of the Minutes of January Meeting of the Kanturk / Mallow Municipal District held on Monday, 18th January 2021 at 9a.m. Via MS Teams – Minutes were approved and signed on the proposal of Cllr. John Paul O'Shea, seconded by Cllr. Liam Madden.

2. REPORTS AND RECOMMENDATIONS

(a) MUNICIPAL DISTRICT OFFICER'S REPORT:

The MD Officer presented a report. Full report circulated to members :

Town Development Fund: **allocation amounts agreed for 2021:**

Mallow	Kanturk	Charleville	Newmarket	Buttevant	Reserve	Totals
€57,000	€19,000	€22,000	€17,000	€16,000	€8,000	139,000

- The Municipal District General Municipal Allocation is €284,913 for 2021.
- Virtual Celebration proposals welcomed for Saint Patrick's Day.

Change of proposal for Members Consideration – Community Fund Scheme:
The MD officer sought the approval of members for the following change of proposal Amenity Grant.

Kilbrin GAA Amenity Grant 2019 no. CFS33728482 of €1000 was sanctioned for the erection

of disabled viewing area. Members approval is now sought to change of grant to provision of Kerbing and associated works adjacent to the AstroTurf pitch.
Proposed Cllr. J.P. O'Shea, Seconded by Cllr. Pat Hayes.

Developments at Part 8 planning stage:

- **Redevelopment & Upgrade of Mallow Swimming Pool**
- **Improvements to Spa House / Tipp O'Neill Park**
- **Proposed development of a Public Park in Ballydesmond**
- **Charleville – Enhancement of Public Realm**

National Town and Village Renewal Fund:

Kanturk Mallow Municipal District have been successful in both our applications for funding as follows for 2020 applications.

Liscarroll – Public Realm - €160,000 – Part 8 being developed.

Kanturk – castle walkway €162,000 – Planning Granted.

Dromahane: nearing finalisation with works to be carried out to Thomas Russell Green area.

Ballydesmond: works progressing on second phase of footpaths to community centre.

Town & Village Renewal National Scheme 2020: Accelerated Measures National Scheme granted

Liscarroll €25, 0000 Village enhancement comprising of painting, signage to heritage attractions, planting, footpath repairs to enhance safety – some works commenced.

Kanturk: €25,000 for walkways in the Town Park – works 95% complete – contractor to return when weather allows.

Mallow: €40,000 for marquees for outdoor events, Painting scheme at Bridewell lane and extension of parklet projects. – progressing.

CLAR Grants

Kilbrin National School/Kilbrin Community Council	New footpath, pedestrian crossing, and ramps.	€45,540
Ballyhass National School	New car park and associated works, road signage and markings.	€45,448
Castlemagner Community Council	Digital speed signs and ramps	€12,600

Dept. of Transport Tourism and Sport – Sports Capital Funding 2020

The 2020 Round of the Programme will be open for applications from 9am on Friday 11 December 2020 until 5pm on Monday 1st March 2021. The deadline for registration is

5pm on Monday 15th February 2021. Full details are available on www.sportscapitalprogramme.ie

Members raised the following queries/made the following observations:

Cllr. J.P. O'Shea Thanked the MD officer for her report and queried if there was any Sports Capital application for the Kanturk/ Mallow Municipal District. The SEO responded : Two applications are currently being considered for Sports Capital i.e. Davis College running track, Pump track and Skate Park. Cllr. O'Shea asked the question is there any consideration outside of Mallow. Invited members to put forward suggestions of projects which are shovel Ready these will be given consideration.

Cllr. L. Madden Thanked the MD officer for the Report. He Welcomed that KMMD will engage with groups suffering delays in starting projects due to Cashflow problems.

(b) SENIOR EXECUTIVE ENGINEER'S REPORT

Jim Moloney SEE presented his report informing Members of the following main points:

- Limited work ongoing due to Covid restrictions.
- Flood Barriers remain partially in place in Mallow to minimise staff mobilisation in the event of a flood event.
- NTA funded works are ongoing i.e. O'Brien Street Mallow, Pedestrian Crossing in Charleville.
- Shortcastle Junction in Mallow to commence in the coming weeks.
- Approved for Pedestrian crossing at Church Street, Newmarket. CCC is engaging with contractor to see if the work can be carried out.
- Works in Ballydesmond restarted last Monday and are progressing.
- Drainage works mostly weather related are ongoing.
- Minor landscaping work carried out in the last week, grass cutting between the two roundabouts on the N20 in Mallow.
- Essential Seasonal horticultural work which is time sensitive is ongoing, general grass cutting is not regarded as essential work at this time.
- Engaging contractors to carry out hedge cutting ahead of RI and RM works. To commence hopefully in the next week.
- No Indication received from the department of transport with regard to grant allocations for 2021. Announcement expected shortly. In previous years notification would have been received late January.
- Update circulated to members in the past week in relation to Mallow Relief Road, The project is still at the Route selection stage. 22 Route options selected last year. As a result of feedback received following public consultation the number of routes has been reduced. Members and the public can comment over the next few weeks. It is hoped by Autumn 2021 the design team will have a preferred route option. Following departmental approval should be going for planning in 2022.
- Works on the N20 South of Annabella junction has recommenced. As a result the footpath is currently closed.

Members raised the following queries/made the following observations:

Cllr. P. Hayes Thanked the SEE for his report. He raised his concerns in relation to the road from Liscarroll to Freemont stating the road is very narrow. Cllr. Hayes queried if it could be cleaned and possibly passing bays installed.

Response : The SEE will follow up.

Cllr Gearoid Murphy

Thanked the SEE for his report. Cllr. Murphy welcomed the progress on the Mallow Relief Road. He queried if the public consultation period was open at the moment or is this an informal request for feedback from members and the public.

Response : The SEE stated that the Relief Road consultation is non statutory process. Therefore feedback is welcomed by the design team. Statutory Process will come into effect late 2021 early 2022. Cllr. Murphy sought clarification on what RI and RM abbreviation's stand for?

Response: RI – Restoration Improvements which in general consist of wet mix and Black Top Roads. Works carried out during the year.

RM – Restoration Maintenance which consist of roads that CCC surface dress. RI and RM projects account for a significant portion of grant funding received. As detailed in the SEE's report notification of allocations hasn't been received to date.

Sought an update on Liscarroll Part 8. **Response:** There was a number of meetings in January with the design team and the Architect involved. Proposals and cost assessments are being finalised at the moment with a view to going to part 8 in the near future.

Cllr. Liam Madden Thanked the SEE for his report.

Navigation Road on the right-hand side the walking and cycling lane needs to be cleaned. Sought an update on the River Valley, Spa Glen.

Cllr. Madden sought more detailed maps to be made available in connection with Route Selection for the M20.

Response: The SEE will follow up and revert back to members on the obtaining detailed maps.

Cllr. J.P. O'Shea Sought an update on Liscarroll Part 8.

Sought an update on the pedestrian crossing in Dun an Oir Kanturk. Highlighted the need to keep the pressure on the Developer and give a deadline for works to be completed.

Response : The Developer has confirmed the controls for the new pedestrian lights have been ordered. CCC contacted the Developer yesterday. The application for the road opening licence is being worked on today. If this application is not submitted early next week CCC will follow up.

Cllr. B. Moynihan Commended staff on the drainage works from Banteer Village up the Nadd Road. Cllr. Moynihan sought an update on the link Road for Kanturk.

Response : The works at the Link Road, Kanturk, were due to commence in January restrictions were in place at the time it was due to commence. The project was not deemed essential under Covid Restrictions. However this is being re-examined at the

moment due to the extension of restrictions. The SEE will follow up with the RD office.

Cllr. I. Doyle Thanked the SEE for his report. Thanked the SEE for the works that were carried out on the two pedestrian crossings in Charleville. Cllr. Doyle brought two bridges to the attention of the SEE which are in need of repair due to accidents. One on the Kanturk Road coming into Charleville and the bridge in Ballyhea.

Response : The SEE will follow up with Road Design team that deal with bridges.

Cllr. T. O'Shea Thanked the SEE for his report.

Cllr. O'Shea sought an update on the pedestrian crossing at Shortcastle Junction.

Response : The SEE stated that it is a raised table as part of improving pedestrian facilities and traffic calming. Gullies must be relocated before work can commence. Works to commence next week.

Welcomed the progress on the Mallow Relief Road and queried if it would be possible to organise a briefing for members.

Response : The SEE will follow up and revert back to members.

Active Travel are KMMD eligible to put forward projects.

Response : A number of submissions have been made to the travel planning department who are dealing with all submissions for the county who have been in consultation with the NTA. There are a number of submissions gone through for consideration.

Is there a list of Roads that are being re surfaced this year?

Response : Currently on the third year of a three year RI programme. There is scope to add one or two roads to the list which is dependent on funding received.

Cllr. J Kennedy queried how people can make submissions in relation to the Mallow Relief Road. How many Routes are in consideration at the moment? What direction is the route taking?

Response : The SEE advised that he would follow up and revert to Members.

Cllr. Kennedy asked if a blocked Shore in Bridgestreet. Mallow could be fixed.

Response : The SEE stated the Issue was repaired and resolved this week.

Castlepark walk and lovers Leap in need of cleaning due to debris.

Response : The SEE will look into it.

Cllr. P. Hayes brought it to the attention of the SEE that the speed ramps in Cannon Sheehan Place are lifting.

Response : The SEE will follow up.

Cllr Hayes queried if Mallow is a smokeless zone.

Response : The MD officer will check with the Environment Section and revert.

3. **NOTICES OF MOTION**

Cllr. Bernard Moynihan [14/01/2021]

(a) "To examine the possibility of putting in place two age friendly car parking spaces outside the post office in Boherbue".

The motion was proposed by Cllr. Bernard. Moynihan, Seconded by Cllr. Gearoid Murphy.

Response : Jim Moloney SEE responded by saying due to the size of Boherbue he would not initially be in favour of putting two age friendly spaces. One will be put in and its usage will be monitored. Depending on the feedback and the usage of the spaces a second age friendly parking space will be considered. When Covid restrictions are lifted arrangements will be made to install the space.

(b) "To provide an update the extension of Kilbrin graveyard"

The motion was proposed by Cllr. Bernard. Moynihan, Seconded by Cllr. Gearoid Murphy.

Response : The SEE stated initial site investigations have been completed on land near the existing graveyard. Draft layouts have been prepared. Negotiations have advanced between the property section and the land owner. A part 8 is being prepared at the moment which involves an environmental assessment. Hopeful part 8 will be brought before members.

Cllr. Liam Madden [27/01/2021]

(c) "As we now have some fantastic walkways around Mallow and due to Covid-19 the need for these, but we must ensure the laws regarding control of dogs on leads and dog fouling are adhered to in strictest manner, which will involve proper policing of these."

Proposed by Cllr. Liam Madden, Seconded by Cllr. Pat Hayes.

Response: MD Officer agreed it is an ongoing issue. She will consult with the warden's supervisor in relation to a presence in the area by the wardens. Signage has increased over the years in the town, not in the walkway areas. The signage will be looked at. Will contact Environment on this issue. She stated the fine is €150.00 and it is the owner's responsibility. A pride in the community of the people of Mallow must be developed to deter. Bins are not always the solution. An evaluation of the bins is ongoing. The results will be brought back before members. She would encourage people that know of individuals that are not using the appropriate equipment to bring them to CCC attention. Whom will be dealt with in the first instance in an educational capacity.

Cllr. J.P. O'Shea queried what exactly is the legislation on Dog Fouling?

Marry Hayes SEO confirmed the legislation is the 1986 control of dogs Act. Fine is €150.00 or €4,000 conviction in the District Court.

Cllr. Liam Madden [28/01/2021]

(d) "Lime Kiln Estate - update re takeover of this and problems which have arisen there, which needs to be addressed and the adjoining Ard Na Laoi site - problems here also- is it now a derelict site?"

Proposed by Cllr. Liam Madden, Seconded by Cllr. Gearoid Murphy.

Response Circulated to members as follows:

Cork County Council does not have surveys of the services (foul and storm sewers, watermain, public lighting), which would typically accompany a TiC application received from a developer. These surveys enable the Council to establish the works required to bring the estate to a TiC standard. It should be noted that Irish Water (IW) is now the Sanitary Authority with responsibility for sanitary services in developments that are TiC. Under a Memorandum of Understanding

and Protocol in place nationally, all Local Authorities are obliged to seek IW's agreement as part of the TiC process.

No bond was provided to the Town Council. There is currently no funding available to carry out the requisite surveys, and any resulting works that would need to be carried out to bring the estate to a TiC standard.

The developer – Ruden Homes –continue to remain legally responsible for roads and services in the estate and should remain the first point of contact for the residents. However any concerns relating to common areas in the estate may be addressed to the Estates Section, Planning & Development, Directorate, Floor 2 - Extension, County Hall, Cork and they will be brought to the attention of the developer on behalf of the complainant.

Cllr. Gearoid Murphy read from the response where it states that Cork County Council does not have a survey of services. He asked if the Council could perform the surveys? He also noted there isn't a bond in this estate would there be any alternative funding? He proposed that a motion should be put forward to full council that funding would be made available to County Councils who have estates without Bonds. He proposed writing to the Minister to put funding in place for Estates that have no Bond in place to allow them to be taken in charge by their respective County Councils. "To write to the Minister for Housing and Local Government requesting that funding be made available for Local Authorities to perform the necessary surveys to enable a Taking In Charge application to proceed on behalf of the residents of an estate, where there is no bond in place."

Proposed by Cllr. Gearoid Murphy, Seconded by Cllr. P. Hayes with support of the members.

Cllr. Madden requested immediate action to be taken with regard to Lime Kiln Estate. He also queried who is responsible?

Response : Liz Donovan MD Officer stated the legal position remains the same therefore the response is similar to last year in that the developer is responsible for roads and services. However the CCC Engineer has been in contact with the developer every couple of months. She agreed to take a look to see what can be done from CCC own resources.

In Relation to Ard na Laoi site the MD Officer stated that there was a difficulty with ownership which has now been resolved. She stated that CCC is in contact with the owner to try to resolve the dereliction and the issue with the trees.

Cllr. John Paul O'Shea [28/01/2021]

(e) "That Cork County Council update members on the possibility of moving the speed detectors signs from the vicinity of the Old School in Cullen which are no longer in use at this area".

Proposed by Cllr. J.P. O'Shea, Seconded by Cllr. Gearoid Murphy.

Response: Jim Moloney SEE stated when this issue was raised before the signs had been switched off, in order to remove them they have to be decommissioned from an electrical stand point. TII were to remove the signs. The signs have been removed yesterday or Wednesday. The SEE advised the technology is antiquated, so utilizing them elsewhere is not an option.

(f) "That Cork County Council consider traffic calming measures for the village of Rathcoole and putting in place a footpath from the village to the GAA Grounds as was the plan initially when the new housing estate was built in the village. The Council should consider including these measure in upcoming Active Travel call ls from the Department".

Proposed by Cllr. J.P. O'Shea, Seconded by Cllr. Gearoid Murphy.

Response: The SEE acknowledges the need for the footpath, He stated that Traffic Calming and Footpath installation are dependent on funding available. New criteria with regard to traffic calming measures have been introduced whereby each application has to be assessed and ranked according to their priority. Connectivity between the village and the GAA grounds is needed. Rathcoole is being considered under Active Travel Funding, Due to the large number of submissions it is unlikely funding will be obtained in 2021.

Cllr. O Shea queried if Rathcoole has been assessed and ranked and if there was any onus on the developer of the estate to make a contribution to or carry out the works? The SEE stated he isn't aware of any bond but he will check it out and follow up. He will Follow up on the assessment for the need for traffic calming measures in Rathcoole Village.

(g) "That the MD would liaise with the Environment Directorate in order to put in place a dedicated base at the site of the bring bank in Tullylease".

Proposed by Cllr. J.P O'Shea, Seconded by Cllr. Ian Doyle.

Response: Mary Hayes SEO stated that she would keep it on the work programme and if any money becomes available CCC will keep it in mind. Another option would be for an application could be made under Community Grants.

Cllr. Ian Doyle [31/01/2021]

(h) "That Cork County Council would look at resurfacing road in Kennedy Place Charleville between No 1 and No 10 The Slip Road off Main Holy Cross road."

Proposed by Cllr. I. Doyle, Seconded by Cllr. J.P. O'Shea.

Response: SEE stated that section of road will be looked at with the aim of improvement subject to available funding.

(i) "That Cork County Council would write to TII to repair and upgrade traffic Islands on the N20 North and South of Charleville and also Ballyhea."

Proposed by Cllr. I. Doyle, Seconded by Cllr. J.P. O'Shea.

Cllr. Doyle stated that since he submitted the motion the work has been carried out.

(j) "That Cork County Council would together with environment services seek an update on old pound in Charleville."

Proposed by Cllr. I. Doyle, Seconded by Cllr. J.P. O'Shea.

Response: L. Donovan MD officer stated that she was in contact with the Environment DOS in relation to this issue. A review by the Environmental Section will be carried out. She will advise members of the outcome when complete.

3. ANY OTHER BUSINESS

Cllr. P. Hayes raised his concerns in relation to the speed from Mallow Brakes Junction Quarters town village. Could the speed limit be reduced, together with an improvement of signage in the area?

Response:

Cllr. L. Madden raised his concerns in relation to Cannon Field and the volume of traffic due to Mc Donald's Drive through. He suggested Traffic calming measures or perhaps a one-way system by which people could exit Via Tesco.

Response: The SEE stated part of the problem is the volume of people utilizing the Drive through at the moment. A planning application has been submitted for redevelopment of the facility which should resolve a lot of the issues. CCC will continue to monitor the situation.

Cllr. J. Kennedy fully supported Cllr. Madden. He stated that while the development is welcome. He suggested that a condition of the planning should include Traffic Calming Measures.

Response: The SEE stated that the roads office can only comment with regard to planning issues from a roads and surface water view point all other queries in relation to right of way etc. are for consideration by the planners. Speeding is a matter for the guards to enforce. The SEE said he will mention the problem to the Guards.

Cllr. J. P. O' Shea stated that the ground is very wet in St. Patrick's Graveyard in Kanturk resulting in pumps needed to extract excess water from graves recently which is very distressing for family members. He queried if a permanent solution to the drainage of the grave yard could be found.

Response: The SEE stated he will link in with the Area Engineer and see what can be done.

4. DATE OF NEXT MEETING

The next meeting of the Kanturk/Mallow Municipal District will take place on Friday, 5th March at 10a.m. 2021 – Via MS Teams.

Signed: _____

CHAIRPERSON

Date: _____

23/4/2021