

Minutes of Meeting of Bailieborough-Cootehill Municipal District held in the Courthouse, Cootehill on Monday 4th September, 2023 at 4pm

Councillor Clifford Kelly, Cathaoirleach presiding.

Present; Councillors P McDonald, A. Fitzpatrick, V. Smith, S O'Reilly

Apologies; Councillor C Brady
Caroline Brady, Town Regeneration Officer CCC

In Attendance; Paddy Connaughton, Director of Services
Clinton Mulligan, Acting Senior Executive Engineer
Pat Gaynor, Senior Executive Engineer, Building Control Department
C. Murray – Minutes Administrator

Cathaoirleach C. Kelly welcomed all to the meeting.

1. To confirm Minutes of Monthly Meeting held on 10th July 2023.

Miontuaririsci cruinnithe 10th Iúil 2023 a dhearbhu.

It was

Proposed by Councillor S O'Reilly

Seconded by Councillor A Fitzpatrick

And

Resolved;

“that minutes of meeting of Bailieborough-Cootehill Municipal District held on 10th July 2023 be hereby approved”

Matters Arising from Minutes

Cllr A Fitzpatrick asked was the letter that had been proposed at the last meeting sent to the department of education. Ms C Murray advised she wasn't sure but would find out and let him know.

2. Disclosure of Interests.

There were no disclosures of Interest.

3. Presentation Re: Bailieborough Town Centre Plan

Mr C Mulligan advised members that Ms Caroline Brady was unable to attend to present the plan and this would be deferred to a later date.

4. Estates to be taken in Charge

Mr P Gaynor presented a chief executive's report to members on the next round of estates to be taken in charge by Cavan County Council. The format this time is slightly different in that all 3 Municipal district areas are amalgamated and were advertised together. The report relates to 3 estates in the Bailieborough / Cootehill area:-

1. Church Mews
2. Thorndale Close
3. Thorndale Park

Mr P Gaynor advised members that taking in charge estates is covered under Section 180 of the planning and development act. It involves 3 stakeholders, Cavan County Council, Irish Water, and the developer or residents of the estate. Mr P Gaynor told members that it is essential to work in partnership with these stakeholders. He advised that as part of the process Cavan County Council are responsible for the maintenance of the estate, however it is not defined as to what this involves and could be the cutting of grass every 4 years therefore during the process the residents are encouraged to take ownership of these areas and maintain them.

Mr P Gaynor advised that there are currently 239 private estates in the county, of which 64 have been taken in charge. The above named were publicly advertised on 1/6/23 and no objections or submissions were received. Cllr A Fitzpatrick queried was Clementstown in Cootehill on the list. He advised a resident was driving over the green area and could we do anything to stop this. Mr P Gaynor advised that it was on the list under status green but that there was an issue with a sewer running through private property that must be fixed first. Cllr S O'Reilly queried the status of Lakeside View and Boro Park. Mr P Gaynor advised that there was still a lot of issues with both including issues with different developers and settlement issues that needed to be addressed first and both were status yellow. Cathaoirleach C. Kelly asked how long it would take to reach the 239 estates and are estates coming forward or are they not being taken in charge due to compliance issues. Mr P Gaynor advised that some have been refused under section 11 of the Roads Act but that a lot still needed to apply. Cathaoirleach C. Kelly asked was legislation passed that after 12 years the council must maintain the estate? Mr P Gaynor advised that this timeframe used to be 13 years but was reduced to 7 years in 2018. He advised that there is substantial cost and resources

needed to take an estate in charge. Cllr S O Reilly asked was there central funding for this maintenance or does it come out of the roads budget. Mr P Gaynor advised that they try to have it in the best condition by the time it is handed over to the Municipal District, but it then comes out of roads budgets. Cllr P McDonald queried were bonds not paid by developers when they start the development? Mr P Gaynor advised that security bonds are currently set at 2000 per house. He advised that he hopes to have more estates for members consideration before the end of this year.

It was

Proposed by Councillor A Fitzpatrick

Seconded by Councillor S O Reilly

And

Resolved;

“that 3 estates listed be taken in charge by Cavan County Council”

Members Items - September

5. Councillor Paddy McDonald - To discuss road flooding on the L2005 Redhills

Cllr P McDonald enquired if there was any update on the L2005 at Redhills as the road has seen significant flooding. Mr C Mulligan advised members that the L2005 is a 4km local road, approximately 3m wide. There are drainage and surface issues on this road, however it would require significant financial funding to rectify these issues. Mr C Mulligan suggested that this road could be considered for inclusion in the next 3-year Multi annual roadworks programme. Mr C Mulligan advised members that in the meantime we will endeavour to keep this road and all roads in our network as best as possible given the resources available to us.

6. Councillor Val Smith - To discuss road flooding L2011 Castletara/Stradone

Cllr V Smith advised members he had spoken previously to Mr A Lyons on this issue and the flooding problem is still there. Cllr V Smith advised the gullies had been cleaned but suggested that perhaps an underground crossing was broken. Mr C Mulligan advised members that the L2011 is generally in good condition but there is a localised drainage issue related to an existing storm pipe, Pipe jetting by a specialist contractor proved unsuccessful and the pipe will need to be replaced. He

advised that this is on the task list to be completed after the roadworks programme was finished and is a priority item on the list.

Cllr A Fitzpatrick added that there is a similar issue on the Canningstown/mountain lodge road that needs addressed as well as Cathaoirleach C Kelly advising there are also similar issues on the Bailieboro road in Kingscourt that was causing potential flooding to a house. Mr C Mulligan advised he would investigate these locations.

7. Councillor Sarah O'Reilly - To ask Cavan County Council to consider active travel measures for L7584 Pidgeon's Bray

Cllr S O'Reilly advised members that she had received several representations about the above road. The road is a narrow road, 1 vehicle wide in places, has high hedges, blind spots and is an 80km per hour speed limit. Many motorists are now using the road to avoid the Virginia road since traffic calming measures were introduced here and Cllr O'Reilly asked if similar measures to that done on Turkish lane could be done here? Mr C Mulligan advised that Turkish Lane was narrower and that he did not believe this location was suitable for the same measures, however the Active Travel team are going to review this and if deemed suitable, they will get a topographically survey of the area completed, followed by a detailed design that could be submitted to the NTA early next year seeking funding for a potential Active Travel scheme.

8. Councillor Sarah O'Reilly - To ask Cavan County Council to clarify if the Casual Trading pitches on Adelaide Road in Bailieborough are being relocated.

Cllr S O'Reilly advised clarification was being sought about how the current and proposed works on the courthouse in Bailieborough would affect the casual trading spots on Adelaide Road. Cllr O'Reilly advised that following a presentation on the next phase it had been clarified that there was only to be 1 parking space lost here and it would not affect the casual traders. Mr C Mulligan confirmed that the bye laws for casual trading had been set in 2002 and there are no current plans to review these. If the byelaws are to be amended any new location would need to be carefully considered as it could be the subject of objection from local residents or traders or contribute to traffic safety issues arising. Cllr P McDonald added that Adelaide Road was not covered under the parking bye laws and this caused issues with long term parking. This can be addressed when the parking byelaws are being amended.

9. Councillor Sarah O'Reilly - To ask Cavan County Council what steps they are taking to address the issues of a number of derelict buildings in Bailieborough Town and if the process has begun and what stage of the process they are at.

Mr C Mulligan advised members that the planning department have been conducting a County-wide survey of dereliction in all of the prescribed urban areas under the Derelict Sites Act, 1990 (as amended), This is due to conclude shortly. Bailieborough was surveyed between May and late July of this year. The owner / occupier of the derelict site is made aware under a section 8(2) notice that the council intend to make an entry of the property onto the Derelict Sites Register. The Council will then arrange for the property to be market valued, and the owner(s) will be notified of this valuation.

On the 1st of Jan, a levy of 7% of this market value becomes due to the Council on each and every year following, or until such time as the dereliction is addressed satisfactorily.

Cllr S O'Reilly asked which department were responsible for this and Mr C Mulligan advised that this was the responsibility currently of the planning section. Cllr S O'Reilly requested that this be discussed at main council level as she believed that something more needed to be done with these sites that could be used for better purposes. Cllr S O'Reilly was advised to contact the corporate section to have this agenda item added to the next full council meeting, Cllr P McDonald enquired what the timeframe was that the owner occupier had to act once notice was received. Mr P Connaughton advised that there was a set timeline however CCC preferred to engage with landowners to come to a good conclusion than take the legal route on these issues as the outcome was generally better.

10. Councillor Aiden Fitzpatrick - Ask Cavan County Council could there be a scheme and funding put in place so Urgent works can be attended more promptly.

Cllr A Fitzpatrick advised members that several roads in the district had been badly affected by flooding, in particular, a road servicing 34 houses, a pub, a creche and a hardware store had been ripped up for about 200 metres. Cllr A Fitzpatrick did advise that the patching unit had been out regularly however he questioned was funding available so that issues like this that occur in the future can be addressed quickly and rectified. Mr C Mulligan advised that at present the MD was receiving a lot of referrals in relation to water damage to roads due to the wet weather. It was a challenging issue especially because the priority in the summer is the RI programme. The department of transport sets out strict guidelines on how the grant money we receive is spent. Mr

P Connaughton advised that this issue could be discussed at the transport SPC. He advised that all money for each year is allocated and essentially the MD's are constantly fire fighting these issues. Mr P Connaughton advised this could potentially be looked at through the budget meeting, but it would have to come from own resources funding. Mr C Mulligan then advised members that compliance with Health and safety legislation in terms of Traffic management etc means that these type works require a team to be allocated not just 1 person.

Cllr S O'Reilly asked for an update on the technicians. Mr P Connaughton advised that the positions had been advertised and the closing date was today, 4th September. Cathaoirleach C Kelly asked what their role would entail, and Mr P Connaughton advised this had not been finalised yet however it would include assisting to address drainage issues, planning and flooding issues.

AOB

Cllr P McDonald advised members that a site had been opened by a contractor on the Kells Road in Bailieborough in December 2022 and that the road is flooding badly from this site down into 2 houses on the opposite side of the road. Mr C Mulligan advised that the supervisor has been attending this location and trying to liaise with the contractor.

Mr C Mulligan advised members that under circular RW/10/23 additional funding had been allocated to the municipal district as part of the road Restoration Improvement grant. Mr C Mulligan advised members that he proposed that the additional funding be used to finish the sections on the R-191 & R-192, previously removed in the adopted RI programme earlier in the year due to inflationary pressures. It is proposed to finish the 1KM on the R191 and 0.6km on the R192 respectively.

It was

Proposed by Councillor A Fitzpatrick

Seconded by Councillor S O Reilly

And

Resolved;

“that the additional funding received under circular RW/103 be used to complete the 1km on the R191 previously omitted from the original RI programme in 2023 and the 0.6km previously omitted from the R192.”

The date of the next meeting was agreed and set for Monday 16th October 2023 at 4pm in the Chamber in Cootehill.

The meeting concluded at 5.10pm.