

**MINUTES OF PROCEEDINGS OF THE CLONMEL BOROUGH DISTRICT
MONTHLY MEETING, HELD AT 4.30 p.m. IN THE TOWN HALL, PARNELL
STREET, CLONMEL, CO. TIPPERARY ON WEDNESDAY, 19th FEBRUARY, 2020.**

Present: Councillor Garret Ahearn, Mayor
Councillor Richie Molloy
Councillor Niall P Dennehy
Councillor Pat English
Councillor Siobhán Ambrose
Councillor Michael Murphy

In attendance: Ms. Sinéad Carr, Director of Services
Mr. Eoin Powell, District Engineer
Mr. Michael Moroney, District Administrator
Ms. Carol Creighton, Senior Staff Officer
Ms. Marie O'Donnell, Staff Officer

Also in attendance: Mr. Eamon Lonergan, A/Director of Services
Mr. Brian Beck, Senior Planner
Ms. Caroline Conway, Senior Executive
Planner
Mr. John Fogarty, Executive Engineer
Mr. Pat Holland, Administrative Officer

Item 1.1 – Minutes of January monthly meeting

The minutes of the monthly meeting of Clonmel Borough District held on the 15th January, 2020, as presented, were proposed by Councillor Pat English, seconded by Councillor Richie Molloy, and agreed by all.

Item 2.1 – Attendance of Rep from the Planning Directorate

Mr. Eamon Lonergan, A/Director of Services, Ms. Caroline Conway, Senior Executive Planner and Mr. Brian Beck, Senior Planner referred to a district briefing note circulated to Members with the agenda detailing key issues relating to the Planning Directorate.

Key issues included:

- County Development Plan – current status: background research ongoing. The formal commencement date will be May 2020. Elected Members workshops to be scheduled in April 2020.
- Development Contribution Scheme has been adopted. The draft advertised with submissions invited from 28th September, 2019 to 11th November 2019. The Development Contribution Scheme 2020 was made by Elected Members at December 2019 Monthly Meeting (Plenary) and is effective from 1st January, 2020.
- Urban Regeneration and Development Fund: Clonmel Transformational Regeneration. Additional funding has been approved by the Department in respect of Regional Sports Hub.
- Clonmel 2030 Transformational Regeneration
- Taking in charge developments
- Enforcement Proceedings in 2019

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The following queries were raised by members:

- What is the current situation in relation to the Davis Road Car Park Development?
- Concern was expressed in relation to how An Bord Pleanala disregarded the Council's County Development Plan in its ruling on a Strategic Housing Development application in Clonmel. Members were unhappy that An Bord Pleanala were applying similar density ratios to Clonmel as to large urban cities and that there should be a different approach for towns. It was proposed by Cllr. Richie Molloy and unanimously supported by members that a letter would issue immediately to the Minister regarding their concerns in relation to the disregarding of the County Development Plan by An Bord Pleanala.

Members' queries and issues were responded to as follows:-

- The Planning Section encourages developers in general to engage with the local community, residents and estates before making proposals for development.
- The planning section reiterated that everybody has the right to object to a planning development and should use their right if they feel the need to do so.
- The Housing and Residential Tenancies legislation was reviewed last year and has been extended out to 2021 where it will be due to be reviewed again.
- Planning and Development Act, Section 20 guidelines have been issued by the Minister and these must be adhered to.
- The planning section explained the role and authority of An Bord Pleanala in relation to SHDs and that they can override the County Development Plan of a Local Authority and have the right to do so under legislation.
- With regards to the URDF – additional funding allocation sought from Department as initial cost projections have increased.

The Mayor thanked Mr. Eamon Lonergan, A/Director of Services, Ms. Caroline Conway, Senior Executive Planner and Mr. Brian Beck, Senior Planner from the Planning Directorate for their attendance and report.

Item 2.2 – Attendance of Rep from the Water Directorate

Mr. Eamon Lonergan, A/Director of Services, Mr. John Fogarty, Executive Engineer and Mr. Pat Holland, Administrative Officer referred to a district briefing note circulated to Members with the agenda detailing key issues relating to the Planning Directorate.

Key issues included:

- Irish Water Investment Plan
- Capital Programmes in the Clonmel area: Clonmel Town and Rural Water Supply Scheme and Clonmel Town and Rural Water Supply Scheme
- Water Portfolio
- Wastewater Portfolio
- Networks Portfolio
- Water quality
- Water availability
- Health & Safety

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- Environmental regulatory compliance (per EPA)
- Public health and environmental risk
- Energy efficiency
- Maintenance levels of service through addressing underperforming assets.
- Non domestic water charges
- Council workshop with Irish Water

The following queries were raised by members:

- Cllr. Pat English asked what was the current situation in relation to the capital programme for Poulavanogue, Glenary and Monroe?
- St. Patrick's Well currently has a water notices in relation to drinking the water at the well. Is this a once off or has the water there compromised?
- Cllr. Richie Molloy stated that the committee of St. Patrick's Well were disappointed that no contact was made with them prior to the notice being issued at St. Patrick's Well.
- Members asked why estates such as Cherrymount have low water pressure and why is it an ongoing problem in the area.
- Some housing estates have sewerage treatment access points on a main road – are these serviced now by Irish Water and is it a case of people unlucky to have sewerage access from their own property service their own and could grants be made available for this to be addressed?
- Members commended the Water Section on the First Fix scheme currently being rolled out and said that they would get the information in relation to the scheme out to their local community. Members enquired if the First Fix scheme was available to commercial as well as private residents.

Members' queries and issues were responded to as follows:-

- There is no further update currently on Poulavanogue, Glenary or Monroe, and the members were advised to bring this issue up at the next Irish Water workshop.
- Mr. Eamon Lonergan, Director of Services advised the members that in relation to the water notice at St. Patrick's Well this was done in response to advice received from the HSE and that the County Council does not monitor the water quality at St. Patrick's Well.
- Mr. Eoin Powell, District Engineer confirmed that he would meet with the Committee of St Patrick's Well re. a rewording of signage as requested.
- In relation to the First Fix scheme, it was confirmed that the Council will get word out to communities and asked that Members do the same.
- The issue with low pressure in the Cherrymount Estate area is historical and there is no easy fix. The situation will continue to be investigated and monitored.
- There is no programme or scheme currently available to bring wastewater lines out of houses to the front for easier access by Irish Water. A grant scheme would be a good idea but as of yet this is not the case.
- First Fix is currently for private residents but the water section will look in to the commercial area and find out more relating to same. They noted that it would be difficult to carry out the scheme on commercial properties.

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The Mayor thanked Mr. Eamon Lonergan, A/Director of Services, Mr. John Fogarty, Executive Engineer and Mr. Pat Holland, Administrative Officer from the Water Section Directorate for their attendance and report.

Item 3.1 – Report of District Administrator

The District Administrator report was circulated to Members with the agenda and the following queries were raised by Members:

- Is there any update on the derelict properties at Queen Street and Morton Street?
- Clonmel Urban Design – is this Council going back to the public before we bring it to Part 8. The preliminary design that was presented was very vague. Members agreed that there was a huge attempt by the Council to bring in businesses to view the plans and that some aspects were good and some not so good. The members asked that the plans go on display again for both the members and the businesses in the town.
- Is the walkway through Suir Island (Masterplan) gone off of the agenda?
- What is the update with Kickham Barracks and in particular the Garda Station and OPW moving that element on?

Members' queries and issues were responded to as follows:-

- Mr. Eoin Powell, District Engineer responded to the query relating to the derelict properties at Queen Street. These 2 properties are being progressed by the Environment Section and currently there is no update. The Compulsory Purchase Order process takes 18 months. The property referred to in Morton Street, Mr. Eoin Powell confirmed that he would inspect it.
- The Urban Design Realm was well received and attended by members of the public which included interested parties and local businesses over a 2 day period. Consultants presented at the Main Guard. There was a lot of feedback from that process. The Design Consultants engaged with business owners in the town centre. It was hoped that a final design for the Part 8 will be brought to the members in April meeting for approval.
- Mr. Michael Moroney, District Administrator stated that there was no commitment given for a further consultation period; if that was the case it would never draw to a conclusion. Ms. Sinéad Carr, Director of Services added that no matter how many consultations you hold there will always be objections. During the display period as part of the Part 8 process, there will be staff available to talk to people through the plans which will add further engagement.
- Phase 1 of the Kickham Barracks public area and car park continues this year and phase two which involves the LIT/ETB area will form part of the Council's URDF application to the Department in March 2020. The Garda Station site has been transferred to the OPW and they will deliver this through their PPP process.
- Elements of the Suir Island Masterplan can be brought forward, but are obviously subject to funding being available. The Council do not want to compromise the site for future development by doing it overly piecemeal. Environmental aspects of any development will need to be monitored.

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Item 3.2 – Report of District Engineer – Roads Program

The District Engineer report was circulated to Members with the agenda and the following queries were raised by Members:

- What is the current position with the resurfacing works being carried out on the Frank Drohan Road (N24)?

Members' queries were responded to as follows:

- The Frank Drohan Road resurfacing is only approximately 50% complete. The Roads Design section of the Council will not sign off on the works until they are fully satisfied that the works are carried out to the required specification.

Item 3.3 – Report of District Engineer – Housing Voids Programme

All members noted the contents of the report.

Item 4.1 – Agree Date for Workshop in March

- The date of the 18th March, 2020 at 2pm was proposed and agreed by all members.

Item 5.1 Chief Executive/Delegation Officers Orders – Period up to 14th February, 2020.

- The details of the Chief Executive/Delegation Officers Orders were noted.

Items 6.1 – 6.7 – Notice of Motions

Motion 1824 was proposed by Cllr Michael Murphy (motion joined by Cllr Siobhán Ambrose and Cllr Garret Ahearn)

That monies raised from the LPT increase this year and ring-fenced for the Clonmel Borough District be set aside to provide public lighting along those sections along the Frank Drohan By Pass that remain without same.

Reply:

The Plenary Council passed a resolution at their September 2019 meeting agreeing to increase the Local Property Tax (LPT) in Tipperary by 10% for 2020. Half of this increase has been apportioned as an additional allocation to the District General Municipal Allocations (GMA) in the 2020 Adopted Budget. The GMA allocation for the Clonmel Borough District in 2020 is €143,630, and can be broken down as follows:

- Base Allocation of €53,327;
- Additional Allocation of €90,303 from LPT increase.

The distribution to programmes and projects of the 2020 GMA allocation will be a matter for decision by the members of the Borough District at your March monthly meeting.

***The motion was seconded by Cllr. Siobhán Ambrose
The reply to the motion was noted.***

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Motion 1830 was proposed by Cllr Richie Molloy

That Clonmel Borough District investigate ongoing drainage issues in lands at Powerstown belonging to Mr Jim Burke.

Reply:

There have been substantial investigations already carried out over the last couple of years and the Council is still in negotiations with Mr. Bourke in order to reach a satisfactory conclusion to the matter

The motion was seconded by Cllr. Pat English

The reply to the motion was noted.

Motion 1833 was proposed by Cllr Richie Molloy Michael Murphy (motion joined by Cllr Michael Murphy)

That the District Engineer carries out a full assessment of the entry to and exit from Ard Gaoithe Drive, Close and Avenue as well as Heywood Drive. At times residents are finding it almost impossible to enter onto the main Ardgeeha Road with significant danger involved. Any assessment should include an exit directly onto the Cashel Road Roundabout

Reply:

The CBD has passed this NOM onto the Roads Design Office in Nenagh and await the outcome of their assessment of the situation. It should be noted that any possible solution will involve the TII particularly as it is requested that an access road be constructed directly onto the Cashel Road Roundabout.

The motion was seconded by Cllr. Michael Murphy

The reply to the motion was noted.

Motion 1843 was proposed by Cllr Siobhán Ambrose

That Clonmel Borough District Council investigates possible traffic calming measures for the Fethard Road.

Reply:

Please note that a traffic survey will need to be carried out at this location in order to assess the numbers of vehicles using this road and what percentage are travelling in excess of the speed limit. Also, as you know at the moment the schools are off, and as such carrying out a survey this week will not yield the correct results. Therefore, it is intended to carry out a speed survey over the period beginning Monday 24th February to Sunday 1st March. After we have the results of the speed survey we can ascertain what if anything is required to be done based at that stage.

The motion was seconded by Cllr. Michael Murphy

The reply to the motion was noted.

Motion 1844 was proposed by Cllr Richie Molloy

That Clonmel Borough District investigate the possibility of removing ESB pole on Footpath from Kilsheelan Post Office to Ivowen Housing Estate to enable it more wheelchair friendly.

Reply:

I inspected this location and noted that there are two poles along the footpath from the Post Office to the Ivowen Estate as follows;

- The first is a timber Eircom pole located 1,400mm from the face of the pole to the edge of the path, and

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- The second is a steel ESB pole located 1,700mm from the face of the pole to the edge of the path.

It should be noted that the required width for a wheelchair to be able to pass any given point on a footpath is 900mm.

As there is adequate width available for a wheelchair to be able to pass both of these poles in this footpath the Council does not see any necessity to take any further action in this matter.

The motion was seconded by Cllr. Siobhán Ambrose

The reply to the motion was noted.

Motion 1849 was proposed by Cllr Siobhán Ambrose

That consideration is given under future road programmes by Clonmel Borough District Council for the re-surfacing of the remaining section of the road network within Ballingarrane.

Reply:

I have inspected the roads in this estate and noted that there are three sections to be considered, and will include these for consideration as part of the 2021 Discretionary Improvement Programme

The motion was seconded by Cllr. Pat English

The reply to the motion was noted.

Motion 1850 was proposed by Cllr Siobhán Ambrose

That consideration is given under future road programmes by Clonmel Borough District Council for the re-surfacing of sections of Willow Park

Reply:

I have inspected the roads in this estate. There are three sections to be considered, one section will be considered for inclusion in the 2020 Discretionary Improvement Programme, and the others in the 2021 DIP.

The motion was seconded by Cllr. Richie Molloy

The reply to the motion was noted.

Item 7.1 – Correspondence

All correspondence was noted.

Letter received from TII in response to Clonmel signage.

- Cllr. Siobhán Ambrose was not satisfied with the response that was received from the TII and will follow up further with the Roads Section of this Council in relation to this.

Item 8.1 – Votes of Sympathy/Congratulations

Cllr. Michael Murphy thanked all the members and staff of Clonmel Borough District for the kindness and assistance afforded to him and his family on the recent death of his mother.

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A vote of sympathy to the family of the late Ms. Grainne Ahearn, formerly of Melview, Clonmel.

A vote of sympathy to the family of the late Mr. Thomas Ahearne, formerly of Goatenbridge, Ardfinnan.

A vote of sympathy to the family of the late Mrs. Kitty Murphy, Powerstown Road, Clonmel.

A vote of congratulations was extended to the TD's who will represent Tipperary in the 33rd Dail: Mr Michael Lowry, T.D., Mr. Martin Browne, T.D., Mr. Mattie McGrath, T.D., Mr. Jackie, T.D., Mr. Alan Kelly, T.D.

A vote of thanks was extended to Mr. Seamus Healy for all his work while serving as a TD for the Constituency of Tipperary, especially in relation to representations on behalf of the people of Clonmel.

Item 9.1 – Any other business

Members criticised the use of social media during the general election campaign to abuse candidates and spoke about the potential negative impacts of this on the families of candidates.

There was no other business.

Signed: _____
Mayor of Clonmel Borough District

Date: _____

Signed: _____
District Administrator

Date: _____