

**MINUTES OF PROCEEDINGS OF THE CLONMEL BOROUGH DISTRICT
MONTHLY MEETING, HELD AT 11.00 a.m. BY ZOOM ON WEDNESDAY, 21ST APRIL
2021**

Present: Councillor Siobhán Ambrose, Mayor
Councillor Pat English
Councillor Niall P. Dennehy
Councillor Richie Molloy
Councillor Michael Murphy
Councillor John Fitzgerald

In attendance: Ms. Sinéad Carr, Director of Services
Mr. Eoin Powell, District Engineer
Mr. Jim Dillon, District Administrator
Ms. Marie O'Donnell, Staff Officer

Also in attendance: Ms. Marion O'Neill, Senior Executive Officer,
Environment
Ms. Orla Kelly, Administrative Officer,
Environment
Mr. Ruairi Boland, Senior Executive Engineer,
Environment
Mr. Damien Dullaghan, Head of Library
Services
Ms. Marie McMahon, Museum Curator

At the outset the Mayor Cllr. Siobhán Ambrose welcomed Mr. Jim Dillon, District Administrator who has recently taken up his new position with Clonmel Borough District. She acknowledged the vast knowledge and years of experience that Mr. Jim Dillon brings to his role and all members concurred with the Mayors sentiments. Ms. Sinead Carr, Director of Services also added that she had worked along side Mr. Jim Dillon in his previous role and was looking forward to working with him once again.

Since the last District Meeting Mayor Cllr. Siobhán Ambrose acknowledged that Clonmel was not successful in its URDF application for funding recently and stated that the local authority is engaging with the Department in respect to same. Under the Rural Development Fund it was welcomed that Kilsheelan was successful for design and build of 6 low energy carbon houses and for new public park in Kilsheelan.

Cllr. Siobhán Ambrose advised that she attended a zoom meeting with Minister Eamon Ryan, TD in respect to the N24 along with other representatives from the Local Authority. The importance of this major capital project and how beneficial it would be if we had a motor way from Rosslare to Donegal and the positive impact it would have for the tourism and industry sector. The rail network was also discussed as this is something that Minister Ryan is keen to upgrade and develop further which she hopes would be positive for Clonmel's rail service.

Cllr. Siobhán Ambrose asked Mr. Jim Dillon, District Administrator to update members on the Town Hall restoration works and upcoming meeting with Mr. Joe MacGrath, Chief Executive. Mr. Jim Dillon confirmed that the Property Management Section has put the works on the Council's Capital Programme. Mr. Paul Morris, Property Manager has stated that it will be done as soon as they establish the budget of approx €30,000 and is currently moving along in this process. The meeting with the Manager in relation to Roads is set for the 6th

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May, 2021 at 11.00am by zoom. It was agreed by all members that his date and time was suitable to all.

Item 1.1 Remote Meeting Protocol

Noted by all Members. The Mayor confirmed with each Member that they could see and hear all other Members.

Item 2.1 Disclosures and/or Conflicts of Interest

Mr. Jim Dillon, District Administrator confirmed that there were no conflicts of interest disclosed.

Item 3.1 Minutes of Meeting held on 16th March, 2021

The minutes of the monthly meeting of Clonmel Borough District held on the 16th March, 2021, as presented, were proposed by Cllr. Pat English, seconded by Cllr. Richie Molloy, and agreed by all.

Matters arising:

- Cllr. Pat English referred to the letter issued to Minister Peter Bourke, TD on 18th March, 2021 and asked if there was a response to date.
- Cllr. Pat English referred to the ongoing issues with Irish Water and the meeting held with Irish Water before this District Meeting and stated his disappointment at the response to the queries raised especially in relation to the short term and long-term solutions to water outages in the town of Clonmel and future supply.
- Cllr. Niall Dennehy stated that he felt the minutes were being sanitised because he had stated a particular issue at the last district meeting that didn't appear in the minutes.
- Cllr. Niall Dennehy also referred to the funds directed to Queen Street at the last meeting and that he suggested that it probably related to future development at the old Chadwick site, Cllr. Dennehy queried the openness and transparency and full disclosure of all negotiations in relation to the site.
- Mr. Jim Dillon, District Administrator confirmed that there was no response from the Minister to date.
- Ms. Sinead Carr, Director of Services confirmed that the purpose of the minutes is to capture the broad thrust of any discussion and to record any decisions made, and she stated that she is satisfied that is what has been done.
- Ms. Sinead Carr, Director of Services sought clarification from Cllr. Dennehy in relation to his statement regarding the old Chadwicks site. If Cllr. Dennehy is querying whether there were pre-planning discussions, then, clarification can be sought from the Director of Planning.

**Item 4.1 Clonmel Borough District Casual Trading Act 1995, Bye-Laws
2021**

Members were presented with a draft of the Clonmel Borough District Casual Trading Act 1995, Bye-Laws 2021. Mr. Jim Dillon, District Administrator explained that these were subject to public consultation feeding in to a county set of Bye-Laws. However, each district will have their own set of Bye-Laws. One main change in the Bye-Laws is the introduction of pitches on the Blueway.

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These pitches will not be allowed to trade in fast food. This applies to Blueway pitches only. The main issue raised at the workshop held with members prior to draft Bye-laws going to public consultation was the issue of displacement.

Under EU regulation the Council is not allowed to interfere with the economic market and therefore there can be no recognition given to the fact that a Casual Trading pitch may or may not displace an existing business. Decisions on the allocation of pitches will be made on a "decision by lot" basis.

All members were in agreement that the pitches on the Blueway were a great addition to the Bye-laws as they would be very much sought after.

- Cllr. Richie Molloy asked if there would be designated pitches marked.
- Cllr. Michael Murphy asked if he could get clarity on the displacement issue as it was something that he had raised at the workshop, he queries if the district were not able to add the displacement rule due to anti-competitive law. He stated it would be hard to support bye-laws that displaced any existing business in the district.
- Cllr. Pat English asked how could people apply for the pitches on the Blueway.

Mr. Jim Dillon, District Administrator responded as follows:

- The pitches on the Blueway are a new addition to the Byelaws and had not been marked out yet. Once the Byelaws are adopted, all the pitches will be fully marked out.
- A copy of the EU regulations would be emailed to the members with regard to the issue of displacement. The District Administrator reiterated that this has always been the case and that this wasn't a new introduction in relation to Casual Trading Bye-Laws.
- Once Bye-Laws are adopted the district will invite applications, the application form will ask their priority of pitch, and same will be drawn by lot if over subscribed.

Ms. Sinead Carr, Director of Services stated that to address the concerns of the members, the locations of the pitches were going to be key. She suggested that the bye-laws be deferred until members are met at a workshop to discuss further so that all members are satisfied with same before being adopted.

It was proposed by Cllr. Michael Murphy and seconded by Cllr. Pat English and agreed by all members to postpone the adoption of the bye-laws until the next District Meeting in May. It was agreed to hold a workshop on 6th May, 2021 at 10.30am.

Item 5.1 Attendance of Representatives from Directorate Environment & Climate Change

Ms. Marion O'Neill, Senior Executive Officer, Ms. Orla Kelly, Administrative Officer and Mr. Ruairi Boland, Senior Executive Engineer referred to a district briefing note circulated to Members with the agenda detailing key issues relating to the Housing Directorate.

Key issues in the briefing note included:

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- Burial Grounds
- Textile Banks
- Community Services
- SPC Meetings
- Tidy Town/Burial Ground maintenance grants
- Control of Dogs
- Control of Horses
- Derelict Sites
- Litter Enforcement
- Public Awareness
- Waste Management
- Civic Amenity Sites
- Environment Protection
- Complaints.

The following queries were raised by members:

- What happened the horses that were sized in quarter 1 on 2021
- Members welcomed the restoration work on 12/13 Queen Street which was an eye sore for many years.
- The new dog fouling campaign was welcomed.
- How many fines have been issued for dog fouling?
- Where did illegal dumping take place and were there any prosecutions?
- If a voluntary group wanted to get involved in Spring Clean is it necessary to register in order to get free litter pickers, bags etc?
- Can we start re-using the drone and CCTV in order to catch perpetrators of illegal dumping as there had been a GDPR issue?
- Is there any update on the Columbarium?

Members' queries were addressed as follows:

- Pound services take the horses to Cork and in most cases the horses are re-homed.
- The legislation that dog fouling has to be witnessed by a litter warden and then you have to establish the owner which makes prosecution very difficult, to date no fines have been issued.
- Voluntary groups must register for the purpose of insurance cover with An Taisce and it was necessary to form a proper register of all who took part.
- The Council are now carrying out the use of drones and CCTV in prosecution cases especially at bring banks.
- The message on the hi-viz jackets "my dog supports a clean green environment" is a campaign that we hope target dog owners that walk the same routes.
- The Columbarium has been constructed and erected in St. Patrick's Cemetery, the adjacent pavement work surrounding it has yet to be complete. The issue with Brexit/Covid has delayed same and it is expected to be completed by the end of the month. Once completed it will go before the Plenary for adoption. Then the administration protocol will commence with opening the Columbarium to the public.

The Mayor thanked Ms. Marion O'Neill, Senior Executive Officer, Ms. Orla Kelly, Administrative Officer and Mr. Ruairi Boland, Senior Executive Engineer for their attendance and report.

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Item 5.2 Attendance of Representatives from Directorate Culture & Library Services/Fire & Emergency Services

Mr. Damien Dullaghan, Head of Library Services and Ms. Marie McMahon, Museum Curator referred to a district briefing note circulated to Members with the agenda detailing key issues relating to the Culture & Library Services/Fire & Emergency Directorate.

Key issues in the briefing note included:

- Weekly podcast book review sessions
- Ireland Reads Initiative
- Zoom Quizzes
- Online St. Patricks Day events
- Tipperary Studies, People and Places
- War of Independence Colour Images Exhibition
- The 8th Annual Lecture Series
- Museum currently developing a new website and rolling out education initiatives online.
- Tipperary County Council Workplace Partnership & Museum quiz for frontline Council Staff.
- Audit of Holy Wells in the County
- Commemorative Programme
- Creative Ireland Programme
- National Biodiversity Action Plan
- Tipperary Healthy Ireland Cultural Projects Award 2021
- Tipperary Youth Theatre

The following queries were also raised to the Briefing Note by members:

- The news that the Clonmel Library is going to design stage is welcomed in the District.
- Is there any funding been given to this project from outside the Council in relation to funds needed when carrying out the works?
- Great feed back in relation to sending out Mick Delahunty CDs nationally and internationally and greatly appreciated including the Carers Group which was a boost during the Pandemic to elderly people who received their CD's in the post.

Members' queries were addressed as follows:

- Council funding is being put a side to bring external architects and design team to design new library for Clonmel. The Council are planning a large high tech inter community-based library, it will be 2000sq.meters. There hasn't been progress with the Capital Library Development National Programme, but are hopeful it will come. The Design team will be pushing Part 8 planning through so hopefully in next few months when new ground of funding is available we are ready and have concrete plans to make our application successful.

The Mayor thanked Mr. Damien Dullaghan, Head of Library Services and Ms. Marie McMahon, Museum Curator for their attendance and report.

Item 6.1 Burial Ground Grants 2021

The burial ground grants were proposed by Cllr. Michael Murphy and seconded by Cllr. Pat English and agreed by all.

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Item 6.2 Tidy Towns Grants 2021

The Tidy Towns Grants were proposed by Cllr. John Fitzgerald and seconded by Cllr. Pat English and agreed by all.

Item 7.1 Report of District Administrator

The District Administrators' report was circulated to Members with the agenda.

Queries raised by the Members on the report of the District Administrator.

- When will we see the swimming pool open to the public again?
- Where are we currently with the URDF funding as a lot of work has been put in by Council staff to get it to this stage?
- Have we a timeframe for works to start at the Town Hall?
- Is the water section paying anything towards the refurbishment works in the Town Hall?
- Members welcomed the Outdoor Seating & Accessories for Tourism & Hospitality Business Scheme which offers grants up to €4,000.
- Can we have a look at our policy on outdoor dining and facilitate as much as possible businesses that are in the hospitality sector as we have some fantastic streetscapes here in Clonmel?
- Any update on the Marlfield flood relief project?

Members' queries were addressed as follows:

- The swimming pool will open as soon as Covid19 restrictions are lifted.
- In relation to the URDF funding we have written to the Dept seeking reasons why we were unsuccessful in the second call for funding, the Department have reverted to the Council stating that they would hope to set up a meeting to go through the application in advance of another call for proposals.
- The refurbishment works in the Town Hall will go to tender once a budget is secured by the property management section.
- No update on the Marlfield Flood relief scheme, however an update on same will be sent to members shortly.
- Applications are now being accepted for the Outdoor Seating & Accessories for Tourism & Hospitality Business Scheme there are also other grants available to encourage outdoor dining and the Clonmel Borough District are trying to take advantage of all funding that is available where possible. We are currently engaging with traders in the town.

Item 7.2 Report of District Engineer – Roads Programme

The District Engineer's report was circulated to Members with the agenda.

Queries raised by the Members which Mr. Eoin Powell, District Engineer responded to were as follows:

- In relation to the HSE entrance on the Glenconnor Road, can we look to have a similar roundabout at the Western Road/Glenconnor Road junction?
- In relation to Marlfield speed reduction, what is entailed?
- When will works at the Rathronan Cross Junction commence?

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- Heavy goods vehicles are going straight through the lights at the Cashel road junction down William Street, it was agreed to erect a sign to stop HGV's from preventing them going through that area as is causing problems.
- The Glenconnor bridge out of town is subject to subsidence, it is acknowledged that it couldn't be put on the Roads Works Programme, could some repairs be done there as a short term measure?
- What plans are there for the Coleville Road?
- Speeding at Marlfield Road where 85% speed violation had been detected gives rise to much concern.

Queries raised by the Members which Mr. Eoin Powell, District Engineer responded to were as follows:

- A number of detailed traffic surveys have been carried out at the Western Road/Glenconnor Road junction and no issues have been detected. There is no capacity or problem issue at that junction.
- Rathronan cross will be started in the next few weeks delay due to covid19 restrictions.
- Marlfield Road speeding issue to be addressed by Gardai and Mr. Eoin Powell confirmed that the District Administrator will request that Gardai increase their speed checks on this road.
- In relation to the HGV sign this will be erected shortly.
- The Glenconnor bridge subsidence issue will be looked at to see what measures can be carried out in the short term.

Item 7.3 Report of District Engineer – Housing Voids Programme

The District Engineer's report was circulated to Members with the agenda.

- No issues were raised.

Item 7.4 – Consideration of Schedule of Proposed District Works 2021

The District Engineer's proposed district works 2021 report was circulated to Members with the agenda.

- Members deferred approving the Report of District Engineer – Road Programme 2021 until they have had meeting with the Chief Executive Joe MacGrath. This was proposed by Cllr. Siobhan Ambrose and seconded by Cllr. Pat English.

Mr. Eoin Powell, District Engineer stated that the following roads items could be progressed if members were in agreement:-

- No funds were taking from the restoration maintenance budget, 9 surface dressing jobs could be progressed.
- Macadam works are completed ready under a 3 year programme and are to be surface dressed which will be completed in next 4 weeks.
- Melview access road was done because it was in such bad condition.
- Minor monies for traffic calming could be let go ahead in the meantime.
- Footpath repairs come out of IPB money and is not out of our budget.
- Dungarvan Road is in urgent need of repair.

It was proposed by Cllr. Pat English and seconded by Cllr. Michael Murphy and agreed by all members that these works could progress in the meantime.

Item 8.1 Chief Executive/Delegation Officers Orders – Period up to 16th April, 2021

This was noted by all Members.

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Items 9.1 to 9.10 – Notices of Motions

Motion 2095 was proposed by Cllr. Richie Molloy.

That Clonmel Borough District trim back trees in the Dromard Estate as they are quite overgrown and would appear not to have been trimmed since Estate was built over 17 years ago

Reply:

Following an inspection of this estate these works will be carried out in 2021.
District Engineer.

The motion was seconded by Cllr. Pat English.

The reply to the motion was noted.

Motion 2122 was proposed by Cllr. John Fitzgerald.

I request that this council as a matter of urgency repair, resurface or at least patch the local road leading off the L1409 beginning at Eircode E25 D299 and heading directly south for 1.134 km to a junction with another local road, as the road in question is full of potholes and causing hardship for road users.

Reply:

This road in Rathmacarty is one of our red category roads, (i.e., on a scale of 1 to 10 this is a level 1 to 4). I am very aware of the condition of this road generally, and usually it is a road I would want to avoid, but anytime I'm up that direction I would always make my way south from Rosegreen via this road, and usually it is in very poor condition. However, on foot of this NOM I inspected this road last week and found that virtually all of the potholes were filled. I'm not saying that this is an easy road to drive, it isn't, but it's in a much better condition that it was the last time I drove it about three weeks ago. Again, all we can do is try our best to keep on top of the potholes, patching, etc. in relation to this road as it is not on our RI Programme this year. District Engineer.

The motion was seconded by Cllr. Siobhán Ambrose.

The reply to the motion was noted.

Motion 2123 was proposed by Cllr. John Fitzgerald.

On behalf of the residents of the Cul-De-Sac roadway leading off L3250 at Knockeevan serving many families and farms be considered for repair/resurfacing. This roadway serves, among others, Eircode E91 WE52 and has been in a poor state of repair for some time.

Reply:

Please note that on an ongoing basis that I am aware of the condition of this road generally, and was pleased to find on a recent inspection that this road is currently in a reasonable condition, based on previous visits that is.

In relation to tertiary roads generally the Council will only ever be able to carry out repairs on an emergency basis. However, we will keep an eye on this road and I have instructed the Overseer to carry out the usual pothole filling, patching, etc. whenever he is in that location. District Engineer.

The motion was seconded by Cllr. Siobhán Ambrose.

The reply to the motion was noted.

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Motion 2124 was proposed by Cllr. Richie Molloy.

That Clonmel Borough District include the L71091 (Ballingearry to Moorestown Castle Road) in the new 3-year roads programme for patching and eventual resurfacing.

Reply:

I inspected this road during the week and noted that it is in a reasonable state of repair. During my inspection I noted that there were no potholes, and what holes used to be there have already been repaired in the recent past. There is a bit of stripping of the surface chips but not such that it causes much concern to the Council. The rating for this road is about level 6, and as such is not considered to be classed as a red rated road, (i.e., level 1 to 4), and as is therefore unlikely to be selected as part of the 3-Year Roadworks Programme, (RWP), 2022 to 2024. However, I will of course include it for consideration as part of the 3 Year RWP. District Engineer.

The motion was seconded by Cllr. Pat English.

The reply to the motion was noted.

Motion 2127 was proposed by Cllr. Pat English.

That Clonmel Borough District Council look at replacing Sections of Footpath from 18 to 26, Wheatfields, Clonmel.

Reply:

Please note that in the last two weeks all of the locations that required to be replaced within Wheatfields have been completed, (as per the draft roadworks programme that is to be approved at the April Council Meeting (this week). District Engineer.

The motion was seconded by Cllr. Siobhán Ambrose.

The reply to the motion was noted.

Motion 2128 was proposed by Cllr. Pat English.

That Clonmel Borough District Council repair sections of the Fethard Road surface from the Fethard Road Roundabout to Rathronan Cross Roads, Clonmel.

Reply:

I will carry out an inspection over the next couple of weeks to determine the level of damage or otherwise to this very lengthy section of the Fethard Road, and will report back at the next Council meeting in May 2021. District Engineer.

The motion was seconded by Cllr. Michael Murphy.

The reply to the motion was noted.

Motion 2129 was proposed by Cllr. Pat English.

That Clonmel Borough District Council request the Minister for Transport to include the Rail Link from Limerick Junction to Waterford City in the National Strategic Rail Review and look at extending the Rail Link into Limerick City.

Reply:

If agreed by all Members, a letter will issue to the Minister for Transport seeking a rail link from Limerick Junction to Waterford City. District Administrator.

The motion was seconded by Cllr. Siobhán Ambrose.

The reply to the motion was noted.

Motion 2130 was proposed by Cllr. Siobhán Ambrose.

That in the interest of safety that Clonmel Borough District Council contacts Transport Infrastructure Ireland (T.I.I.) requesting additional traffic calming

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measures for Kilsheelan village in order to reduce the speed of vehicles driving through the village.

Reply:

If agreed by the Members, a letter will be issued to the T.I.I. in relation to the provision of additional traffic calming measures for Kilsheelan. District Administrator.

The motion was seconded by Cllr. Pat English.

The reply to the motion was noted.

Motion 2131 was proposed by Cllr. Siobhán Ambrose.

That Clonmel Borough District Council writes to Irish Water requesting that Killusty Village be considered for a public sewerage system under their small towns and villages growth programme. Killusty currently doesn't have a public sewerage system and the installation of a new system would support future housing, community and business developments within the village.

Reply:

If agreed by the Members, a letter will be issued to Irish Water in relation to the provision of a public sewerage scheme in Killusty Village. District Administrator.

The motion was seconded by Cllr. Michael Murphy.

The reply to the motion was noted.

Motion 2132 was proposed by Cllr. Siobhán Ambrose.

That in the interest of safety to members of the public accessing Rathkeevin National School, Busy Bees morning and after school services, local businesses, Rathkeevin Nursing Home and local residents that Clonmel Borough District Council contacts Transport Infrastructure Ireland (T.I.I.) requesting that they re-visit the possibility of traffic calming measures being introduced on the N24 in Rathkeevin.

Reply:

If agreed by the Members, a letter will be issued to the T.I.I. in relation to revisiting the possibility of providing traffic calming measures on the N24 Rathkeevin. District Administrator.

The motion was seconded by Cllr. Pat English.

The reply to the motion was noted.

Item 10.1 – Correspondence

All correspondence circulated with the agenda was noted.

Item 11.1 – Votes of Sympathy/Congratulations

- A vote of congratulations was issued to Ms. Rachel Blackmore on her recent success as winner of the Aintree Grand National.
- A vote of congratulations was issued to Mr. John Nallen, Hotel Minella, Clonmel on his recent racing success in relation to the horse Minella originally trained and owned by him.
- A vote of congratulations to Darragh Lynch, c/o Clonmel Rowing Club on finishing second in the men's scull event at the European Rowing Championships.
- A vote of congratulations to Dorothy Wall in her success in the six nations international cap and scoring a try with the Irish Rugby team, beating Wales in the Women's Six Nations.
- A vote of sympathy was issued to Mr. Sean Hogan, c/o Vera Hewitt, Glennconnor, Clonmel.

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Item 12.1 – Any other business

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Signed: 

Mayor of Clonmel Borough District

Date: 21/05/2021


Signed: 
District Administrator

Date: 21/5/2021