



Comhairle Contae Thiobraid Árann
Tipperary County Council

MINUTES OF PROCEEDINGS OF THE FEBRUARY MEETING OF NENAGH MUNICIPAL DISTRICT HELD IN THE MUNICIPAL DISTRICT CHAMBER, CIVIC OFFICES, LIMERICK ROAD, NENAGH AT 10.00 AM ON 18TH FEBRUARY 2016

Present:

Cllrs. Fiona Bonfield, John Carroll, Ger Darcy, Mattie Ryan, Phyll Bugler, Michael O' Meara, Seamus Morris and Hughie McGrath.

Apologies:

Cllr. Joe Hannigan, Marcus O' Connor.

Also Present:

Ms. Rosemary Joyce, District Administrator; Mr. P. Fee, A/ Senior Executive Engineer, Mr. David Fahy, Executive Engineer, Mr. Karl Cashen, Director of Services, Mr. Brian Beck, Senior Planner and Lorraine Treacy, Staff Officer.

Item 1

Minutes of January Meeting

It was proposed by Cllr. M. Ryan, seconded by Cllr. F. Bonfield and resolved that the minutes of the January meeting held on 21st January be adopted.

Item 2.:Update from Planning Staff

Statistics in relation to planning applications in the Nenagh Municipal District were circulated to the members. In particular, Mr. K. Cashen referred to the 46% increase in the number of valid planning applications in the Nenagh Municipal District compared to last year, which he said, is an indication of an increase in economic well being.

Cllr. G. Darcy welcomed the news on the increase in the number of planning applications and said he looked forward to the introduction of the new County Development Plan.

Cllr. J. Carroll complimented the planning staff on their proactive approach, noting the number of decisions refused as being miniscule. He queried how many of the 245 decisions granted related to extensions or refurbishments. He went on to refer to the taking in charge of estates and requested a list of estates that have been taken in charge in the District and those that have not.

Cllr. P. Bugler said that Taking in Charge of Estates is a big issue particularly in Newport and Ballina. She said that getting the signatures of 51% of the residents is quite an amount of work and suggested that there was a need to amend the planning regulations to ensure that the developer is responsible for the request to take an estate in charge. She concluded by saying that the fixing of public lights is the main concern of residents in estates that have not been taken in charge.

Cllr. H. McGrath agreed with Cllr. Bugler saying that having public lights is a right of people the same as water is. He referred to the service being provided by the energy supplier, which he said was unacceptable.

Cllr. S. Morris requested an update on the taking in charge of Springfort Meadows. He referred to the taking in charge of the remainder of Ormond Keep. He said it is very difficult to find the owners of the houses.

Cllr. F. Bonfield referred to proposals to speed up the Taking in Charge process being introduced by the Department of the Environment & Local Government and enquired if there has been any update in relation to same.

Cllr. M. O' Meara enquired if there were any proposals to review the list of Protected Structures.

Cllr. J. Carroll referred to the boundary treatment of Mulcair Manor and Glenree which he said needs improvement. He said there was a need to get tougher with developers on this issue.

Cllr. P. Bugler raised the issue of developers being allowed to build from the back of the site which leaves the front of the site unsightly. Cllr. H. McGrath queried if the Council should request developers to create haul roads to service sites.

Cllr. G. Darcy supported Cllr. M. O' Meara in relation to the list of Protected Structures. He said there were a high number of them in the Lower Ormond Area and the strict regulations associated with these buildings are causing hardship to the owners.

Mr. B. Beck advised the members that a Planning SPC meeting will be held in early March at which a new Taking in Charge Policy will be presented for consideration. He said that lessons have been learnt from the past and planning staff have now been trained to carry out inspections as developments are being built in accordance with the Building Regulations and there is an increased scrutiny of developers. He said all the lessons learnt from the past will feed into the new Taking in Charge Policy.

Referring to Mulcair Manor, Mr. Beck advised that the bond has been called in. He said it had taken a long time but there was a process to go through. He also said that there has been a Derelict Notice issued on the site.

With regard to the issues relating to public lighting, Mr. Beck said that he understands the members concerns but stressed that if an estate is not taken in charge and the Council go in and fix a light, they are in effect trespassing on private property. Referring to Springfort Meadows, Mr. Beck advised that the Council is working with Irish Water at present in order to establish what % of the bond is required for water services. He went on to say that the Department of the Environment, Community & Local Government has announced funding of €10m for Taking in Charge nationally. He said €6m of the funding will be provided to local authorities to assist them with the Taking in Charge programme and the Council is waiting to hear how much of the fund will be allocated to Tipperary.

He concluded by saying the Planning Section has commenced work on 150 Settlement Plans and hoped to have them on public display in the third quarter of this year and that variation no. 5 will deal with the review of Protected Structures. He said that there were over 3,000 Protected Structures in the County and a lot of them should not be included and confirmed that the Council will be engaging with the owners of the properties which will give them an opportunity to feed into the process.

Cllr. H. McGrath said that it was hard for people to accept that the Council cannot go in and fix the lights when officials like the Dog Warden, Litter Warden and the Gardaí have rights to go into estates to carry out their duties. Cllr.'s P. Bugler and S. Morris agreed with Cllr. H. McGrath.

Cllr. M. O' Meara said he welcomed the review of the Protected Structures and said the review required a strong input as there were buildings that needed to be added as well as deleted from the list.

In response Mr. B. Beck said that when officials like the Gardaí, Irish Water and Dog Wardens are carrying out their duties they are doing so under specific legislation. He went on to say that in many cases it is not that the lights need to be fixed but that the developer has not paid the service provider.

Mr. K. Cashen added that there are 580 estates in the County, with 300 taken in charge to date, leaving 280 to be taken in charge. He said the Council is working hard to populate the information on these into a database. Cllr. P. Bugler enquired how many of the 280 are in the Nenagh District. Mr. Cashen said that that he would have this information the next time that Planning were due to be in attendance at the Nenagh Municipal District Meeting.

Item 3: Action Plan

The Action Plan from the January Meeting was noted.

Item 4. **Presentation on "Rewetted & Drained Bogs"**

Ms. Fiona Molloy and Ms. Sarah Denby gave a presentation on "Rewetted & Drained Bogs, Co2 Emissions & Botanical Composition".

Cllr. G. Darcy complimented Ms. Molloy & M. Denby on their excellent presentation. Cllr. M. O' Meara also complimented the presentation saying it showed the importance of the conservation of bogs. He said it would be a big benefit if a policy could be introduced in relation to re-flooding and added that it is important to stress the message of preservation of bogs to the current generation. He concluded by congratulating the students on their achievement in the Young Scientist Exhibition. Cllr's P. Bugler, M. Ryan, J., Carroll, F.

Bonfield and H. McGrath complimented the students on their presentation and wished them all the best for the future.

Item 5.
Submission on 3 Year Roads
Programme

Cllr. J. Carroll proposed that the consideration of the Three Years Roads Programme be deferred for two weeks. This proposal was seconded by Cllr. M. O' Meara.

Ms. R. Joyce said that as explained at the Workshop held before the meeting, the Municipal District is required to submit a proposal in relation to the 3 Year Roadworks Programme. She said she noted the concerns that the Members had but confirmed that the current programme will be forwarded to the Roads Section for onward submission to the Department of Environment, Community & Local Government.

Cllr. J. Carroll stated that the Council is only submitting half of the list of damaged roads. He referred to list of flood damaged roads that had been put forward for funding and said that the members needed to see that list before they made a decision on the 3 year Programme.

Cllr. M. O' Meara stated that he understood the constraints that the Council is under with regard to budgets with a paltry figure from the Department each year for Roads which he said is an insult to the people of rural Ireland. He said the situation will not improve unless an alternative solution to funding rural roads is found.

Cllr. M. Ryan agreed with Cllr. O' Meara. He said he sympathised with the Engineers who have to try and come up with a Roadworks Programme. He said successive Governments have let rural Ireland down.

Cllr. G. Darcy said he would like to support the previous speakers. He said there is never enough money for roads. He said short of a major cash input it will be a high task to get the roads in shape. He went on to say that there is a significant amount of heavy machinery on the roads now and he hoped that the incoming government will have roads and rural transport high on their agenda.

Cllr. J. Carroll said that we are losing control over our roads and roads are getting impassable. He said he would not sign off on a Roadworks Programme until he gets clear

information on what roads were submitted for flood damage funding.

Cllr. P. Bugler referred to the R494 which is the main road into the tourist town of Ballina. Cllr. H. McGrath requested an update on Knockalton Hill and Cllr. F. Bonfield said that there was a need for more money for roads and more outdoor staff.

Cllr. P. Bugler requested that the executive write to the Department of the Environment, Community and Local Government to enquire when the emergency funding would be provided to local authorities. Ms. R. Joyce said that she would pass on the request to Mr. M. O' Connor.

Cllr. J. Carroll requested an update on Knockalton Hill and Latteragh and enquired if the public can carry out repairs to roads themselves. Mr. P. Fee advised the members that he could not approve of ad hoc repairs being carried out by private parties.

Item 6.
**Taking in Charge of Fair Green,
Borrisokane**

It was proposed by Cllr. M. O' Meara, seconded by Cllr. P. Bugler and resolved that pursuant to the provisions of Section 180 of the Planning & development Act 2000 (as amended) and Section 11 of the Roads Act 1993, this Municipal District hereby agrees to declare that roads serving the Housing Estate known as Fairgreen Estate, Finnoe Road, Borrisokane to be public and take in charge open spaces, car parks, sewers, water mains and service connections within the development, as per the map which was on public display during the prescribed period and as outlined in the Director of Service Report to Members for the February 2016 Municipal District Meeting.

Item 7.
**Amendments to Car Park
Bye-Laws**

Cllr. H. McGrath said that he was delighted to see that the Council was consulting with the public in relation to the Car-Park Pay & Display Bye-Laws. He said for the last number of years, the members have been trying to ensure that the car parking in Nenagh was user friendly. He said that he had spoken to a number of business people in the town and they were of the opinion that the free parking in carparks on a Saturday was not working as well as they had envisaged. He noted that the Chamber of Commerce had been consulted on the matter. He said that limiting the free parking in car parks

to two hours should improve the situation and he hoped that the public would support the proposal.

It was proposed by Cllr. H. McGrath and seconded by Cllr. F. Bonfield that the Draft Car Park Bye-Laws be put on public display.

Cllr. P. Bugler enquired as to how the two hours free parking would be policed. Ms. R. Joyce said that the registration numbers of the cars would be logged by the Traffic Wardens. She advised the members that another proposed amendment to the Bye-Laws was the introduction of a reduced car parking rate for permits for the Railway Station Car Park. The yearly permit, which currently costs €240, would be reduced to €150 and employers could pay half of the cost and off-set it against their tax liability. Ms. Joyce went on to say that the Draft Bye-Laws will be on public display from 29th February to 1st April and submissions will be accepted up to and including the 15th April. Ms. Joyce concluded by advising the members that the Council is also considering introducing a system of paying parking fees over the phone and internet which would run side-by-side the current system. She said a working group is being set up at present to look into the proposal.

Cllr. H. McGrath said that he wanted to make it known that this was not a measure to hunt people out of the town but rather to make better use of the spaces available.

Item 8.
Drainage District Meetings

Ms. R. Joyce advised the members that, subject to their agreement, it was proposed to hold the Drainage District Meetings on 24th March. Cllr. M. O' Meara welcomed the fact that the meetings were being held earlier than normal. He enquired if it would be possible to establish a committee for Riverstown Drainage in conjunction with Offaly County Council. Cllr. G. Darcy supported Cllr. O' Meara in relation to this. Ms. Joyce advised Cllr. O' Meara that as Riverstown was not an official Drainage District it would not be possible to set up a committee but it would be possible for informal meetings to take place. However she went on to point out that there would be no specific budget and therefore any works required would have to come under funds provided under the Local Authority Works Act. Cllr. M. O' Meara said that there was an important need to establish budgets and that he had spoken to representatives in Offaly and they were willing to provide funding.

The members agreed to hold the Drainage District Meetings on 24th March at 9.30 a.m.

Item 9:
Community Safety
Committee

Ms. R. Joyce advised the members that the JPC meeting was due to take place in May and in advance of this the District would have to hold a meeting of its Community Safety Committee with Superintendent Bob Noonan. It was proposed by Cllr. J. Carroll and seconded by Cllr. P. Bugler and agreed that the meeting take place on the 21st April at 9.30 a.m.

Item 10.
Board of Nenagh Arts Centre

Ms. R. Joyce advised the members that the Arts Centre was a fantastic facility in the town and it was important that there would be representation from the elected members on the Board. She went on to say that the new Manager of the Arts Centre is very proactive and is working very hard to get the centre more vibrant and it was therefore important to keep the Board in place.

It was proposed by Cllr. M. Ryan and seconded by Cllr. H. McGrath and agreed that Cllr. F. Bonfield be nominated to the Board of Nenagh Arts Centre to fill the vacancy arising from the resignation of Cllr. John Carroll.

Item 11.
Update on Projects

Nenagh Traffic Management Plan

Ms. R. Joyce advised that the Consultant's Report on the submissions has been received and once reviewed the executive will revert to the members. Further consultation will then be held with the public. Cllr. H. McGrath enquired if there will be engagement with Nenagh Co-op. Ms. R. Joyce advised that Mr. O' Connor has had previous discussion with the Co-Op and assured Cllr. McGrath that there would be continued engagement.

Gills Garden

Ms. R. Joyce advised that the final layout drawings have been approved by the Department of the Environment, Community & Local Government. The Part 8 process will now be finalised.

Newport Town Park

Ms. R. Joyce advised the members that discussions are ongoing in relation to land acquisition. She said that the Council is fully committed to providing a Town Park in

Newport. She said two potential sites have been identified and discussions are taking place with a family in relation to one and with a Receiver on the other. Cllr. P. Bugler requested further details of the two sites and that written reports be given on all discussions on the matter. Ms. R. Joyce advised Cllr. Bugler that she could not divulge details of the negotiations in public. Cllr. F. Bonfield said that the delay was a serious issue. She said that a meeting on the playground was held as early as December 2014 and it is an issue that she hears about every day. Ms. Joyce said that she understood the frustration because of the time involved in progressing land acquisition however she was confident that progress will be made on the matter, that funding had been secured and that a much needed facility for Newport will be provided. Cllr. J. Carroll expressed concern that a particular site had been ruled out without consideration. Ms. Joyce replied that no site has been excluded and the Council will examine all suitable options.

Windowbox Scheme Nenagh

Ms. R. Joyce advised that a Windowbox Scheme for Nenagh has recently been rolled out in conjunction with Nenagh Chamber of Commerce. She said that for a fee of €40 property owners in the Town Centre can avail of a Windowbox which will be erected at first floor level and maintained by the Council. She said that application forms are available from the Council or through Nenagh.ie and she hoped that a lot of the property owners will avail of the scheme. Cllr. G. Darcy said it was a great initiative and stressed the need to keep the momentum going in the town to continue the work that had been done in the run up to the Fleadh last year. Cllr. H. McGrath said that the Council was very fortunate that the Nenagh Chamber of Commerce are very proactive and are fighting to keep businesses going and want the town to look well. Cllr. J. Carroll welcomed the introduction of the Window Scheme and also referred to the need to deal with signage and derelict sites in the town. Ms. Joyce advised that funding has been provided through the General Municipal Allocation for a signage strategy for the town which will be progressed over the next twelve months.

Borrisokane Painting Scheme

Ms. R. Joyce advised the members that the Borrisokane Painting Scheme was rolled out recently. She said that the Council will encourage successful applicants to paint the

full building and that vibrant colours should be considered. Cllr. G. Darcy said that the Painting Scheme in Nenagh was a great success and said it will be good for Borrisokane also. Cllr. M. O' Meara said that a lot of work had been done in Borrisokane with the storm water and the Painting Scheme will brighten up the buildings on the Main Street. He enquired if there was someone from whom applicants could get advice on colour. Ms. Joyce said that the Municipal District will give advice in conjunction with the Planning Section.

Grant Schemes

Ms. R. Joyce advised the members that the Residents Association Grants, Clubs & Organisations Grants and the Special Grants Scheme have been advertised. She added that the Environment Section has advertised the Tidy Towns Grants and Burial Ground Grants this week with a closing date of 9th March.

Cloughjordan – Commemoration of Thomas MacDonagh 2016

Ms. R. Joyce advised the members that Volume IX of the Heritage Book on Cloughjordan was being launched on 26th February. She went on to say that work is ongoing on the Statue of Thomas MacDonagh which will be in place for the May Bank Holiday Weekend. It is hoped to have Muriel MacDonagh in attendance for the unveiling of the statue. Other events include the laying of a wreath at the grave of MacDonagh's parents, the hosting of the County Fleadh in Cloughjordan, and a Visit Nenagh Classic sprint in Cloughjordan. Cllr. G. Darcy thanked Ms. Joyce for the amount of work she has done for the Commemoration Committee in Cloughjordan.

Other

Ms. R. Joyce advised the members that the Visit Nenagh Classic will take place on 16th & 17th April and An Post Rás will pass through Nenagh on 23rd May. She also referred to Terryglass being selected to compete in Ireland's Best Kept Towns Competition which she said was a fitting tribute to the hard work being done by the proactive committee there. Cllr. G. Darcy also paid tribute to Terryglass Development Association saying they have been at the top since the early 1980's. Cllr. M. O' Meara said they have an amount of knowledge and they are not afraid to share this knowledge with others. Cllr. J. Carroll said the Association

were specialists in the field and complimented them for their decades of hard work.

Ms. Joyce reminded the members that the St. Patrick's Day Parade will take place in Nenagh on 17th March. She went on to say that Nenagh Castle remains closed at present due to water ingress. She said that the Council is working with the OPW to try and get it open as soon as possible.

Item 12.
Engineer's Checklist

An update was given on various items on the Engineer's Checklist.

Cllr. G. Darcy referred to speeding on the Templemore Road, Cloughjordan around the school and requested that the speeds be checked.

Referring to the Gateway on the Thurles Road, Mr. P. Fee advised that the landowner was not in favour of a gateway and an alternative location would have to be looked at.

Cllr. J. Carroll referred to the footpath at Knights Crescent which he said was flush with the road. Cllr. P. Bugler enquired if the undergrounding of cables in Ballina would be done before the end of May. Cllr. M. Ryan referred to two houses in Rearcross, one which gets flooded and the other where the car is hitting the road at the entrance. Cllr. G. Darcy referred to repair of street lights in Ardcroney. He said waiting for four weeks to have them repaired was unacceptable. Cllr. J. Carroll referred to estate where repairs to lights have been carried out and after a week or so they are not working again. Mr. P. Fee said he would arrange to have an analysis of repeat repairs carried out.

Cllr. G. Darcy requested an update on an old derelict building in Cloughjordan. He referred to power points at Dromineer Harbour, saying that there was a need for some more. Mr. P. Fee said that he had met with Mr. Collison about the power points and Waterways Ireland has agreed to provide additional power points on the existing posts.

Cllr. M. O' Meara referred to flooding on the Templemore Road, Cloughjordan, flooding at Lelagh at Michael Smith's house, Kitty Kings Cross and gullies in Ardcroney that may be turned the wrong way.

Cllr. P. Bugler referred to the R494, the Boher road from the Main Street, the Gortlassobrien Road, potholes at the Roulagh junction and the need for a carpark in Ballina. She requested a meeting with regard to the Gateway Programme. Ms. R. Joyce advised Cllr. Bugler that the Municipal District has no role in relation to the Gateway Programme and suggested that Cllr. Bugler contact the HR Department.

Cllr. H. McGrath referred to a gully on the Ballinaclough road which is sitting on the carriageway.

Cllr. F. Bonfield referred to the need for flashing lights at Ballinahinch School, the Bridge at Ballinahinch and a section of footpath from the shop to Mulcair View. Mr. P. Fee pointed out that the area from the shop to Mulcair View is a grass verge and not a footpath.

Cllr. J. Carroll referred to the public light at Tullaheady junction and the lack of public lighting on the Silvermines to Dolla Road inside the speed limit signs.

Item 13.
Delegated Employee
Orders

A list of Delegated Employee Orders from 1st January to 31st January 2016 as circulated to the members was noted.

Item 14.
Correspondence

The following correspondence was noted:

1. Letter from Department of Arts, Heritage and the Gaeltacht to advise that the Council's letter in relation to development of phase 2 of Nenagh Castle has been passed on to the Office of Public Works.

Item 15.
Votes of Congratulations/
Sympathy

Votes of Sympathy were passed to the following:

- Mr. Matt Lillis, Tullaheady, Nenagh on the death of Michael Lillis R.I.P
- Ms. Ann Lillis, Cooleen, Silvermines on the death of Michael Lillis R.I.P
- Mr. Dave Carroll, Rapla Nenagh on the death of Michael Griffin, R.I.P


Item 16.
A.O.B

Mr. P. Fee advised the members that the Council is meeting representatives from Bord Gais on a weekly basis in relation to the works being carried out by them.

Cllr. M. O' Meara referred the road at Pat Moloughneys at Brocka. Mr. P Fee said that road realignment at this location would be very expensive and that this is not what tertiary roads funding is intended for. He said he had discussed the matter with Michael F Hayes, Senior Engineer. Cllr. O' Meara requested that Mr. Molloy's situation be taken in to account. Mr. Fee said there was a growing trend of using larger heavy vehicles and suggested that this was an issue for the Roads SPC. Cllr. G. Darcy enquired if there was any way that the Council could work hand in hand with the local contractor to do the required works and said that there was a time issue.

Mr. P. Fee advised the members that a proposal to close Summerhill as part of the Bord Gais Works has been advertised. It was not yet clear what the closure plan will be and how local access would be provided.

This concluded the business of the meeting, a true copy of which we hereby certify.

Signed: 
Cllr. Ger Darcy
Cathaoirleach

Date: 24/3/16.

Signed: 
Ms. Rosemary Joyce
District Administrator

Date: 24/3/16.

