MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF TIPPERARY COUNTY COUNCIL HELD IN THE CIVIC OFFICES, CLONMEL, CO. TIPPERARY AT 11 AM ON 10TH SEPTEMBER 2018

Present
Cllr. Mattie Ryan, Cathaoirleach.
Cllrs. Ambrose S. Anglim, M; Bonfield, F; Bourke, J; Bourke. K; Browne, M; Bugler, P; Carroll, J; Crosse, J; Darcy, G; Doran, D; Dunne, D; English, P; FitzGerald, M; Goldsboro, I; Hanafin, S; Hannigan, J; Hogan, Hanna Hourigan, M; Kennedy, R; Leahy, D; Lonergan, M; Lowry, M; McGrath, H; McLoughlin, L; Molloy, R; Moloney, A; Moran, E; Morris, S; O'Meara, K; O'Meara, MI; Ryan, J; Ryan, S; Smith, M; Wood, T.

Also Present

Apologies
Cllrs: C Carey, J. Fahey; Marie Murphy, MI Murphy

Minutes Silence
On the proposal of the Cathaoirleach and with the agreement of the members, a minutes silence was observed in memory of Mrs. Mary Jo McCarthy, wife of former Cathaoirleach and members Sean McCarthy.

Best Wishes
The best wishes of the Members were conveyed to Cllr M. Anglim on his forthcoming nuptials.

Item 1.1
Minutes of Council Meeting held on 9TH July 2018
Proposed by Cllr. S. Ryan seconded by Cllr. S. Hanafin and resolved
“That the minutes of the Council Meeting held on 9th July 2018 in the Civic Offices, Nenagh, Co. Tipperary, as presented be adopted”.

Item 1.2
Minutes of Annual Meeting held on 25TH June 2018
Proposed by Cllr. S. Ambrose seconded by Cllr. R. Kennedy and resolved
“That the minutes of TCC Annual Meeting held on 25th June 2018 in Civic Offices, Clonmel, Co. Tipperary, as presented be adopted”

Item 2.1
Conferences/Seminar/Training
It was proposed by Cllr. J. Hogan, seconded by Cllr. S. Hanafin and resolved:-
“That pursuant to Section 142(5) of the Local Government Act 2001 and having regard to (i) the benefits likely to accrue, (ii) the general interest of this administrative area and of the local community (iii) the estimated cost of the proposed attendance and the provision made for such purposes in the annual budget, hereby nominate those listed hereunder to attend the following Conferences/Seminar/Trainings:-

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<thead>
<tr>
<th>Seminar/ Conference/ Similar Event</th>
<th>Dates</th>
<th>Venue</th>
<th>Nominees</th>
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<tr>
<td>Tipperary Energy Agency</td>
<td>12th Sept 2018</td>
<td>Hotel Minella, Clonmel</td>
<td>Cllr. M. FitzGerald</td>
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<td>Cllr. MI. O'Meara</td>
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<td>Cllr. J. Hannigan</td>
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Item 2.2  
Reports on Conferences

Proposed by Cllr. J. Hogan seconded by Cllr. S. Hanafin and noted.

Item 3.1  
Casual Vacancy Co-Option

In accordance with Section 19 of the Local Government Act 2001, members were advised that Councillor Josephine O’Meara has submitted, in writing, notification of her resignation as a member of Tipperary County Council with effect from the 12th August 2018. Consequently, a vacancy had now arisen in the membership of Tipperary County Council.

The vacancy was to be filled at the next meeting of the Council, after the expiration of fourteen (14) days from the occurrence of the vacancy, or as soon after the expiration of the fourteen (14) days as circumstances permit and this meant that the vacancy would be filled at this Monthly Meeting.

The provisions made in Section 19 of the 2001 Act and Standing Order No. 83 for the filling of a casual vacancy were as follows:-

“Each Member of the Council who was elected as a non-party candidate to the Council must, immediately after his/her election to the Council, submit to the Meetings Administrator, the name of his/her nominee to be co-opted as a replacement on the Council in the event of he/she being required to vacate his/her office, for any reason, during the lifetime of the Council. The Council shall co-opt any person thus
The replacement nominee as submitted to the Meetings Administrator by Councillor Josephine O’Meara on 11th June 2018, was Mr. Kevin O’Meara.

Proposed by Cllr. M. Lowry, seconded by Cllr. L. McLoughlin and resolved:

“That pursuant to the provisions of Section 19 of the local Government Act, 2001, Kevin O’Meara be appointed to the Casual Vacancy which exists on Tipperary County Council”.

Members welcomed Kevin O’Meara to the membership of Tipperary County Council and assured him of their support. They complimented Mrs. Josephine O’Meara on her strength to take on her late husband’s seat on the Council at what was a very difficult time.

Mr. Kevin O’Meara thanked his proposer and seconder. He welcomed the opportunity to represent the people of the Carrick-on-Suir Municipal District following in his father’s footsteps.

Mr. Joe MacGrath, Chief Executive welcomed Cllr O’Meara and congratulated him on his nomination. He thanked Mrs. O’Meara for accepting her nomination to the Council at short notice and wished her well for the future.

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**Item 3.2**

Mr. Liam McCarthy, Head of Finance referred to the Chief Executive’s Report circulated with the Agenda recommending that the Local Property Tax be maintained at 2018 levels, which would yield an additional income of €1,182,368. This income would be allocated as follows with 50% being allocated to General Municipal Allocation and the remaining 50% to be allocated to specific projects and service areas. It was noted that the effect of this recommendation would be that the LPT bill which householders would receive in 2019 would be the same as 2018.

Mr. Liam McCarthy, Head of Finance then gave a detailed presentation to the members, outlining the Budget Process and Timeframes which entailed:

- Consulting with the CPG, and the Council deciding on the LPT Local Adjustment Factor at the September meeting
- The consideration of General Municipal Allocations (GMA) at District and Borough Meetings in October
- The Statutory Budget Meeting in November following which the schedule of Municipal District works would be agreed post-budget.

Mr. McCarthy, referred to the Budget Workshop held with the members, noting in particular that following the public consultation period from 13th July to 21st August which had been advertised in local media and on the Council’s Website, that no submissions were received by the Council from this process. He outlined the main features of LPT in Tipperary and the key issues in determining the annual revenue budget. The various projects/communities and local services that benefitted from the additional funding in 2018 was noted across the five Municipal District Areas.

He advised that a key objective of the 2018 Budget would be to maintain all existing services at current levels and enhance services, where possible, particularly those services which are dependent on financial support from the Council i.e. various leisure centres, swimming pools, arts centres etc. who are critically dependent on local authority funding. He stressed that if this budget objective was to be achieved, the Council must generate additional income from within its own resources.

He referred to the requests from the elected members to address service issues including...
additional funding of the GMA, matching funding for Urban and Rural Regeneration Projects, the maintenance of the New Greenway and Cycleway and other services required at District level. He noted that the range of options available to the Council to raise additional income is extremely limited and the two main sources of income i.e. the Local Government Fund and Commercial Rates had already been determined, the former by notification of allocations by Central Government and the latter by the four year commercial rate convergence agreed by the Council at the Annual Budget Meeting in 2015.

On that basis, he was advising that the only remaining option available to the Council was to vary the Local Property Tax and he was recommending that it should be maintained at the same level as 2018 with a 50% allocation to specific projects and a 50% allocation shared out among the five Municipal Districts.

A detailed discussion ensued wherein Members spoke for and against the proposed retention of the Property Tax at the 2018 level. Speaking against the proposal, Members referred to the difficulties for many families in meeting the additional costs involved, referring to savings that were meant to arise from the merger of North and South Tipperary County Councils and from the reduced repairs required under the new Tenant Handbook. Some members said that the Government should provide the money required in this case. It was suggested that the €300,000 provided for Coroner’s Fees should be a matter for the Department of Justice.

It was Proposed by Cllr. M. Browne and Seconded by Cllr. D. Doran

“That the Local Property Tax Rates for Tipperary County Council revert to the basic rate similar to the 2017 level”.

Speaking in favour of the proposal, Members noted that there had been no submissions made from the public; the benefits which Members saw in each of their own areas as a result of the increase in Property Tax, and the fact that the increase was small.

It was proposed by Cllr. J. FitzGerald, seconded by Cllr. R. Kennedy that the Local Property Tax be retained at the same level as 2018 i.e. 10% increase on the basic rate and that 50% be allocated to support local projects in the Municipal Districts.

Mr. Joe MacGrath, Chief Executive said that this was a difficult proposal. It was one which would not have been brought before the Council unless he absolutely believed that it was the right and necessary thing to do. Customers would receive the same bill in 2019 as that in 2018 where the average increase was 36c per week. In County Tipperary there was a 98% payment compliance rate and he was mindful that no submissions had been made during the public consultation stage. He went on to explain how the Local Property Tax is not sufficient in County Tipperary and the fact that various polls reflect the demand by the public for extra services. Every euro would go back into the households through the various projects as listed. 50% of the increase would go to the General Municipal Allocation which the Members had asked for. He stressed that if the rate cannot be maintained at the 2018 level, that the Budget would have to be re-adjusted, which would impact on local services and local supports. He referred also to the socially inclusive libraries facility across the county, which had gone out to 160 schools in 2018. Accordingly, he had felt it necessary to advise and clarify the position for the Members in terms of the impact on services and communities in these areas.

The Meetings Administrator noted that the motion proposed by Cllr. M. Browne was a direct negative to the recommendation as outlined in the Chief Executive’s Report to the Council and having regard to Standing Orders, he was proceeding to take a roll call on the motion recommending that the Local Property Tax be retained at the same level as 2018 i.e. 10% increase on the basic rate.

A vote was taken as follows:

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<th>AGAINST</th>
<th>ABSENT</th>
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<tbody>
<tr>
<td>1. Ambrose, Siobhan</td>
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<td>2. Anglim, Micheál</td>
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<td>3. Bonfield, Fiona</td>
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The Meetings Administrator noted that there were 15 votes for, 21 against and 4 absentees. He deemed the motion defeated by 21 votes against and 15 votes for with 4 absentees and therefore, the Local Property Tax would revert to the basic rate for 2019.

Item 3.3
Part 8 of the Planning and Development Regulations 2001, as amended – Garrykennedy, Portroe Village.

In accordance with Part 8, Article 81, of the Planning and Development Regulations 2001 as amended, notice had been given to the members of its intention to construct 17 new dwelling houses comprising 5 no. 3 bedroom, two storey houses, 10 no 2 bedroom, two storey houses and 2 no. 2 bedroom single storey houses, roads, footpaths, underground services, drainage systems, attenuation tank, car parking, boundary treatments, landscaping, open spaces and all associated site works in Drom Slinne estate at Garrykennedy, Portroe Village, Nenagh, Co Tipperary.

It is proposed to access the site directly from the R494 within the reduced speed limit of the
village of Portroe. The layout of the proposed 17 no dwelling units is such that a green space is to be provided along the Eastern boundary. Three dwellings will address the public road with the 14 dwellings located to the rear accessed from a spine road. The proposed development includes for;

- 5 no. two storey, three bedroom houses
- 10 no. two storey, two bedroom houses
- 2 no. single storey, two bedroom houses

The proposed development was to connect to the existing foul water sewer which runs along the R494 and connect to the existing storm water drainage in Drom Slinne estate. The proposed development was to be served by public water supply.

Plans and particulars of the proposed development had been available for inspection and purchase from 7/06/18 to 6/07/18 at the offices of Tipperary County Council.

A total of nine submissions had been received.

It was considered that the proposed development subject to modifications recommended in the report circulated to the members was in accordance with the policies and objectives of the North Tipperary County Development Plan 2010-2016 as varied.

Members of the Nenagh Municipal District referred to concerns of residents in Portroe to the development. While residents welcomed the development they had concerns regarding the design of the development and traffic issues. Cllr S. Morris referred to the lack of engagement with members regarding the development. Cllr J. Carroll requested that a decision on the development be deferred to allow further consultation take place.

Mr. J. Cooney, Senior Engineer confirmed that the lands on which this development was being built had been purchased for the delivery of social housing. The location had been chosen based on housing demand in the area. The development complied with the objectives of the Development Plan and there were no traffic concerns relating to the development.

Ms. S. Carr, Director of Services, referred to the Waiting List of approximately 3,000 applicants for social housing. The Council’s Architect had met with residents of Portroe to discuss the development and the Council had complied with all requirements regarding this development.

Cllr F. Bonfield proposed that the development would proceed subject to a design amendment to be approved by the Planning Section which would incorporate the removal of 3 dwellings to the front of the development and to retain the 2 bungalows to the rear as recommended in the Chief Executive’s report.

Cllr J Carroll expressed his concerns that further consultation with the local community was required and requested that the matter be deferred pending a resolution on the design of the scheme.

Mr. Joe MacGrath stressed that further delays on the development could not be afforded, the rejection of the development would be catastrophic for the Social Housing Programme and he urged the members to consider the matter further. He advised that the process had gone through the proper channels and meetings had taken place with the local residents.

Cllr Carroll expressed his dissatisfaction with the debate that had taken place and left the meeting in protest.

Adjudgment

It was proposed by Cllr J. Hannigan, seconded by Cllr Ml O’Meara that the meeting would adjourn for a short period to allow Nenagh Municipal District members the opportunity to discuss the matter further. This was agreed by the members.
On resumption of the meeting, Cllr F. Bonfield expressed her wish to have her initial proposal stand.

Cllr J. Carroll requested that a decision would be deferred to allow further consultation; this was supported by Cllr S. Morris however Ms S. Carr, DOS, confirmed that the Council could agree to the amendments proposed by Cllr Bonfield however this would have an impact on the overall layout of the scheme. She also agreed to take on board the concerns of members regarding the consultation process for the local authorities own developments and undertook to have the Housing SPC consider a policy in relation to this.

Mr. Joe MacGrath urged members to reach a consensus on the proposal and after further deliberation it was agreed to proceed with the development subject to the amendments proposed by Cllr F. Bonfield, seconded by Cllr Michael O'Meara that 3 dwellings would be removed to the front of the scheme and 2 bungalows to be retained to the rear of the development with the overall design amendment to be approved by the Planning Section.

**Item 3.4**

Section 183
Disposal of property at Burgagery Lands West, Clonmel to Clonmel Celtic FC

Proposed by Cllr. S. Ambrose, seconded by Cllr. R. Kennedy and resolved

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001, the Council hereby approve the disposal of 0.205ha to Clonmel Celtic FC, in accordance with the terms of the notice under the above Section as circulated on 31st August, 2018.

It was noted that The Section 183 Notice related to a Rectification of Title issue.

**Item 3.5**

Draft Litter Management Plan 2018-2021

Proposed by Cllr. P. English, seconded by Cllr. S. Ambrose and resolved

“That, in accordance with the Section 10 of the Litter Pollution Act, 1997, we the members of Tipperary County Council, hereby adopt the Litter Management Plan 2018-2021 the terms of which were circulated with the Agenda for the meeting of the Council held today, the 10th September, 2018.”

**Item 3.6**

Draft Waste Management Bye-Laws 2018

Proposed by Cllr. A. Moloney, seconded by Cllr. S. Ryan and resolved

“That, in accordance with the Local Government Act, 2001 and the Waste Management Act, 1996, we the Members of Tipperary County Council, hereby adopt the Waste Management Bye-Laws, 2018, the terms of which were circulated with the Agenda for the meeting of the Council held today, the 10th September, 2018.”

**Item 4.1**

Consideration of Management Report

Community & Economic Development

It was agreed that the NOM No. 7.2 by Cllr. A. Moloney (ref 1435) would be taken with this item

“That this Council calls on the IDA for renewed efforts to fill sites in this County as the capital has reached its industrial and residential capacity”.

This motion was seconded by Cllr. P. English who referred also to the site at Ballingarrane.

Mr. Pat Slattery, DOS confirmed that this motion would be conveyed to the IDA. He said that there had been increased interest in the county in recent times. It was important in this regard to be discreet and maintain confidentiality in such matters. He referred to the recent jobs announcement in Cashel from a Company based in Dublin. The Council was continuing...
to maintain its lands/entrances etc. in this regard.

Cllr. M. FitzGerald stated that a case needed to be made for Tipperary Town and he invited Mr. Slattery to attend the September Meeting of Cashel/Tipperary Municipal District in order to renew and make a concerted effort in this regard. This proposal was seconded by Cllr. J. Crosse. Various members also made further contributions to this item as follows:-

- Can the Council purchase sites for small indigenous industries in areas that do not have them e.g. Borrisokane.
- The Council could build shelves of factories/units and invite Investors down to view them.
- Rates Bills can be an obstacle to investment. In addition privately owned factories appear to be given a “rates holiday”.
- No jobs had been created by the IDA in North Tipperary for over 20 years. A policy could be formulated on farmers/country markets which were already springing up in Lower Ormond and other areas.
- The need for Warehousing was also identified.

Cllr. M. FitzGerald sought information on the various initiatives that the enterprise section was promoting in Tipperary Town. Pat Slattery Dos agreed to attend the next Cashel-Tipperary MD Meeting to provide an overview of all current economic projects, but also to engage with the members on the specific employment related deficits in Tipperary Town such as available floorspace and suitable properties to lease. Following a discussion, Pat agreed to attend all Municipal Districts in the coming months to target the specific deficits in each of the towns.

Mr. Joe MacGrath thanked Cllr. Moloney for his Notice of Motion and said that the IDA are very active with the Council currently. The strategy being pursued was to equip land and property in public ownership to offer to Investors. Regarding Tipperary Town the Council needs to get land which it can offer for job creation.

The Cathaoirleach agreed that Items No’s 4.3 and 4.4 could be taken with Community & Economic Development:-

**Item 4.3**

**To Consider and Approve Report on Public Consultation for the “SWARE”**


**Item 4.4**

**Healthy Tipperary Strategy**

Mr. Pat Slattery, DOS referred to the Strategy for a Healthy Tipperary, which had been circulated with the Agenda, noting that the document had been adopted by the Local Community Development Committee at its meeting on 21st May 2018 and the matter was listed on the agenda of the Plenary Council for noting only.

He stated that the 31 Local Authorities are named as key parties in the Healthy Ireland Framework with influence over how environments are planned and constructed through their planning functions. The process in Tipperary is being led by the Healthy Tipperary Sub-Group of the Local Community Development Committee. The purpose of the strategy is primarily to identify the priorities to be pursued over the next number of years and then secondly to identify the organisations in the County that are best placed to lead out on these priorities.

The Healthy Tipperary Strategy will be implemented across the County but will also feed into regional wide HSE led Health and Wellbeing Plans led by the HSE Health and Wellbeing Divisions in both regions – the HSE Community Health Organisation(CHO), Midlands (covering the areas of North Tipperary, Limerick, Clare) and CHO South East (covering the
Community, Economic Development Queries

Taxis – Thurles Town

Cllr. D. Doran referred to a problem with the provision of taxis at a certain time to get people home to rural areas from Thurles Town.

Mr. P. Slattery, DOS in reply stated that while the Council does not have a specific remit in relation to the regulation of taxis, that the SPC would examine issues around the night-time economy in Thurles Town and the associated issues with the provision of taxis at certain times.

Thurles-Clonmel Railway Line

Cllr. J. Ryan proposed a joint venture between LEADER, IFA and Tipperary County Council to progress a feasibility study on the Thurles-Clonmel Greenway. This was seconded by Cllr. P. English.

Pat Slattery in reply noted that the Council had met with the IFA who were supportive of the concept of a Greenway but were also conscious of the landowners involved. He said that LEADER has a Programme for this and that they would support such an initiative.

It was agreed that efforts would be made to bring together the relevant partners – IFA, LEADER Companies and Local Community Groups to examine the carrying out of feasibility studies for the provision of Greenways and Blueways in Tipperary particularly the development of the Thurles to Clonmel Railway Line.

Provision of Warehousing

In reply, Mr. P. Slattery, DOS advised that each district has different demands and there was a need to identify what is the local authority’s defined role in each area.

Suspension of Standing Orders

It was proposed by Cllr. R. Kennedy, seconded by Cllr. M. FitzGerald to suspend Standing Orders to allow the business of the meeting to conclude.

Item 7.1 Notice of Motion

Transfer of Relevant Council Assets to Irish Water.

Water

It was agreed that NOM 7.1 by Cllr. T. Wood (Ref 1434) would be taken in conjunction with this item.

"With regular expressions of dissatisfaction with Irish Water resulting in valid fears about what the future holds for the general public when all relevant Council assets are transferred to that agency, Tipperary County Council refrains from transferring any further assets until the necessary measures ensuring a service fit for purpose is in place".

The Motion was seconded by Cllr. S. Ambrose

The reply to Notice of Motion was noted as follows:-

The Implementation Strategy for the Water Sector Reform Programme, published by the then Department of the Environment, Community and Local Government (DECLG) in October 2012, listed the transfer of assets and liabilities to Irish Water as one of its key tasks.

The asset transfer process has been a priority for both Irish Water and local authorities. With this in mind, a process was agreed in 2015 between Irish Water, the County and City Management Association (CCMA) and the DECLG, which guides the asset transfer process. This process is ongoing and Tipperary County Council continues to advance progress in the transfer of water and wastewater infrastructure.
Section 12 of the Water Services (No. 2) Act 2013 provided for the transfer of water services assets from the local authorities to Irish Water by Ministerial Order. In accordance with the provisions of this Act, the Minister for Housing, Planning and Local Government may, from time to time, appoint a property vesting day for the purposes of these transfers. This is done by way of a Ministerial Order. To date the Minister has made 11 such orders under which the bulk of the water services assets of Tipperary County Council have been transferred.

It is expected the Minister will make further orders in the coming months.

Taking cognisance of the nationally agreed processes outlined above, and of the provisions of the Act as described, the Council is not in a position to refrain from the ongoing process of the transfer of further assets.

It must also be accepted that any “expressions of dissatisfaction with Irish Water” is a matter extraneous from the process of transfer of assets.

Cllr. Wood, in reply, while acknowledging the contents of the response and the commitment of Irish Water Staff in Cork, stated that various problems continued in terms of the service provided to the public e.g. business people seeking to resolve issues regarding bills were taking a long time to be dealt with. A further discussion took place around this issue including a call for Irish Water to be dissolved, a ban on wet wipes which were causing many problems for Irish Water owing to blockages, and a request for Irish Water to invest in generators where electricity is cut off.

In reply to the members concerns, it was agreed a request would issue to Irish Water to attend Municipal District Meetings/Plenary Council Meetings on a quarterly/bi-annual rota and IWW would also be advised of Members concerns regarding delays in processing Water Connection Applications on one off houses.

Denis Holland, SE confirmed to Cllr. P. English that the works in North Clonmel were expected to be completed during the 1st Quarter of 2019 and more detailed reports on major projects by Irish Water would be provided at the workshop on 2nd October.

Denis Holland, SE, noted that ongoing discussions were taking place regarding the combined drains issue and that the comments of the members would be brought to the attention of Irish Water.

**Item 5.2**

*Agree Date for Irish Water Workshop*

It was agreed that Item 5.2 would be taken in conjunction with the Management Report on Water Services.

Marcus O’Connor, DOS advised that the next Workshop with Irish Water was proposed to take place on the 2nd October in Thurles commencing at 11.30am and would include the normal Workshop, a presentation on the Draft National Resources Plan 2018 and an update by RPS consultants on the Irish Water Water Supply Project Eastern and Midlands Region (WSPEMR).

This was agreed by the Members.

**Environment**

Sean Keating, DOS updated the members in relation to upgrading works being carried at the Donohill Civic Amenity Site as part of the landfill capping project which had led to the changing of opening hours.

He also updated the members in relation to a conference being organised by Tipperary Energy Agency, which was now 20 years in existence, to be held on 12th September 2018 in Hotel Minella. The theme of the conference was “Citizens leading the Energy & Climate Transition” and the members were welcome to attend.

**Item 4.2**

*River Basin Management Plan*

The Cathaoirleach proposed to take item 4.2, a Presentation regarding the River Basin
River Basin Management Plan

Management Plan, by Ruth Hennessey, Executive Scientific Officer, which was agreed by the members.

Ruth Hennessy took the members through a presentation on the River Basin Management Plan 2016-2021, noting that they were currently in the second cycle with new governance and implementation structures in place. Tipperary and Kilkenny County Councils were the leading authorities on the LAWCO project on behalf of all local authorities. Public consultations and meetings had been held and priority areas identified for action in Tipperary.

Cllr. S. Morris noted that it had been a tough year regarding fish kills, with 3 such incidents related to agriculture. He felt that the reaction time was very slow and asked that the relevant staff make themselves available more promptly.

Cllr. J. Hannigan said that the way forward was education. He enquired when river surveys were going to take place.

In reply, Ruth Hennessy noted that regular surveys were on-going and it was proposed as part of the next stage to commence with the Clashawley River first and then focus on Nenagh.

Marion O’Neill, SEO in reply to the fish kill incidents noted that 2 people had been specifically deployed to the incident locations and data gathering was being collated at present. Meetings had taken place with the Ormond anglers and further meetings were planned.

Environment Matters

St. Nicholas Soccer Pitch – Effluent Problems

Cllr. M. FitzGerald highlighted a public health nuisance which was occurring adjacent to St. Nicholas’ Soccer Pitch within a private housing estate at Bohertrine near Sologheadbeg containing six houses and a standalone WW treatment system where the ESB had recently disconnected supply to the sewage treatment plant. This had led effluent discharges from the plant and was causing major problems in the area.

In reply, Mr Sean Keating, DOS, advised that it was a taking in charge matter and that he would bring the matter to the attention of Planning section for their attention and it would also be followed up as a public health nuisance.

Grave Space Prices

Cllr. D. Doran referred to the anomaly in the purchase of Grave Spaces around the county, but particularly between Clonmel and Thurles and requested that the cost of a grave space be harmonised to the Clonmel level.

In reply, Mr Sean Keating, DOS, felt that the Grave Space cost in Thurles was more realistic than those in Clonmel in terms of the actual cost of providing a grave space but noted that the matter was being reviewed and would be brought back to the members for their future consideration.

Derelict Buildings/Recycling/Housing Estates/Memorial Walks-Columbariums

Cllr. D. Dunne queried whether derelict buildings should be CPO’d where people do not engage with the Council. He requested a update in relation to a Recycling Centre for Carrick-on-Suir and also queried the position on Memorial Walks & Columbarium’s.

In reply to the query concerning derelict sites, Mr Sean Keating, DOS, stated that there were often quite complex reasons as to why certain buildings remained derelict, one of which was financial difficulties but he stressed that the Council would continue to work with the owners of such buildings with a view to seeking resolutions.

In relation to the a recycling centre in Carrick-on-Suir, he noted that Carrick-on-Suir Municipal District were in discussions with a local waste collection operator and the matter was being examined with a view to whether a service could be provided by this operator.

It was also noted that work on the Columbarium’s was ongoing and the work on the cemetery in Shanrahan had finally commenced, with a temporary plinth for immediate burials being put
in place pending future funding becoming available.

**Old Council Dump at Monarea**

Cllr. J. Ryan queried the position with the old Council landfill at Monarea, noting that it was closed more than 20 years now and had not been rehabilitated to date, with horses regularly grazing on the site.

In reply, Mr Sean Keating, DOS, noted that funding was available to facilitate the rehabilitation of the site but that works may not commence before 2020 owing to other works to be carried out to the site first.

**Roscrea Civic Amenity Site**

Cllr. M. Smith queried an access issue at the Roscrea Civic Amenity site affecting the Roscrea Tennis Club as a result of upgrade works carried out by the Council to the site.

In reply, Mr Sean Keating, DOS, noted that health and safety works were required to be carried out to the site and that the extension of the site would not be progressing for some time however he agreed to follow up with the District Engineer to liaise with the Tennis Club on the matter.

**Unfinished Estates/Public Lighting**

Cllr. P English and Cllr. D Dunne queried the position with regard to a number of local housing schemes with no public lighting, which was a health and safety risk.

In reply, Mr Joe MacGrath, Chief Executive, advised that as this was a planning matter, it would be referred to Planning for an update to be provided in the management report for the October monthly meeting.

**Clonmel Cemetery**

Cllr. M Browne voiced his concern in relation to the recent decision to close the gates to vehicular traffic to the cemetery and queried whether the gates could be kept open during daylight hours to facilitate genuine mobility issues.

In reply, Mr Sean Keating, DOS, noted that this was a district matter and should be raised at the relevant Borough District meeting.

**Stray Dogs/Horses in Littleton**

In reply to a query from Cllr. S Ryan in relation to stray dogs and horses in the Littleton area, noting in particular that there were loose horses near the old Bord na Mona Site, Ms Marian O’Neill, SEO, Environment, stated that the Council’s Dog Warden was visiting Littleton on a regular basis and would continue to engage with the local community on the issue. She also noted the various complaints regarding horses and advised that any complaints were responded to immediately, referring to the contract in place with a private company to deal with abandoned horses.

**Dog Pound in Kilsheelan**

Cllr. P. English queries the position with regard to the dog pound in Kilsheelan and whether the Council had a replacement service in place. In reply, Mr Sean Keating, DOS, advised that the health and safety issues that presented with the site in Kilsheelan were such that it was not possible to continue using the site as a dog pound but that an alternative service was in place with the Council utilising private kennels on a contract basis which was proving more cost effective and better value for money.

**Horse Warden**

In reply to a query concerning the appointment of a Horse warden by the Council, Mr Sean Keating, DOS, noted the issue of horse welfare was a matter for the Department of Agriculture and the matter would be followed up in relation to the Councillors concerns.
Housing

Rent Harmonisation Process

A number of Members voiced their concerns in relation to rent increases arising from the recent rent harmonisation process and also questioned the validity of the process. It was suggested that tenants were not getting value for money in terms of the rent they were paying and the standard of housing maintenance repairs. It was also suggested that consideration should have been given to harmonising the rents over a number of years, similar to the Commercial Rate Harmonisation process.

Sinead Carr, DOS, in reply, stated that the Differential Rent Scheme introduced was an income based scheme which meant that rents were directly linked to household income. The vast majority of changes to the rent were based on changes in household income or additional earners in the household. It was noted that a total of 313 tenants had still not returned their forms and were therefore still on maximum rent. Out of a total of 7,700 rents, there had been only 29 hardship cases highlighted to date. In this regard, it was acknowledged that Deirdre Flannery, SSO Housing, had spent 4 days in Nenagh in order to deal with rent hardship cases and less than 10 people had called in to see her during this time. Sinead Carr undertook to work with Councillors and Tenants who had genuine issues. She clarified that Tipperary had the lowest rent costs of any of the adjoining counties. Noting that the Scheme came into force on 2nd July 2018, she pointed out that any additional funds received in rental income would be earmarked for the Housing Programme in particular Housing Maintenance related matters.

Cllr. S. Morris said that the Council had erred legally and that he intended making contact with the Ombudsman’s office and taking legal advice in the matter.

Sinead Carr, DOS pointed out that the new Rent Scheme had been discussed at the October 2017 Budget Meeting, at a Workshop in January 2018, at a Council Meeting in June 2018 and here today again and she was satisfied as to its legality.

Mr. Joe MacGrath, Chief Executive, while acknowledging the concerns expressed by Cllr S. Morris, fully supported the Director of Services’ clarification of the situation. He stated that every opportunity had been taken to appraise the Councillors of the revised scheme, noting that it was an income related rent scheme based on a household’s income circumstances. He referred to the fact that more than 313 tenants were paying maximum rent because they did not submit their forms and he invited the members to identify and present any specific hardship cases so that they could be examined further on an individual basis and with full confidentiality. He reiterated the point that any additional income accruing would go towards the Housing Programme and the benefits of this would be seen in the Draft Budget 2019.

Traveller Accommodation at Cabra Bridge

Cllrs. D. Doran and J. Ryan expressed concern in relation to the current Traveller Accommodation at Cabra Bridge and queried when the houses would be occupied and the cost of the wall provided.

In reply, Ms Sinead Carr, DOS, advised that the houses were ready to be occupied and the Council were working with the tenants with a view to finding a solution to the issues. She agreed to revert to Cllr Doran in relation to the cost of the wall.

Housing Maintenance

Cllr. D. Dunne queries whether the Tenant Handbook had been reviewed noting that there were still window and door issues arising despite insulation being installed in certain dwellings. He also suggested that the Council explore further the provision of Log Cabins from Slovakia which had a lifetime guarantee and cost approximately €20,000 for a two bedroom unit. He queried whether planning permission would be required for these units.

Cllr. H. McGrath also expressed concern that a lot of the Council houses were older stock and
would be more expensive to heat and this should be taken into account regarding the levels of rent. He suggested that an audit of BER could be carried out for each house and that the tenant handbook was too strict and there should be more flexibility for the District Administrator and the Town Foreman in relation to deciding on repair requests.

In reply, Ms Sinead Carr, DOS, noted the concerns expressed and agreed to investigate the log cabins further. She stated that the tenant handbook was currently under review and that it would be brought back before the Council at a later stage for further consideration.

Homeless Centre

In reply to a query from Cllr. P. English in relation to a dedicated Homeless Centre being provided in the county, Ms Sinead Carr, DOS, advised that the re-structuring of Homeless Services within the county was being examined further by the Housing SPC.

Mill Road Scheme

Cllr. Doran queried the commencement date for the 27 houses at Mill Road, to which Mr Jonathan Cooney, A/SE, advised that the Part 8 Public consultation process was still ongoing incorporating a revised access as requested by the Members but that it was anticipated that the scheme would be ready to go to tender stage early in 2019 subject to revised planning approval to proceed.

One-Off Housing

In reply to a query from Cllr. J. Hannigan as to whether one off houses could be provided for people with an acre of land and who are on the housing list, Ms Sinead Carr, DOS, advised that they would be considered only in exceptional circumstances.

Disused Garda Stations

In response to a query from the Cathaoirleach, Cllr. M. Ryan, concerning vacant Garda stations, Ms Sinead Carr, DOS, agreed to follow up with the OPW in relation to the re-use of these buildings for social housing.

The development at Mill Road, Thurles was subject to a Part 8 Report and would be considered at the October Meeting. The use of disused Garda Stations would be followed up with the OPW.

Rebuilding Ireland Home loan Scheme / Tenant Purchase Scheme

In reply to a query from Cllr D. Dunne, Mr. Donal Purcell, SEO, Housing stated that there had been 103 applications under the Re-Building Ireland Home Loan Scheme, 66 had gone to the Housing Agency, 20 had been granted, 32 refused and 14 awaiting decision. Two home loans had been paid out in full already. In relation to the Tenant Purchase Scheme there had been 23 applications with 13 sales finalised and 10 with the Solicitors.

Corporate Services

Items were noted as per the Management Report circulated.

Item 5.1 Agree Date for Special Meeting

Ger Walsh, Meetings Administrator said that the Special Meeting regarding Presidential Candidates would be held on 18th September 2018 in Nenagh Civic Offices at 3.00p.m. He advised that the Candidates would be written to and a Schedule sent to the Members.

The Cathaoirleach proposed that item 7.3 NOM ref 1437 in the name of Cllr. M. Lonergan would be taken in conjunction with this item. This was agreed.

Motion No. 7.3 (1437) was proposed by Cllr. M. Lonergan, seconded by Cllr. P. English and the reply to the motion was noted and agreed.

"That Tipperary County Council schedule a special meeting immediately following the signing of the Presidential Election Order, to allow the members of Tipperary County Council give consideration to nominate a candidate for the upcoming Presidential Election".
<table>
<thead>
<tr>
<th>Item 5.2</th>
<th>Agree Date for Irish Water Workshop</th>
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<tbody>
<tr>
<td>Ger Walsh, Meetings Administrator confirmed to the Members that the Irish Water Workshop would be held in the Templemore-Thurles Municipal District Offices, Thurles on 2\textsuperscript{nd} October, 2018 at 11.30a.m.</td>
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<thead>
<tr>
<th>Item 6.1</th>
<th>Consideration CE Orders for the period to 31\textsuperscript{st} August 2018.</th>
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<tbody>
<tr>
<td>Chief Executive and Delegated Officers Order for the period to the 31\textsuperscript{st} August 2018 were noted.</td>
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<tr>
<th>Item 7.4</th>
<th>Notice of Motion Japanese Knotweed</th>
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<tbody>
<tr>
<td>In the absence of Cllr. A. Moloney from the meeting</td>
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<tr>
<td>Motion No. 7.4 (1438) was not moved</td>
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<tr>
<td>“That this Council source funding from Central Government to embark on a rigorous advertising campaign to eradicate Japanese Knotweed in the County”.</td>
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<tr>
<th>Item 8.1</th>
<th>Notice of Motion VAT on Irish Newspapers</th>
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<tbody>
<tr>
<td>In the absence of Cllr. R. Molloy from the meeting</td>
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<tr>
<td>Motion No. 8.1 (1441) was not moved</td>
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<tr>
<td>“That Tipperary County Council call on Minister Paschal Donohue to reduce VAT on Irish newspapers in the forthcoming budget to at least 5% and ultimately to Zero Rate as in line with United Kingdom and other EU countries”.</td>
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<tr>
<th>Item 8.2</th>
<th>Notice of Motion Post Office Closures</th>
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<tbody>
<tr>
<td>On the proposal of the Cathaoirleach, it was agreed to take Item No’s 8.2, 8.3, 8.4 and 8.6 together; This was agreed by the members.</td>
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<tr>
<td>Motion No. 8.2(1442) was proposed by Cllr. M. Lonergan</td>
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<tr>
<td>“That Tipperary County Council call on the Government to halt the closure of Post Offices until a review is held to find a permanent solution to the Post Office issue; which already has a comprehensive network in place, also an advanced IT structure in place, P.O.’s already provide current accounts and the Post Office brand is highly respected. PBFI estimate that a new Kiwi style Post Office Bank can, like Kiwi Bank, achieve a 20% market share over time”.</td>
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<tr>
<td>The Motion was seconded by Cllr. P. English</td>
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<tr>
<th>Item 8.3</th>
<th>Notice of Motion Post Offices Community Banking</th>
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</thead>
<tbody>
<tr>
<td>Motion No. 8.3(1443) was proposed by Cllr. P. English</td>
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<tr>
<td>“That Tipperary County Council call on the Taoiseach Leo Varadkar as leader of the Government to implement the recommendations of the Post Office Business Development Group and the new model of community banking as advocated on page 48 of the current programme for Government to facilitate the retention and growth of Post Offices which are under threat of closure in Rural Ireland”.</td>
<td></td>
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<tr>
<td>The motion was seconded by Cllr. M. Lonergan</td>
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<tr>
<th>Item 8.4</th>
<th>Notice of Motion Protecting the Post Office Network</th>
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<tr>
<td>Motion No. 8.4 (1449) was proposed by Cllr. S. Ryan</td>
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<tr>
<td>“That Tipperary County Council calls on the Minister for Communications, Climate Action and Environment, Denis Naughton, TD to immediately enact a Dail Motion passed on November 17th 2016 by all TD’s aimed at protecting the post office network with the introduction of an An Post-run community banking service. This would have the effect of saving hundreds of post offices throughout the Country and most particularly Post Offices in Littleton, Ballingarry, Gortnahoe, Templetuohy, Upperchurch, Clogheen, Newcastle and Coolbawn which are threatened with closure”.</td>
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The motion was seconded by Cllr. D. Doran;

**Item 8.6**

**Notice of Motion Rural Post Office Closures**

Motion No. 8.6 (1450) was proposed by Cllr. P. English in Cllr. Ryan’s absence

"I am calling on the Government to suspend the proposed closures of rural post offices and to provide the necessary resources and services to keep them open".

The motion was seconded by Cllr. S. Ryan

The replies to the above Notices of Motion was noted as follows:-

Subject to the approval of the full Council, the motion would be forwarded to Denis Naughton, T.D., Minister for Communications, Climate Action and Environment for consideration and response.

A discussion then took place regarding the merits and de-merits of the proposed Post Office closures across the country. The effect on communities would be widespread and serious. The idea of commercial banking utilised in New Zealand should be integrated to the Post Office model. Businesses locally would be hit hard. Motor Tax and other services could be provided in local Post Offices.

Cllr. J. Hannigan pointed out that modern technology was the root cause of the demise of these post offices and indeed many businesses.

It was agreed to refer the relevant motions to the Taoiseach, Minister for Communication, Climate Action and Environment for consideration.

**Item 8.5**

**Notice of Motion Eurovision Song Contest**

Motion No. 8.5 (1448) was proposed by Cllr. M. Browne

"That Tipperary County Council calls for the Minister for Communications to lobby/instruct RTE not to enter next year’s Eurovision Song Contest which is being staged in Israel. This is being called for to show support for the Palestinian people who are under constant attack from the Israeli state. Palestinian people are suffering severe hardship because of these sanctions/attacks."

The Motion was seconded by Cllr. D. Doran

The reply to Notice of Motion was noted as follows:-

Subject to the approval of the full Council the motion would be forwarded to the Denis Naughton, TD Minister for Communications, Climate Action and Environment for consideration and reply.

Cllr. Doran compared the proposal to that of Dunnes Stores who went on strike against Apartheid. Cllr. Browne said that there was widespread support for this proposal and an online petition had more than 8,000 signatures. It would be a small gesture but would raise awareness of the plight of the Palestinian People. Cllr. M. FitzGerald expressed his opposition to the motion on the basis that it was propaganda.

Following further discussion, it was agreed to refer the motion to the Minister for Communications, Climate Action and Environment for consideration.

**Item 9.1 – 9.5**

**Correspondence**

Correspondence as circulated was noted.

Cllr. P. English asked that in relation to Item 9.4, that Minister Daly should be written to again seeking a response to the content of the Notice of Motion i.e. the re-instatement of Psychiatric
Units in Tipperary.
Item 9.4 – Reply from Minister Jim Daly dated 15th August 2018 re NOM 1348
This was agreed.

Resolutions from other Local Authorities were noted:

**Carrickmacross-Castleblayney Municipal District Council**
In light of what has been one of the worst droughts ever, this MD now calls on the Minister for Agriculture to immediately make hardship funding available to assist the farming community given the severe shortage of fodder quantified by some as up to 5 million tonnes. This will not or cannot be made up now with at least 60% of the growing season already passed.

**Donegal County Council**
That Donegal County Council would ask all relevant Government Ministers to reconsider the current government policy regarding the bundling of public contracts.

**Donegal County Council**
That this Council calls on the Minister for Education to address the discrepancies which exist in the rates of pay and benefits paid to ancillary staff in our schools and calls for an end to the precarious employment conditions imposed on these valuable staff members. In addition, this Council calls on the Minister to increase the capitation grant paid to schools as outlined in the “Action Plan for Education”.

**Kildare County Council**
That the Council write to the Insurance Regulator and all home insurance providers who offer policies within County Kildare, voicing our concern, disappointment and opposition to the apparent misinterpretation of the current catchment Flood Risk Assessment and Management Studies(CFRAMS) maps by the insurance industry and the fact that this misinterpretation is now affecting house sales within County Kildare.

**Leitrim County Council**
That Leitrim County Council call on the Department of Education and Skills and/or Department of Health to introduce a scheme to provide all teachers and Special Needs Assistants with Occupational First Aid Training, encompassing CPR.

**Limerick City & County Council**
That this Council would call on the Taoiseach and his Government to legislate to ensure that employees who have a recognised degree would be legally entitled to be paid a liveable wage and that their employers would not obstruct these graduates from being in pensionable and unionised jobs and this resolution would be circulated to each Local Authority in the country and to the Local Authority Members’ Association (LAMA) and the Association of Irish Local Government(AILG).

**Limerick City & County Councils**
That the Minister for Health, Mr. Simon Harris, TD, and the Minister of State with Special Responsibility for Disabilities, Mr. Finian McGrath, TD, bring forward legislation that all Government Grants, Social Welfare Payments and all other State Supports be categorised as...
non-means tested Universal Payments for people with disabilities.

**Longford County Council**

That an interim payment of €50,000 be made to the women and families affected by the cervical cancer misdiagnosis.

**Waterford City and County Council**

That Waterford City and County Council calls on the Government, in line with a recent motion, unanimously adopted in the Dáil, to immediately abolish the “Loco Parentis” clause in homecare nursing contracts for sick children.

**Item 11.1**

**Votes of Sympathy**

| Dr. Sean McCarthy, former Member of South Tipperary County Council, on the death of his wife, Mary Jo. |
| John Hoctor, Fire Service, Clonmel on the death of his mother, Anne. |
| Tom Brennan, G.O. Nenagh MD on the death of his mother, Margaret (Peg). |
| Liz Newport, CSD and Bill Kennedy, G.O. Carrick-on-Suir MD on the death of Bill’s mother, Peggy Kennedy. |
| Bernie Power, Arts & Heritage Section on the death of her mother, Rita Keenan. |
| John Crowley, Water Services Section on the death of his mother, Mary Crowley. |
| Michael Foley, Storekeeper on the death of his mother, Mary. |
| Jimmy Horan, GSS, Carrick-on-Suir on the death of his mother, Margaret. |
| Margaret Ryan, Nenagh Library on the death of her sister-in-law, Mary Ryan. |
| Pat McKeogh, Housing Section, Nenagh on the death of his brother, Tony McKeogh. |
| Ned Gleeson, former County Manager, South Tipperary County Council on the death of his aunt, Josephine Ryan. |
| Cllr. Seamus Hanafin on the death of his uncle, Jim Ryan. |
| Kieran Stone, Temple-Thurles MD on the death of his wife, Geraldine. |
| Oliver Corbett on the death of his mother, Peggy former Librarian – Cashel Library |
| Family of Councillor John Carey, Waterford & City County Council. |
| Tobin-Power Family, Carrick-on-Suir on the death of Niall Tobin |

**Votes of Congratulations**

| Cait Devane on being selected on the Sunday Game Camogie Team of the Year |
| Tipperary U.21 Hurlers in recognition of their success in winning the All Ireland U.21 Hurling Final. |

**AOB**

Cllr. G. Darcy proposed that a Civic Reception be accorded by Nenagh Municipal District to Ballymackey Soccer Club in recognition of their achievement in being awarded Football Club of the Year. This proposal was seconded by the Cathaoirleach however it was noted that it would be necessary for the matter to be referred to the Nenagh Municipal District for consideration in the first instance.

The meeting then concluded.
Signed/ 

Cathaoirleach.

Date: 

Signed/ Ger Walsh, 
Meetings Administrator.

Date: 2nd October 2018