

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF
TIPPERARY COUNTY COUNCIL HELD
Remotely Via Zoom
AT 10.00 AM ON 14th June, 2021**

Present

Cllr. Michael Smith, Cathaoirleach.

Cllrs: Ambrose, S. Anglim, M; Bonfield, F; Bourke K; Bugler, P; Burgess, D; Carroll, J; Coonan, N.J; Crosse, J; Darcy, G; Dennehy, N.; Dunne, D; English, P; Fitzgerald, J; FitzGerald; M; FitzGerald, MI; Goldsboro, I; Hanafin, S; Hannigan, J; Hanna-Hourigan, M; Kennedy, R; Lee, S; Lowry, MI; S; McGrath, H; McGrath, M; McGrath (Rocky), J; Molloy, R; Moloney, A; Moran, E; Morris, S; Murphy, MI; Murphy, Marie; O'Meara, K; O'Meara, MI; Ryan, A; Ryan, J; Ryan, P; Ryan, S;

Also Present

J. MacGrath, Chief Executive, M. O'Connor, S. Carr, P. Slattery, Director of Services, E. Lonergan, B. Beck A/Director of Services, L. McCarthy, Head of Finance, L. Brett, S.E., J. Murray, S.E., D. Holland, S.E., L. Brett, S.E., C. Morrissey, S.E.O., D. Carroll, C.F.O., D. Dullaghan, County Librarian, G. Walsh, Meetings Administrator.

Apologies

Cllr. Tony Black

Vote of Sympathy

Cllr S. Ambrose thanks members and staff for their condolences on the recent passing of her father Tom, a former member and Mayor of Clonmel Corporation and member and Cathaoirleach of Tipperary County Council.

**Item No. 1.1
Welcome and
Introduction/Me
eting Protocol**

Cathaoirleach Cllr. M. Smith welcomed members to the June Meeting, referring to the meetings protocol circulated with the agenda and asked members to observe the rules contained therein with regard to remote meetings.

**Item No. 2.1
Disclosures/or
Conflicts of
Interest**

Noted, no matters were notified to the Meetings Administrator

**Item No. 3.1
Minutes of
Council Meeting
held on 12th
April, 2021**

The Cathaoirleach advised members that there was an error in the minutes under item 8.2 "Date of Annual Meeting" which should read 25th June, 2021 and not 26th June, 2021 as stated in the minutes circulated with the agenda. This would be rectified.

Proposed by **Cllr. Pat English**, seconded by **Cllr. Marie Murphy** and resolved: -
"That the minutes of the Council Meeting held on the 10th May, 2021, remotely Via Zoom, as presented and amended be adopted".

**Item 4.1
Approval to
Attendance**

It was proposed by **Cllr. Roger Kennedy**, seconded by **Cllr. Sean Ryan** 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/Seminars/Trainings: -

Seminar/Conference/ Similar Event	Dates	Venue	Nominees
AILG Elected Members Training – County Development Plan Policy: Housing Part 2: Rural Planning and Development Policy	Friday 28 th May, 2021	Webinar	Cllr. Shane Lee Cllr. Andy Moloney Cllr. Noel Coonan Cllr. Seamus Morris Cllr. Pat English Cllr. Roger Kennedy Cllr. Marie Murphy Cllr. Declan Burgess Cllr. Michael Murphy Cllr. Joe Hannigan Cllr. Fiona Bonfield
All-Island Local Authority Forum – New Challenges: Fresh Opportunities – the Role of Local Authorities in Stimulating Sustainable Tourism Development in the Post Covid Era	Thursday 24 th June, 2021	Webinar	Cllr. Declan Burgess Cllr. Siobhan Ambrose

Owing to Covid-19 restrictions, no physical conferences, seminars or training took place since the last meeting of the Council.

Item 4.1
Reports on
Conferences

Proposed by **Cllr. Roger Kennedy** and seconded by **Cllr. Sean Ryan** and noted.

Item No. 5.1
Section 183
Notice – Disposal
of property at
Ballingarrane,
Clonmel to
Clonmel
Commercials
Gaelic Football
Club

It was proposed by **Cllr. Marie Murphy** and seconded by **Cllr. Siobhan Ambrose** and resolved: -

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal of property, consisting of circa 1.0193 ha within the townland of Ballingarrane, Clonmel contained in folio(s) TY27401F and TY60561F in accordance with the terms of the Notice under the above Section, as circulated on the 27th May, 2021.

The disposal was required to facilitate the renewal of the lease for the playing pitch to Clonmel Commercials Gaelic Football Club for amenity purposes.

Item 5.2

Section 183
Notice – Disposal
of property at the
rear of No. 2
Fontenoy
Terrace, Thurles
to James &
Kathleen Troy

It was proposed by **Cllr. Seamus Hanafin**, seconded by **Cllr. Sean Ryan** and resolved: -

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal of site at the rear of No. 2 Fontenoy Terrace, Thurles, Co. Tipperary to James & Kathleen Troy in accordance with the terms of the Notice under the above Section, as circulated on the 3rd June, 2021”.

The land was no longer required by Tipperary County Council and formed part of the rear garden of 2 Fontenoy Terrace, Thurles.

Item 5.3

Section 183 –
Disposal of
property at the
rear of No. 5
Fontenoy
Terrace, Thurles
to Vincent
Stapleton

It was proposed by **Cllr. Jim Ryan**, seconded by **Cllr. Seamus Hanafin** and resolved: -

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal of site at the rear of No. 5, Fontenoy Terrace, Thurles, Co. Tipperary to Vincent Stapleton in accordance with the terms of the Notice under the above Section, as circulated on the 3rd June, 2021”.

The land was no longer required by Tipperary County Council and formed part of the rear garden of 5 Fontenoy Terrace, Thurles.

Item 5.4

Section 183
Notice – Disposal
of land at
Lahasseragh,
Nenagh to Mr.
Denis Darcy

It was proposed by **Cllr. Joe Hannigan**, seconded by **Cllr. Ger Darcy** and resolved: -

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001, Tipperary County Council approves of the disposal of land at Lahasseragh, Nenagh to Mr. Denis Darcy, Gortadelawn, Ardcroney, Nenagh, Co. Tipperary in accordance with the terms of the Notice under the above Section, as circulated on the 3rd June, 2021”.

The disposal of land was required to facilitate the rectification of title.

Item 5.5

Section 183
Notice – Disposal
of site at
Templedowney,
Toomevara, Co.
Tipperary to St.
Flannin’s
(Killaloe)
Diocesan Trust
CLG.

It was proposed by **Cllr. Shane Lee**, seconded by **Cllr. John Carroll** and resolved: -

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal of site at Templedowney, Toomevara, Co. Tipperary to St. Flannan’s (Killaloe) Diocesan Trust CLG in accordance with the terms of the Notice under the above Section, as circulated on the 3rd June, 2021.”

The disposal by lease was required to facilitate the provision of an all-weather astro turf pitch by Scoil Naomh Sheosaimh.

The members were advised that the Local Government Reform Act, 2014, established the requirement for each Local Authority to prepare an Annual Service Delivery Plan identifying the services that it proposed to deliver to the public in the year ahead. The draft Plan had been circulated to the

Item 5.6

Draft Service Delivery Plan 2021

members, the plan identified the services that the Council proposed to deliver for 2021 across all its directorates and had been prepared based on the provisions of the adopted budget of the Council for 2021. The plan must also operate within the context of the very significant ongoing challenges presented by the Covid-19 public health pandemic.

It was proposed by **Cllr. Michael FitzGerald**, seconded by **Cllr. Seamus Hanafin** and resolved: -

“That the Draft Service Delivery Plan 2021 as presented be adopted by the Council in accordance with Section 134A of the Local Government Act 2001 as amended.”

Item 5.7

Draft Annual Report 2020

The Members were advised the members that the council was required to prepare and adopt an Annual Report on the performance of its functions by the end of June each year. The draft report as circulated provided an insight into the work and achievements of the Council during 2020.

Mr. Joe MacGrath, Chief Executive, said that the importance of the Annual Report could not be overstated noting it was a comprehensive and factual account of the activities of the Council and a primary source of information. There had been significant work in its preparation and he thanked Mr. Ger Walsh and Corporate Services staff, in particular Ms. Lucy Bourke for the compilation of the Report.

It was proposed by **Cllr. Siobhan Ambrose**, seconded by **Cllr. Pat English** and resolved: -

“That in accordance with Section 221 of the Local Government Act 2001, the Annual Report for year ended 31st December, 2021 as presented be and is hereby adopted.”

Item 5.8

Draft Housing Allocation Policy

The draft allocation scheme as circulated to the members had been prepared by an inhouse working group over a period of months in 2020. The group consulted widely with other local authorities and agencies and the final draft was completed in October 2020. The draft was approved by the SPC at their meeting in December in 2020. It was further considered at a workshop of elected members in January 2021 where a number of minor amendments were made. The scheme was brought before the full council at their meeting in February 2021, where it was adopted. It was subsequently referred to the Department for approval who raised a number of queries which resulted in amendments to the policy. These amendments were brought before the SPC at their meeting on 21 April 2021 where they were considered and agreed.

Approval of the Council was now sought to the amendments to the policy following which it would be referred back to the Department for their final approval.

Members noted the amendments and welcomed the revised policy. They expressed their hopes that this policy would assist in dealing with anti-social behaviour in estates and the suitability of housing applicants as prospective tenants to particular housing estates, having regard to the profile of the existing tenants, would be taken into account. Particular incidents in housing estates were outlined as examples of the trauma that anti-social behaviour was causing to residents.

In response to the issues raised by Members, Ms. S. Carr, Director of Services, thanked the members for their input, she respected their views on the allocation of tenancies but the Council had a responsibility to provide housing to approved housing applicants. There was a focus by the Housing Section on Estate Management and the Community Liaison Officers were actively engaging with problematic tenants. Legal action had been disrupted due to the Covid pandemic but cases would be progressed as soon as restrictions allowed.

Cllr P. English requested that the wording in Section 5.3 in relation to homeless persons would be reviewed.

It was agreed, in response to Cllr P. English, that the following wording would be inserted in Section 5.3 of the Policy *"no one who is homeless will be denied access to homeless services"* although we will have to have regard to those who do not engage with the services.

It was proposed by **Cllr. Roger Kennedy**, seconded by **Cllr. David Dunne** and resolved: -

"That pursuant to Section 22 of the Housing (Miscellaneous Provisions) Act 2009 as amended and subject to the approval of the Minister for Housing, Local Government and Heritage, that this council resolves to adopt the Tipperary County Council Housing Allocation Scheme"

Note; this supersedes the resolution adopted at the February 2021 meeting, required as a result of the amendments made to the scheme from the observations received from the Minister pursuant to section 22 (15) of the Housing (Miscellaneous Provisions) Act 2009.

Cllr M. Smith advised members that the Management Report as circulated focused on the Nenagh based Directorates and he proposed to take any motions relative to that Directorate with the report.

Item 6.1
Consideration of
Management
Report

Roads, Transportation, Health & Safety

It was agreed on the proposal of the Cathaoirleach to take Items

- 6.2 Regional & Local Roads Allocation Policy,
- 6.3 Draft Policy on the Provision of Disabled Parking Spaces in residential areas and
- 9.2 Notice of Motion Ref. 2145, as part of the Management Report on Roads, Transportation, Health & Safety.

Item 9.2 Notice
of Motion – Motor
Home Parking
Bays

Motion 9.2 (Ref. 2145) was proposed by **Cllr. Mairin McGrath**

"That this Council would immediately introduce a number of designated short-term over-night Motor Home parking bays in towns across Tipperary to attract the growing community of Motorhome users to our county in light of the importance of Domestic Tourism in our recovery following Covid-19."

This motion was seconded by **Cllr. R. Molloy**.

The response noted that there are currently 6 privately run, caravan and camping parks in County Tipperary. These have facilities such as water supply, sewerage and electricity. They are operated in accordance with a Planning Permission. The designation of short-term parking spaces in towns, without these facilities could give rise to nuisance and noise issues and could not be done without the benefit of a Planning Permission or a Part 8 (if developed by Tipperary County Council).

Cllr McGrath expressed her disappointment at the reply. She asked that the Notice of Motion would be re-examined in the context of its tourism potential and economic benefits. A number of members spoke on the Motion with mixed views being expressed.

It was agreed by the Roads Director of Services, Mr. Marcus O'Connor that further consideration would be given to the provision of Motor Home Parking Bays and the matter would be reviewed further in consultation with the Community and Economic Directorate.

Item 6.2
Regional & Local
Roads Allocation
Policy

Cllr M. Smith, Cathaoirleach referred to previous discussion on a proposed change in policy in the apportionment of the Regional and Local Roads Allocation and following consultation with members, he invited Mr. Liam Brett and Mr. James Murray, Senior Engineers to make a presentation to the members outlining the current position.

The presentation outlined the roads network in Tipperary, noting that the Council maintained over 5,700km of road network across all road categories. The presentation outlined how the Pavement Management System (PMS) and the Pavement Surface Condition Index (PSCI) Rating System operated. The Road Works Programmes (RWP) were inputted annually and the network surveys were completed on a set return period for each road category.

The Roads Management Office (RMO) maintained and developed the Pavement Management System (PMS) software which held the road network data, annual RWP's and networks condition surveys. Surveys were completed by trained TCC staff or 3rd party service provider. The Pavement Survey Condition Index (PSCI) was based on a 1 to 10 scale. The poorest "Red Roads" were in category 1-4 and had structural defects. 94% of Tipperary Roads had been surveyed in the past 2.5 years. "Red Roads" were a KPI under which LA's nationally were compared by NOAC.

Tipperary's 2019 NOAC rankings were noted as follows: -

Regional Roads	13 th of 31
Local Primary	28 th of 31
Local Secondary	29 th of 31
Local Tertiary	28 th of 31

Funding challenges were outlined noting that the length of road network was 2.5 times the EU average. The standard return period for overlaying Roads was 20 years (as per DTTAS guidance). Current funding on National Roads allowed overlay of circa 5% per year, i.e. the ideal return period. National Roads had 45% of the Traffic.

Current funding on Regional and Local Roads allowed overlay of 2%–2.5%, half of the ideal. Regional Roads had 30% of the Traffic.

In relation to the funding backlog, in 2018, the estimate to bring all of Tipperary's roads to good status was €196.3 million. In 2021, based on the same calculation it was €263.3 million.

The improvement measures proposed to address these issues were outlined as follows: -

Improvement Measure 1 – Quality Management System with a goal is to increase the lifespan of works.

Improvement Measure 2 – Material Testing and Good Practice Quality Management with an increased emphasis on material testing of 3rd party contractors. The Quality Management System would seek to identify material non-conformance and build a long-term picture of the quality of materials provided by suppliers. A guidance document to help identify poor working practice was being developed internally.

Improvement Measure 3 – Material Selection through the increased use of products with greater longevity, however the challenge of increased capital cost in the early years was noted.

Improvement Measure 4 – Targeted Investment Intervention by allocating a portion of Restoration Improvement (RI) monies to each District based on PSCI rating 1-4, noting that the Department of Transport, Tourism and Sport guidance already requested this. It was proposed to use the 2020 RI Allocation value as the baseline. Above this value, monies would be allocated in accordance with road condition.

The total targeted intervention suggested was €1,278,000 - €878,000 plus €400,000 (20%) Towns Monies.

Following engagement with members and based on feedback received a number of changes were recommended to the original proposal as follows:

-

- Town Monies to be spent on "Red Roads" within the District they were allocated to originally;
- Intervention to be reviewed in 3 years-time, prior to 2024 3 Year Roadworks Programme;
- Scheme to be capped at a maximum 6.5% increase per year;
- To ensure consistency, all Pavement Surface Condition Index surveys countywide would be undertaken by one entity going forward.

Cllr Smith thanked Mr Brett and Mr. Murray for the presentation. He asked members for a decision on the policy having regard to consultation that had taken place and amendments made to the policy.

Members debated the policy. While some members welcomed the amendments that had been made to the policy, Clonmel Borough District members voiced concerns regarding the retention of the urban roads budget and a number of members also expressed reservations about monies being taken from town budgets. Members sought assurances that the current proposals would end on completion of the 2022-2024 Roads

Works Programme. Reference was made to the inclusion of roads in Estates Taken in Charge in the policy and also to the importance of drainage on roads. Members recognised that there were rural roads in all districts that were in appalling condition.

Cllr Kieran Bourke in particular voiced his opposition to the policy as presented and asked that his objection be noted in the Minutes.

Mr. Marcus O'Connor, Director of Services, confirmed that a full review of the Regional & Local Roads Allocation Policy would take place in 2024. It was a reserved function of the members to adopt the policy. He referred to the significant progress that had been made on the taking in charge of estates and some estate roads could be considered as part of the policy if they merited same. He also confirmed that special emphasis was being placed on road drainage.

Cllr P. English proposed that monies diverted from town roads budgets would remain in the District and that funding from the town's road budget would be reinstated after three years. This proposal was seconded by Cllr D. Dunne

Mr. Joe MacGrath thanked members for their debate and consideration of the policy. He hoped that the members could see that a proposal had been brought before them that addressed their concerns and had shown that their contributions had been listened to very carefully and addressed those concerns as far as possible. The Chief Executive had met with the Clonmel Borough District members and listened to their valid and strong contributions. He reiterated that the targeted intervention would cease at the end of the 3-year programme and it was a matter for the Council at that time to review and adopt a new policy. If the Council at that time decided to revert to a policy similar to pre-2022 then that decision would be respected. Mr. MacGrath advised Cllr English and Cllr Dunne that it was not possible to make a proposal now on what the policy should contain in 3 years-time. The review in 2024 would need to have regard to the condition of the roads and the roads allocation at that time and the extent that the additional funding being provided to towns through the Active Travel Allocations would have benefited those towns.

Cllr English and Cllr Dunne accepted the advice of the Chief Executive and withdrew their proposal.

It was proposed by **Cllr I Goldsboro**, seconded by **Cllr M. Hanna Hourigan** and resolved

"That the Regional and Local Roads Allocation policy as presented and amended be adopted by the Council for the period 2022-2024".

Item 6.3
Draft Policy on
the Provision of
Disabled Parking
Spaces in
residential areas

A draft policy on the provision of Disabled Parking Spaces in residential areas had been circulated to the members.

The Local Authority received numerous requests to install disabled parking spaces in the vicinity of people's homes. The intent of the policy document was to provide a standard and consistent approach to the assessment of these requests. It was recognised that for many disabled people an adapted

vehicle was the only fully accessible form of transport and a way of maintaining their independence. The policy presented to the members aimed to provide a balance between the provision of disabled parking bays in residential areas, consultation with neighbouring properties/businesses, and the level of information required by the local authority to enable it to make a decision.

Cllr J. Ryan, Chair of the Roads and Transportation SPC, stated that the policy had been considered in detail by the members of the SPC and consultation had taken place with the Irish Wheelchair Association who had made a submission which had resulted in amendments to the policy.

In response to a query regarding the fee of €100, it was noted that this was a contribution for the construction and administration costs associated with the application.

It was proposed by **Cllr. Jim Ryan**, seconded by **Cllr. Declan Burgess** and resolved: -

“That Tipperary County Council hereby adopts the Draft Policy on the Provision of Disabled Parking Bays in Residential Areas’ as presented by the Infrastructure Strategic Policy Committee”.

Roads, Transportation, Health & Safety

Mr. Marcus O’Connor responded to queries on the Management Report as follows:-

Age Friendly Parking Spaces

It was agreed that the designation of Age Friendly Parking Spaces close to amenities would be considered by the SPC, noting the difficulty to enforce.

Road Opening Licences – Reinstatement by Utility Companies.

Councillors D. Dunne, Ml. Murphy and P. English raised concerns regarding the quality of reinstatement works carried out by utility companies in their respective areas and requested that specific offenders should be made aware of their obligations to carry out reinstatements to a satisfactory standard. It was noted that the re-instatements were managed centrally by the Roads Management Office (RMO) and signed off by each District Engineer. Mr. O’Connor agreed to follow up with the relevant District Engineer re. specific offenders.

ByPass, Thurles

The Thurles ByPass was not included in the National Capital Plan and would require funding to be secured to deliver the project.

N24 Moangarriff to Twomilebridge Pavement and Traffic Calming

Preliminary design was being carried out and it was anticipated that this project would progress in 2022.

Winter Maintenance – salting of roads

It was noted that the salting programme was operating at full capacity with no scope for additional routes to be added to the programme. The

replacement of an existing route with a suggested new route could be considered should any member wish to make a proposal.

Post and Rail Fence Retrofit

The post and rail fence retrofit on the motorway network was almost complete. Funding had not been provided for this scheme on National Roads.

Vegetation at Road Junctions

The management of roadside vegetation was a matter for each Municipal District.

N24 Waterford to Cahir and Cahir to Limerick Junction

Frozen lands – the amount of lands frozen in respect of planning applications would reduce once the route selection process was completed. Route options – it was anticipated that there would be between 7 and 9 route options of various combinations contained in the report to be launched on Friday 25th June, 2021.

CIS/LIS Schemes

CIS Scheme – Departmental approval to a new scheme was awaited.

LIS Scheme – The Council was obliged to comply with changes to the qualifying criteria for the scheme as notified by the Department.

Planning

Mr. Eamon Lonergan, A/ Director of Services and Ms. Nuala O’Connell, Senior Planner, responded to queries on the Management Report as follows: -

County Development Plan 2022-2028

Mr. E. Lonergan, A/Director of Services, advised members that the review of the County Development Plan was ongoing with the process due for completion in September 2022. Assessment of current planning applications would continue under the guidelines of the current County Development Plan.

A number of members requested that the timelines for consideration of the County Development Plan 2022-2028 would be extended to allow members time to avail of further advice and clarity on issues associated with the formulation of the Plan. They referred to the need to have regard to a number of policy documents including The National Planning Framework, The Regional Spatial and Economic Strategy (RSES), Rural Development Policy and the Framework for Town Centre Renewal, which was a large body of work for them to include in their consideration of the Plan. Reference was made to the possibility of a 12 months extension being granted by the Government to local authorities for the adoption of new County Development Plans.

Mr. E. Lonergan, A/ Director of Services, outlined that it was a two-year process for the review of the County Development Plan. The next significant statutory milestone was that a draft plan would be put on public display at the end of July and submissions would be invited. The Council was not

aware of any Ministerial Direction in relation to the extension of the process. He stressed the importance of the adoption of a new County Development Plan noting that it was critical in the context of future funding from the National Development Plan. The Council currently had projects totalling €52m in RDF and URDF in progress currently and this was directly due to the National Planning Framework and in particular from the compact growth strategic planning objective. He advised members that a number of workshops were being held and planning staff would be available to give members advice on any aspect of the plan that they required.

Ms. Nuala O'Connell, Senior Planner, acknowledged the awareness of the members of the importance of the revision of the County Development Plan and the need to get it right. She assured members that this was the aim of the planning department as well and that they would work together to achieve this aim. The next stage of the plan was for an extensive public consultation period for a minimum period of 10 weeks from the end of July. In addition to submissions being invited from the public, community groups and stakeholders, consultation would take place with those drafting remote working policies. These submissions would be taken into account, the draft would be amended accordingly and brought back before the members for further consideration.

A blueprint for public investment would be incorporated into the plan. The plan was not just about the National Planning Framework or the National Development Plan, the Council had to have regard to all documents published by government and see how Tipperary can benefit from them and incorporate these into the Development Plan process.

From the initial workshops with members a very strong theme came through in relation to rural housing and rural development and the need to facilitate sustainable, viable communities and this would be dealt with at forthcoming workshops

Mr. Joe MacGrath, Chief Executive, said that the debate reflected the importance of the plan and the process. The two most important reserved functions of the members were the adoption of the Annual Budget and the making of a County Development Plan. Both required detailed consideration. The Council were currently in the statutory process for the making of the County Development Plan and some members would never have been involved in the process previously. If any changes were made to the timelines associated with the process the members would be advised accordingly. It was important to continue with the process and the engagement with members through workshops.

In relation to rural housing, the Chief Executive referred to concerns that were circulating in communities that the shutter was about to come down on one-off rural housing, which was incorrect. He noted that there would always be scope for rural housing and all applications would continue to be accepted under the current plan. He acknowledged that these concerns had caused difficulty for members and he wanted to stress that the rumour did not come from the executive of Tipperary County Council. The issue of rural housing would be considered at a forthcoming workshop on the County Development Plan and he urged members to await this workshop as it was his belief that progress had been made on the future plans for rural

housing by the planning department having taken on board the concerns of the members as much as was possible. He thanked the members for their constructive engagement in workshops held to date.

The current decision before members was to put the plan in the public domain and the members had expressed their wish to have public engaged in the process and he urged members to proceed to public consultation as soon as possible and give members of the public the right and opportunity to have their input. Members and officials would give submissions received careful consideration.

The Cathaoirleach advised members that the statutory process would continue and a workshop would be held as scheduled.

Town Walls

In response to a query concerning the Clonmel Town Walls, it was noted that Clonmel was a member of the Town Walled Network and projects could be considered for funding in future years.

Planning Applications – Telecommunication Masts

Members referred to concerns of communities where planning permission was being sought to the erection of telecommunication masts in their areas and suggested that a policy in relation to the location of these masts should be adopted. Members were advised that planning applications for telecommunication masts were assessed in the context of national guidelines and all submissions from the public were taken into account in the planning process

Planning Applications – Rural Housing

A number of members referred to what in their opinion were over-restrictive conditions in relation to planning application for rural housing and it was noted that the circumstances under which rural housing applications would be assessed would form part of the review of the County Development Plan.

Fire & Emergency Services

Mr. Brian Beck A/ Director of Services, and Mr. Dave Carroll, C.F.O., responded to queries on the Management Report as follows: -

Clonmel Fire Brigade Swiftwater Rescue Team

Members complimented the Swiftwater Rescue Team on their recent successful river rescue of a child from the River Suir. Mr. D. Carroll, Chief Fire Officer undertook to pass on their compliments and joined with the members in complimenting the team of which the Council were extremely proud.

Fire Brigade - New Appliances

It was noted that the location of the two new appliances being provided in 2022 was not yet known. Account would be taken of the condition of the existing appliances at that time and where the new appliances were most needed at that time.

Mr. Brian Beck A/ Director of Services and Mr. Damien Dullaghan, County Librarian, responded to queries on the Management Report as follows: -

Library & Cultural Services

UNESCO World Heritage Application – Rock of Cashel.

Mr. Brian Beck, A/Director of Services, advised members that the survey launched had received 1559 responses of which 94% were supportive of the inclusion of the Rock of Cashel as well as the other five sites. Responses had been received from not only Ireland but around the world and this had emphasised the awareness of the Rock of Cashel internationally. Mr. Beck thanked members for their support and sharing awareness of the survey. The application would be submitted on the 30th June and the results of the survey would be available on the website on the 30th June together with the executive summary of the application that was lodged

Tipperary Day

The concept of a Tipperary Day that would promote tourism and culture in the County would be explored.

Clonmel Library

Funds had been allocated for the design of the refurbishment of Clonmel Library and tender documents were being prepared.

Librarian Cloughjordan

There was a workforce plan in place and recruitment would take place shortly for this position.

War of Independence Exhibition Tipperary Museum of Hidden History

Staff at the Museum were complimented on the Exhibition.

Digital Collection of Poor Law Union Records.

The Cathaoirleach complimented Library Staff on the compilation of the digital collection of Poor Law Union Records.

Finance & I.T.

Mr. Liam McCarthy, Head of Finance responded to queries on the Management Report as follows: -

Covid 19 Commercial Rates Waiver Scheme

The Rates Waiver Scheme had been extended for Q3 of 2021. Waivers for Q1 and Q2 had been applied.

Small Business Assistance Scheme for Covid

Details in respect of the Small Business Assistance Scheme for Covid for Q2 were awaited. It was noted that the terms of the scheme had been expanded to allow some businesses that did not occupy rateable properties to apply.

In reply to a query in relation to rejected applications for Q1, it was outlined that these would have been due to a variety of reasons including applicants

being over the turnover threshold, in receipt of other supports and incomplete applications. It was noted that applicants had a right of appeal.

Item No. 7.1

Civic Reception – Rachel Blackmore

Mr. G. Walsh, Meetings Administrator, informed the members that there was a proposed change of date to the Civic Reception being accorded to Ms. Rachael Blackmore, owing to Rachael's invitation to ride out at Royal Ascot on Tuesday 15th June, the proposed date for the Civic Reception. Following consultation with Ms Blackmore, it was agreed to reschedule the Civic Reception to Thursday 24th June 2021 at 7p.m.

The positive reaction to the virtual civic reception accorded to the Tipperary Senior Footballers was acknowledged by the members, noted the tremendous amount of work put in by all concerned for such an event and the Council being the first to accord a Civic Reception virtually.

It was proposed by **Cllr. Pat English**, seconded by **Cllr. Imelda Goldsboro** and resolved: -

“That we the Members of Tipperary County Council accord a Civic Reception to Rachel Blackmore in recognition of her significant achievements in being the first woman to become leading jockey at the Cheltenham Festival 2021 and the first female jockey to win the Aintree Grand National 2021”.

Item No. 7.2

Deputation with An Tanaiste

Cllr M. Smith, Cathaoirleach, asked members to note the re-scheduled date of Tuesday 22nd June at 3p.m. for the deputation with An Tanaiste and he informed members that it had been agreed at the CPG meeting that an additional item “Rail Transport” would be added to the agenda item - Balanced Regional Development. This was agreed.

Deputation members would be notified of any further changes if they arose. In response to a query from Cllr. S. Morris regarding the difficulty by Adventure/Outdoor Sports Centres obtaining Professional Indemnity Insurance, it was noted that the matter should be submitted as a Notice of Motion for consideration by the Council.

Item 7.3

Agree Venue for Annual Meeting

Members were informed that the matter had been considered by the Privilege and Procedure Committee and it had been recommended to the Corporate Policy Group that the Council would meet in person for the Annual Meeting and the venue proposed was the Borrisoleigh GAA Sports Complex. The duration of the meeting would be limited to 1 hour and 55 mins and the standard Covid-19 controls in relation to Council meetings would still apply.

The Council would continue to meet remotely for their monthly Council meetings while the Country was still in level 5 restrictions but the matter would be reviewed further once these restrictions eased.

It was proposed by **Cllr E. Moran**, seconded by **Cllr S. Lee** and resolved: -

“That the Annual meeting of Tipperary County Council would be held in person in Borrisoleigh GAA Sports Complex on Friday 25th June 2021 at 10am.”

Item 7.4

Agree date for July Monthly Meeting

Mr. Liam McCarthy informed members that a Local Property Tax (LPT) revaluation of properties was taking place for 2022. The Council had also received notification that a decision on any variation by the Council to the property tax had to be notified to the Revenue Commissioners by the 31st August. It was clarified that the 31 August deadline would only apply in a revaluation year and for other years, the deadline was due to move to mid-October. The consultation period had also been reduced from 30 days to 14 days.

Mr. McCarthy outlined that all property bands were being increased and that there would be no change in the charges for the first 10 bands. As an example Mr. McCarthy outlined that the first three bands in 2020 which was for properties up to €200,000, there was 96% of properties within than with 98.9% of properties within the first five bands.

It was therefore envisaged that while the valuation of properties may increase, the majority of people in Tipperary would not be impacted. For 2022 it was noted that Local Authorities would be allowed retain 100% of the local property tax, and for for the current year the total income received from Central Funding was €25.951 million comprising 80% LPT and 20% into an equalisation fund for each county. The Council draws down €16.3m from the equalisation fund. It was expected any increase going forward from what was retained locally, there would be a corresponding reduction in the equalisation fund. It was therefore envisaged that there would not be any significant increase to funding in Tipperary as a result of the revaluation process.

Mr. Joe MacGrath, Chief Executive, outlined that a decision on the LPT was therefore required earlier as a result of the revaluation process but he reiterated that the vast majority of properties in Tipperary would not experience any change in their LPT bands. A substantial number of properties in Tipperary were in the band €150,000 to €200,000 and currently paid a property tax of €315. Houses in that band could now have their valuation increased to €350,000 and still pay the same property tax. The decision was made by the Council each year in relation to the local adjustment factor in September but it was now proposed to bring this forward, with the agreement of the members, to the July meeting for a decision. It was therefore suggested that the July Meeting would be held on Friday 16th July at which a report would be presented to the members.

It was proposed by **Cllr MI. FitzGerald**, seconded by **Cllr S Ambrose**, that the July Meeting of Tipperary County Council would be held on the 16th July, 2021.

Item 8.1

Consideration of Orders for the period to the 31st May, 2021

Chief Executive Orders and Delegated Officers Orders for the period to 31st May, 2021 were noted.

Item 9.1

Notice of Motion **Pre-Planning –** **Pre-Water** **Connection** **Facility**

Motion 9.1 (Ref. 2143) was proposed by **Cllr. Marie Murphy**.

“That Tipperary County Council would, as part of the Pre-Planning process, highlight the fact that Irish Water has a Pre-Connection facility, which all applicants for planning permission should avail of prior to submitting a planning application so that they are aware of the associated costs for getting a water connection”.

This motion was seconded by **Cllr Michael FitzGerald** and noted by the Council.

The response to the Motion noted that the Planning Authority as part of the pre-planning services provides advice to applicants as follows;

Pre-Planning Consultation

When an applicant requests a Pre-Planning Consultation, they are advised to complete a Pre-Planning Application Form. Question 8 of the pre-planning consultation request form asks the applicant regarding the connection to public water/wastewater services and the associated note advises the applicant to submit a Pre-Connection Enquiry to Irish Water (IW).

Pre-planning advice report

As part of the pre-planning advice record of consultation in relation to proposed development, the Planning Office offers advice as follows;

- The applicant is asked if the proposed development is potentially subject to Irish Water Services? If Yes, the applicant is advised of the IW Pre-connection enquiry.
- The applicant is advised to contact Irish Water as there is a cost associated with the connection, this can be confirmed with IW.
- The applicant is advised to ascertain the current situation with capacity (i.e. carry out a pre-connection enquiry).

In all cases the applicant is advised that Tipperary County Council does not apply development contributions for Water/Wastewater services as the statutory water services functions have transferred to Irish Water. They are made aware that there may be a significant cost issue which is a matter for Irish Water.

Item 10.1

Invitation to **Irish Water to** **attend TCC** **Meeting**

Motion 10.1 (Ref No. 2178) was proposed by **Cllr. Micheal Anglim**

“I call on Tipperary County Council to write to the Chief Executive of Irish Water inviting the Chief Executive to attend Tipperary County Council meeting in either July or September”.

This Motion was seconded by **Cllr. Siobhan Ambrose**

It was agreed to forward motion to Chief Executive, Irish Water, for consideration and response.

Motion 10.2 (Ref No. 2186) was proposed by **Cllr Pat English: -**

Item 10.2

Debenhams **Workers**

“During the massive struggle that has been waged by ex-Debenhams workers over the last 13 months across the Companies 11 stores in

Ireland the deficit of Workers Protection in Liquidations has again been sharply exposed. This Council calls for the immediate implementation of the Duffy.Cahill Report, compiled in 2016 in the aftermath of the Clery's Dispute as one way of strengthening workers rights and tackling the legal outs provide to Major Corporations who engage in tactical liquidations in order to avoid their obligations under hard won workers. If passed this Council communicates such in writing to Government".

This motion was seconded by **Cllr. Seamus Morris**

It was agreed to forward the motion to Leo Varadkar, T.D., Tanaiste and Minister for Enterprise, Trade and Employment for consideration and response.

Item 10.3

Community Employment Scheme

Motion 10.3 (Ref No. 2187) was proposed by **Cllr. Seamus Morris**

"That Tipperary County Council asks the Minister for social protection to approve the extension of the duration of the community employment scheme until the end of 2022 in recognition of the difficulties presented to many of these schemes as a result of the covid-19 pandemic and the difficulties in replacing the current workers. These schemes provide an invaluable service particularly for rural villages and graveyards".

This motion was seconded by **Cllr. Joe Hannigan**

It was agreed to forward the motion to the Minister for Social Protection, Heather Humphrey's, TD for her consideration and response.

Item 11.1- 11.8

Correspondence

Correspondence as circulated was noted as follows: -

- Reply dated 6th May, 2021 from Office of Minister for Environment, Climate and Communications, Mr. Eamon Ryan, T.D. re. PSO Levy on Electricity
- Reply dated 10th May 2021 from Irish Water re. Funding for Septic Tanks
- Reply dated 14th May, 2021 from Minister Michael McGrath, Minister for Public Expenditure and Reform re. Proceeds of Crime Act
- Letter dated 27th May, 2021 from Transport Infrastructure Ireland (TII) re. Planning in relation to the N24 Schemes
- Letter dated 2nd June, 2021 from Minister for Mental Health and Older People re. Jigsaw Mental Health Programme
- Reply dated 3rd June from Minister for Public Expenditure and Reform re. N24 Waterford to Limerick Corridor Road Project
- Sláintecare Implementation Strategy and Action Plan and Health Ireland Strategic Action Plan

Item 12.1 – 12.7

Resolutions from other Local Authorities

The following resolutions from other Local Authorities were noted by the members: -

Clare County Council

To request that the Minister for Housing, Local Government and Heritage would re-examine the current suitability of the maximum household income thresholds in the three banded areas. We further request circulation to all other local authorities and Oireachtas Members.

Dún Laoghaire-Rathdown County Council

The Council write to the Minister for Housing, Local Government and Heritage, Darragh O'Brien TD and An Taoiseach Micheál Martin TD calling for the immediate termination of the current Planning and Development (Strategic Housing Developments) Regulations 2017. We ask that a copy of this letter be sent to each local authority, the AILG and LAMA.

Fermanagh & Omagh District Council

Given Fermanagh & Omagh District Council's commitment to the All-Ireland Pollinator Scheme, and noting previous Council decisions taken in relation to reducing the use of harmful pesticides, reducing grass and hedge cutting and encouraging protection and promotion of natural habitats for our bee population, this Council calls on the British Government, and on the relevant Stormont & Dáil Ministers, to oppose the importation of Italian honeybees onto this island, and to move to completely ban such activities in future.

The recently publicised move by a Kent bee keeper to avoid the import ban by importing 15 million Italian bees into Britain, via the island of Ireland, poses a serious potential threat to thousands of hives, to our native bee population and to its future viability. The Ulster Beekeepers association and Low Country Native Irish Honeybee Association have expressed serious concern in relation to the small hive beetle and to the potential threat posed to native black Irish honeybees (which academic studies have established as the "best gene of black bees in Europe". These worries have been echoed by beekeepers in Britain.

Mindful of such risks, FODC calls on the British and Irish Government, as well as on the relevant Ministers in Stormont, Dáil Éireann & Westminster, to stop the import of Italian bees into Britain via the Norther of Ireland, as well as onto the island of Ireland, North and South, with or without the intent of forward exportation.

Limerick City and County Council

That in light of the recent Government announcement on the Rural Development Policy 2021-2025 entitled "Our Rural Future", and the lack of infrastructure such as sewage in our local towns and villages, Limerick City and County Council call on the Minister for Housing, Local Government and Heritage to maintain the status quo with regard to policy on one-off rural housing in our County and City Development Plan and that the phrase "social and economic need" to be included.

Meath County Council

That Meath County Council writes to the Minister for Housing, Local Government and Heritage Darragh O'Brien seeking to amend LG 4/2019 "to recognise where a member loses an "immediate relative" should NOT in that instance be subjected to a financial penalty under the 80% attendance of meetings rule.

Sligo County Council

I am asking Sligo County Council to write to the Minister for Social Protection, Heather Humphreys and ask that all working mothers and their partners be allowed to take paid leave after suffering a miscarriage or stillbirth. This bereavement allowance would give employees three days' leave when a pregnancy ends in miscarriage or stillbirth, rather than forcing them to use their sick leave.

Sligo County Council

That this Council call on the Minister for Justice to reconsider her department's decision not to have a specific offence of staling introduced on to the statute books, and to not only introduce an offence of stalking but to also introduce longer sentences for the crime than that currently available to prosecutors. At present in Ireland, there is no law that defines stalking as a crime. This Council calls on the government to urgently enact clear and concise stalking legislation in Ireland. On the rare occasion that stalking is prosecuted in I

Item 13.1

Votes of Sympathy

Members passed a Vote of Sympathy to the following:

- Julia Walsh Drohan, Tipperary Museum Education Officer on the death of her father Dick (Richard) Walsh
- Richard O'Regan, Veterinary Inspector, Environment & Climate Action Section on the death of his mother Helen O'Regan (nee Flynn)
- Mary O'Brien, Nenagh MD on the death of her mother Mary B Grace (nee Leamy)
- Catherine Foley, Liskiveen, Littleton on the death of her husband Billy Foley (former member of the Council outdoor staff).
- Eamon Brennan (former employee of North Tipperary County Council on the death of his brother Jackie.

Votes of Congratulations

Members passed a Vote of Congratulations to the following: -

- Sean Mockler, Coldfields, Two Mile Borris, Thurles on winning gold in the Men's Hammer Throw at the AAI games in Santry, Dublin on Saturday
- Daverns Shop, Cashel, on 100 years in the clothing business in Cashel.
- Templemore U14 Ladies Football Team on winning the U14B 2020 Plate Final.
- Cloughjoran Heritage Group on the presentation made by Ger Heffernan on the Centenary of the Modreeny Ambush, a major incident in the War of Independence.
Fr Sheehy U14D Hurling Team on winning the County Hurling Final

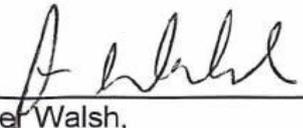
Item 14.1

Any Other Business

The meeting than concluded.

Signed/ _____
Cathaoirleach.

Date: _____

Signed/  _____
Ger Walsh,
Meetings Administrator.

Date: 8th June 2021