



Comhairle Contae Thiobraid Árann
Tipperary County Council

MINUTES OF PROCEEDINGS OF THE SEPTEMBER MEETING OF NENAGH MUNICIPAL DISTRICT HELD IN THE MUNICIPAL DISTRICT CHAMBER, CIVIC OFFICES, LIMERICK ROAD, NENAGH AT 10.00 AM ON 15TH SEPTEMBER 2016

Present:

Cllrs. Fiona Bonfield, Ger Darcy, Mattie Ryan, Seamus Morris, Joe Hannigan, John Carroll and M. O' Meara

Also Present:

Mr. Marcus O' Connor, Director of Service; Ms. Rosemary Joyce, District Administrator; Mr David Fahy, Executive Engineer; Mr Philip McGrath, Executive Engineer; Mr Sean Keating, Director of Services; Mr Gerry Robinson, A/Senior Engineer, Water Services; Mr Michael Woulfe, Senior Executive Engineer, Environment; Ms Mary Carroll, Administrative Officer, Environment and Sinéad Moriarty, Staff Officer.

Apologies:

Cllrs. Phyll Bugler and Hughie McGrath; Peter Fee, A/Senior Engineer.

In the absence of Cllr. Phyll Bugler, Cllr. M. O' Meara chaired the meeting.

At the outset Cllr. M. O' Meara paid tribute to the Tipperary Senior and Minor Hurlers and the Tipperary Footballers on their achievements in the current year. Other members were associated with the congratulations. A vote of congratulations was also passed to Jake Morris, son of Cllr. Séamus Morris, who was a member of the victorious Minor team.

Item 1:

Minutes of June Meeting

It was proposed by Cllr. J. Carroll, seconded by Cllr. M. Ryan and resolved that the minutes of the July Meeting held on 21st July 2016 be adopted.

Item 2: Action Plan

The Action plan from the July meeting was noted.

Minutes of September 2016 Nenagh Municipal District Meeting

**Item 3. Briefing from
Water Services Staff**

Mr. G. Robinson circulated a report on Water Services to the members. He advised members that there had been progress in relation to Ballycommon in the last few weeks. Contracts had issued to the developer's solicitor for signing.

Cllr. J. Carroll enquired about the timeframe on the Ballycommon Waste Water scheme. Mr. G. Robinson outlined that it would be a number of months and discussions are ongoing at the moment with Irish Water and people will be advised what they have to do to connect to the scheme.

In relation to Cloughjordan Mr. Robinson advised that Irish Water had stated that the contractor would start in October.

Cllr. G. Darcy welcomed the update on the Cloughjordan Wastewater treatment plant upgrade.

Mr. S. Keating informed the members that a report is expected to be published in November on the IW Water Supply Project including an appraisal of final options.

Cllr. G. Darcy stated that there was a lot of speculation on the location of the pipe and that it is important that it is known as soon as possible so that farmers can make plans to have land out of commission.

Cllr. S. Morris complimented the progress on Cloughjordan and Ballycommon but stated that the pipeline was not a definite yet. He advised that there was a campaign being organised to oppose this because of the impact on farms. He stated that the Irish Water calculations do not factor in the payment of a development contribution.

Cllrs. J. Carroll and M. Ryan expressed concerns that the farmers are not being given sufficient information on the project and do not know what the end product will be.

**Item 4: Briefing from
Environment Staff**

Mr. M. Woulfe circulated a report on Environment to the members. Mr. Woulfe and Ms. M. Carroll responded to queries from members.

Cllr. M. O'Meara complimented the Environment staff on the Energy in Agriculture conference held in Gurteen College and stated that it should be an annual event. This was supported by other members.

Cllr. O' Meara requested that the number of dogs that are being held in the pound be included in reports and asked if it would be possible to provide a neutering scheme in conjunction with vets. Cllr. M. O' Meara also complimented the Council on work done in the Burial Ground in Lorrha.

Cllr. M. Ryan thanked Michael Woulfe on meeting with the public in relation to Kilmore Graveyard.

Cllr. S. Morris asked for an update in relation to the removal of waste from the site in Rathcabbin. He also referred to the implications of regulations for smaller waste collection contractors. He noted that the pay by weight system had been deferred for twelve months. He said there was a need to have a waiver scheme introduced and that the smaller waste contractors should be allowed to continue operating for the year. He also noted that the report did not provide information on the number of dogs put to sleep and requested that this be included in future reports. Cllr. S. Morris also enquired about the derelict site off the motorway at the entrance to Nenagh which was used by the contractors during the construction of the motorway.

Cllr. J. Carroll supported the Energy Event in Gurteen College and requested the possibility of examining the lead in period to the changes in the waste collection to allow smaller contractors upgrade their equipment, there is a concern that these changes would lead to illegal dumping. There were particular concerns in relation to the difficulties experienced by those living in apartments and the elderly. Cllr. J. Carroll requested clarification on the ability to use evidence from a camera operated by a member of the public to catch illegal dumping. He also enquired about the controls in place for adding new clothes banks to areas.

Cllr. G. Darcy complimented the Energy in Agriculture Conference held in Gurteen College. He felt that the changes to the waste collection services will affect rural areas where it doesn't pay or is not possible for the bigger waste collection contractors to provide a service. Cllr. G. Darcy enquired about the possibility of removing stones/rubble from Monsea Burial Ground.

Mr. M. Woulfe informed the members that he would come back to them with information on the issues around clothes banks. The concerns in relation to the waste collectors were noted however the legislation is very restrictive and this is a national issue.

Mr. M. Woulfe advised that the Energy in Agriculture conference is currently being reviewed and it is felt that this type of event is the

way forward. He also responded to queries in relation to Kilmore and Ballina burial grounds. He advised that land had been acquired at Boher to provide burial spaces for Ballina. This would cater for 70-100 years requirements with 500-600 spaces. Tenders were being assessed for a consultant to prepare a design. It was anticipated that planning would be complete by the end of the year. Construction would take place next year. He further advised that bye-laws are currently being prepared in relation to burial grounds across the county and this would take into account changing practices with greater number of cremations taking place.

Mr. M. Woulfe informed the members that a consultant has been appointed to project manage the removal of the waste from the Rathcabbin site. Consultation was taking place with the EPA. There is no immediate timeframe on this process however the consultant was working to get this over the line with the EPA. Mr. Woulfe also informed the members that there is difficulty in enforcement if the evidence is from a camera put in place by a member of the public. The issue with the rubble/stones in Monsea B.G. will have to be examined as there may be a historical relevance. This would be checked out and he would get back to members on it.

Ms. M. Carroll informed the members that the capacity in the pound in Clonmel is 10/12 and it is similar in Knockalton. She advised that there were approximately 10,000 licensed dogs. They would not be in a position to run a neutering programme however it may be something that can be promoted with private vets who may do so at a reduced rate. She advised that there are currently 9 derelict sites which are being worked on in the Nenagh District.

Item 5.
Nomination to the Board
of Tipperary Food
(Rearcross) Ltd.

Ms. R. Joyce informed the members that Cllr Mattie Ryan was the previous representative from Tipperary County Council on the Board of Tipperary Food Enterprise (Rearcross) Ltd. and he held the position for 10 years. Cllr M. O Meara complimented the work of Cllr M. Ryan on the board. Cllr. M. Ryan stated he was happy on the board but felt it was time for someone new.

Cllr. F. Bonfield was nominated by Cllr. J. Hannigan and seconded by Cllr. S. Morris to fill the vacancy arising from the resignation of Cllr. Ryan and this was unanimously agreed.

Item 6:**Allocation of Funding:**

It was proposed by Cllr. J. Carroll, seconded by Cllr. M. Ryan and agreed by the members to approve the allocation of €740.47 to Garrykennedy Burial Ground Committee.

Item 7:**Establishment of Forum
between Killaloe and
Nenagh MD**

The members welcomed the proposal to establish a forum between Nenagh and Killaloe Municipal Districts.

Cllrs M. Ryan and G. Darcy welcomed the proposal and stated there were a lot of benefits from the previous Lough Derg Forum.

Cllrs. J. Hannigan, Carroll and O' Meara queried the possibility of extending this forum to include Galway and links to Birr.

Ms. R. Joyce explained that as Birr also had links with Roscrea, this would have to be considered on a county wide basis.

It was proposed by Cllr. J. Carroll and seconded by Cllr. Ger Darcy to establish the forum.

Mr. M. O' Connor advised that the expansion of a group across a number of counties is something that would have to be dealt with at county level. For the moment they would advise Killaloe that the members of the Nenagh Municipal District were in agreement with having a meeting to discuss common issues. It was anticipated that meetings would be held approximately every six months.

Item 8:**Update on Projects****Newport Town Park**

Ms. R. Joyce advised that the Council is still trying to pursue land acquisition.

Gills Garden

Ms. R. Joyce advised that a meeting had taken place with the Consultant who is currently seeking a meeting on the ground with representatives from the OPW/Department.

Community CCTV Scheme

Mr. M. O' Connor advised that a number of meetings have taken place. There are three groups involved and it is necessary to bring these together. The total grant funding for the three schemes is €55,000.

Nenagh Traffic Management Plan

Ms. R. Joyce informed the members that the workshop for the Traffic Management Plan will now take place on the 25th October

from 4-6 and the public meeting will take place at 7pm.

Borrisokane Street Renewal

Mr. M. O' Connor advised that a number of submissions have been received but more submissions are expected. The Part VIII will be displayed until the 16th September and submissions can be made until the end of the month. A report will be brought to the members in October and it is likely that funding will be available next year. He stressed the importance of trying to progress the scheme and that it represented a very serious investment in Borrisokane.

Bord Gais Project

Mr. M. O' Connor advising that the project was progressing well. Works were currently on-going on Pearse Street. While it was disruptive it was important to remember that this was important work to get done. Cllr. S. Morris complimented the workers and the business people; he also stated that the buses were having difficulty getting into the Railway station from Martyrs Road. Mr. M. O' Connor explained that they now go around the roundabout and then enter the Railway Station and this seems to be working. Cllr. G. Darcy queried if the road at Tyone would be re-instated. Mr. M. O' Connor explained that the trenches are relatively fresh and the intention would be to re-instate the full width of the road.

Shannon River Crossing at Ballina/Killaloe

Mr. M. O' Connor advised that the Notices to Treat have now been served but the objectors have now lodged a paper with the Supreme Court. Cllr. J. Hannigan queried if the work can go ahead while there is an action in the Supreme Court. Mr. M. O' Connor informed the members the advice received is to proceed with the scheme.

R498 Latteragh

Mr. M. O' Connor advised that the preferred route has been selected, the design has been completed, preliminary environmental assessment is to be completed and a Part VIII is required.

Knockalton

Mr. M. O' Connor advised that temporary work had been carried out. The contract for a permanent job will be drawn up next year.

Twinning

Mr. M. O' Connor informed the members that Ballina was seeking

potential twinning partners in France. The potential of Ballina/Killaloe becoming a joint twinning centre will be examined.

Municipal District Awards

Ms. R. Joyce advised that the draft categories were circulated to members. The categories were proposed by Cllr. G. Darcy and seconded by Cllr. J. Carroll. Ms. R. Joyce will revert with a date for the awards night.

Item 9: **Update of event in** **Castlelough**

Ms. R. Joyce informed the members that the application for the event was from the 4th to the 7th August, these days included a day for set up and a day for clean up. Any further information that was requested was received, the application was assessed and permission was given. The GSS was on site when the event was being set up and both Ms. R. Joyce and Mr. M. O'Connor visited the event over the weekend. Other council staff and members were in the area and everything was being run satisfactorily. The area was left in good condition after and from the debriefing meeting with the Gardaí there were no policing issues from the event. Parking wasn't an issue, anyone attending the event parked in a field that was given by the owner and the outer parking spaces was left for anyone else visiting Castlelough. The bye-laws will continue to be prepared and the Gardaí will be consulted in this process.

Cllr Morris stated that a festival was never watched or managed as much and he felt it went very well and the council worked hard to ensure the event went well. He still had concerns about the need to manage the scale of events and to have a permit system in place.

Cllrs. Carroll, Hannigan and Darcy also complimented the event and the work that was undertaken by the council and the Gardaí to ensure the event went off well.

Mr. M. O'Connor confirmed that the Bye-Laws are being progressed and it is hoped they will be in place for next Summer. These will also apply to other areas across the county. There would be wide consultation on these and there is a statutory process to be followed. While certain activities may be prohibited it was also proposed to provide that activities may be allowed subject to licence.

Item 10: **Update on Road** **Works**

Update on the Road Works Programme was circulated.

Programme

Cllr. J. Carroll raised the issue of the time between the tertiary road funding being allocated and the work being done, this causes frustration to members of the public.

Cllr. G. Darcy requested if anything could be done regarding the speeding on the Templemore Road, Cloughjordan. There is a school in the area and there is speeding in 48/49% of cases.

Cllr. J. Hannigan queried if the survey in Puckane village gave a true reflection of the situation on speeding.

Mr. M. O' Connor advised that there are mixed views on the effectiveness of the speed signage if they are used in a number of areas. The more they are used the less effective they are. In Puckane a survey was done using a covert camera and the results indicated that there was not a serious speed problem. The overall level of compliance was reasonable. The situation on the Templemore Road, Cloughjordan will be assessed when funding is available. Traffic calming costs a lot of money and speed ramps can cause vehicles to lose control if they are hit at speed.

Cllr. G. Darcy referred to the ramp on the Dromin Road and said this needed paint.

Mr. P. McGrath confirmed that now the roadworks programme is nearing completion the tertiary road and CIS schemes will be progressed.

Cllr. M. O'Meara complimented Mr. P. Fee on his proactive approach to hedge-cutting. Mr. M. O'Connor advised that the law is clear that hedge-cutting is the landowners' responsibility. He encouraged members to submit names of landowners on whom notices should be served.

Item 11:
Proposals for dealing
with flooding

Mr. M. O'Connor informed the members that there are a number of schemes for flood relief. A list had been circulated of applications which had been made to the Office of Public Works under the Non-Coastal Minor Flood Mitigation Works & Studies Scheme in 2016. 25 proposals were submitted for Tipperary of which 5 related to the Nenagh Municipal District.

Funding has been received for Clonsingle, Newport and some others are still under discussion. Some would be disallowed. The cost benefit ratio was required to be at least 1.5. Maps and details were circulated in relation to the CFRAM Study for Ballina

and Nenagh. The plans that were circulated to members are still on public display and submissions can be made on same. He stated that it may be possible to apply to the OPW for funding for two schemes in Ballina. Details were also circulated of funding in respect of the Drainage Districts and under the LAWA. Mr. O' Connor advised that these were the principal ways for dealing with flooding.

Cllr. G. Darcy thanked Mr. M. O'Connor for having the flooding proposals on the agenda. Cllr. Darcy complimented the work that was done at Cunnahurt and he also queried the position regarding the Ballycolleton Drainage District. He had been told that for environmental reasons the section into the Shannon would not be done. He referred to the importance of this work as there was no point in spending money elsewhere if the main channel into the Shannon was not clear.

Cllr. S. Morris expressed disappointment that Glencrue was not included.

Cllr. M. O' Meara queried if the big trees at Ballyquirke, Lorrha have been removed and if it was possible to talk to someone in the Department about the Ballycolleton issue.

Cllr. J. Hannigan queried if money has been allocated to studies will there be any money left for work and if there was any proposed works for Carrigahorig.

Mr. P. McGrath confirmed that it is intended to remove the trees at Ballyquirke. He advised in relation to Ballycolleton that the part closer to the lake is within a SAC and they were obliged to carry out a screening report. A scoping report had been carried out and it identified that there were two natural habitats that cannot be touched. Mitigation measures would be required. An EIA was necessary and a hydrological flow study. It would not be possible to have the reports done by 30th September. Works would start on Monday at the higher end. He had arranged to meet with the committee the following day to go through the position with them.

Mr. M. O'Connor confirmed that these studies have to be completed. This is a designated SAC and the Council could not legally go in there without having the studies done. It was recognised that they cost money but there was no choice in the matter. While it was not ideal work could be done in other sections which were not in the SAC. Mr. McGrath would meet

with the Committee and identify what works can be done this year. The works on the other area would be prioritised next year.

Mr. M. O'Connor advised Carrigahorig comes under the remit of TII. Consultants are being engaged to carry out flood studies and prepare a geotechnical report. The results of these studies will be looked at in detail to decide what is required.

Item 12.
Engineer's Checklist

Cllr. S. Morris referred to a delineator that was missing on the Dublin Road at the Cloughjordan junction and requested that P McGrath look at this.

Cllr. G. Darcy asked that the Council look at reducing speed in the Coille Bheithe Estate particularly at the further end of the estate. He also referred to grass cutting in Towerhill Estate, Borrisokane and said there is a need to have the grass cut more frequently. He also referred to problems with speed at Ballina coming from the Birdhill side.

Cllr. F. Bonfield asked about the bad bend at Molly's Cross on road to Clare Glens, Newport.

Cllr. S. Morris raised the issue of grass cutting in general, he felt that the contractor is not doing a good job and he would like a report on the discussions with the contractor. He stated that the contractor was cutting part of the grass and leaving the rest. He referred in particular to Cormack Drive and Sallygrove.

Cllr. J. Carroll supported Cllr. Morris on the issue of grass cutting. He referred to Cormack Drive, Derrylavin and Sallygrove and said a letter should issue to the people involved ensuring that the grass is cut on a more frequent basis. He also stated that the road from the junction to Gurteen College was not great and that speeding was still an issue at Richmond Cross.

Cllr. J. Hannigan raised matters relating to footpaths in Riverstown and the sight lines on the Dromineer to Carrig School road. He also referred to the issue of flooding in Monsea and said there was a need for the District and the OPW to look at this with the benefit of local knowledge in relation to dykes and inlets. If freed these would help alleviate the problem. Cllr. J. Carroll said that the works of utility companies can impact negatively on drainage and this may have been an issue at Monsea.

Cllr. M. O'Meara stated that there was no stop sign or markings on Lis Lane – the road from the R438 to Croghan Road, Riverstown. There was a similar problem on the road from Ballyoughter to Rathcabbin. He also referred to the condition of the R438 Bog Road to Athlone at Kennys and said this was in bad condition and there was a crack in the middle. This road has huge traffic. He also referred to the need for a pedestrian crossing at Farmleigh and the lack of lights there.

Mr. M. O'Connor confirmed that if the work completed by utility companies was not completed satisfactorily they have been asked to go back. He also advised that the provision of a roundabout at Richmond would be expensive.

Item 13.
Notice of Motion

Notice of Motion No. 799 submitted by Cllr. F. Bonfield

“That Nenagh Municipal District put in place a plan to move on and implement the Traffic Management Plan that has been promised for Newport since 2010 as a matter of urgency”.

The motion was proposed by Cllr. F. Bonfield and seconded by Cllr. J. Carroll. The following response was read out by Ms. R. Joyce

“ The Newport Traffic and Parking Management Strategy was prepared by JB Barry and Partners in 2003. A number of the recommendations in the Strategy have been implemented including the construction of a car park at the McCormack Hall Site, the construction of a cantilevered pedestrian walkway beside the existing Mulkear river bridge, pedestrian crossings at a number of the schools and upgrading of footpaths in various locations.

A key recommendation was the construction of a mini roundabout, more orderly parking facilities and pedestrian facilities in and around the Square. This work was seen as essential to manage the current haphazard traffic and pedestrian movements in the square.

At the time, it was agreed to defer this work until the car park had been provided at the McCormack Hall site - which has been done for some time. It is agreed that now would be a good time to reactivate the Newport Plan and to examine its implementation in the context of the Town and Village Renewal Scheme. A new public consultation

Exercise should be undertaken as part of this review.”

Cllr. F. Bonfield welcomed the response.

Cllr. J. Carroll also welcomed the response and queried the timeframe on it.

Mr. M. O'Connor informed the members that a pedestrian crossing in isolation is not the solution. There will have to be proper consultation and then apply for funding. There may be potential under the Town & Village Renewal Scheme. He said that Borrisokane will be the priority for next year however Newport would be an obvious potential application after that.

Item 14.
Delegated Employee
Orders

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

Item 15.
Correspondence

The following correspondence was noted:

1. Letter from Department of Defence dated 1 st September 2016 in connection with the Military Barracks.
2. Email acknowledgement dated 16 th August 2016 from the Department of Defence in relation to Military Barracks.
3. Acknowledgment of 19 th July 2016 from the Department of Arts, Heritage and the Gaeltacht in relation to letter regarding funding for rejuvenation of rural areas.
4. Letter from Department of Finance of the 18 th July 2016 in connection with the proposals on adjusting VAT thresholds for small rural businesses.

Item 16.
Votes of
Congratulations/
Sympathy

Votes of Sympathy were passed to the following:

- Nancy and Tony Slevin on the death of Conor Slevin, R.I.P.
- Ms. Catherine Murray on the death of Cora Murray, R.I.P.
- Ms. Marie Cremin on the death of Dessie Whelan, R.I.P.
- Ms. Ger Corrigan on the death of Betty Corrigan, R.I.P.
- Ms. Tess Conneally on the death of Joseph Conneally,

R.I.P.

- The Columban Fathers on the death of Fr. Dan Fitzgerald, R.I. P.

Votes of Congratulations were passed to the following:

- Lorrha U-12 Hurling Team on winning the North "C" Hurling Final.
- Lorrha/Shannon Rovers U-14 Hurling Team on winning the North "B" Hurling Final.

Item 17.

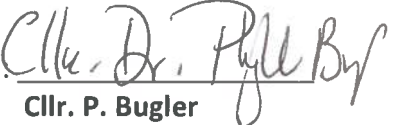
A.O.B

Ms. R. Joyce informed the members of the event taking place in Cloughjordan on Friday night for Culture Night and reminded them that the North Final was also taking place in Cloughjordan.

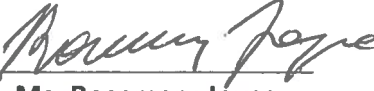
Cllr. F. Bonfield congratulated Cillian Dunne on winning 3 medals at the IWAS U23 World Games recently and proposed that this achievement be recognised.

Cllr. M. O Meara enquired about when the review of protected structures would take place.

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

Signed: 
Cllr. P. Bugler
Cathaoirleach

Date: 25.10.2016

Signed: 
Ms. Rosemary Joyce
District Administrator

Date: 25.10.2016

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