



Comhairle Contae Thiobraid Árann
Tipperary County Council

MINUTES OF PROCEEDINGS OF THE SEPTEMBER MEETING OF NENAGH MUNICIPAL DISTRICT HELD IN THE CHAMBER, NENAGH MUNICIPAL DISTRICT AT 10.00 AM ON 14TH SEPTEMBER 2017

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

Also Present: Mr. Marcus O' Connor, Director of Services; Ms. Rosemary Joyce, District Administrator; Mr. Philip McGrath, A/Executive Engineer; Mr. David Fahy, Executive Engineer and Sinéad Moriarty, Staff Officer.

Ms. Marian O Neill, Senior Executive Officer and Ms. Anne Peters, Executive Engineer, Environment, Gerry Robinson, A/Senior Executive Engineer, Water Services

Mr. John Nolan, Senior Engineer and Niall Murphy, Roads Department Tipperary County Council.

Apologies: Peter Fee, A/Senior Executive Engineer

Item 1.

Minutes of July Meeting

The minutes of the meeting of the 20th July 2017 were proposed by Cllr Seamus Morris and seconded by Cllr Mattie Ryan.

Cllr Morris requested clarification on the re-instatement of the footpaths in Nenagh, the overall works plan, the Birr Road junction and the membership of the committee for Nenagh 2020. Mr. M. O' Connor advised that there was regular contact with the Chamber of Commerce and that there was a meeting with them the following morning at 8.30 a.m. at which an update would be given. Members were welcome to attend the meeting if they wished to do so.

Item 2.

Minutes of Special Meeting

The minutes of the special meeting on the 24th August 2017 were proposed by Cllr Ger Darcy and seconded by Cllr Mattie Ryan.

Cllr Mattie Ryan requested clarification on the current status of the project. M.O'Connor informed the members that the Council is

Minutes of September 2017 Nenagh Municipal District Meeting

currently in the process of writing to the Department for approval to do a detailed design and start the CPO process.

Item 3. Action Plan

The Action plan from the July meeting was noted.

Item 4. Briefing from Water Services

Mr. G. Robinson circulated a report on Water Services. The members raised a number of issues and these were addressed by Mr. G. Robinson. Cllr. S. Morris and H. McGrath raised the issue of Friar St and the fact that there are still problems in the area. Cllr. S. Morris requested an update on the proposal for extraction of water. Cllr. P. Bugler wanted an update on the breaks in pipes at Goosers and Cllr. Ger Darcy raised the issue of the recent problems with communal septic tanks in small housing estates in villages.

Mr. G. Robinson explained that he didn't have any further information on the extraction other than what was in the report as it was an Irish Water project and was outside of his remit. He agreed to take it off the report in the future if requested by the members. Mr. G. Robinson said he was not aware of further problems in Friars St and that Irish Water would contact them if an issue had been reported to them. He requested the name of the person who reported the issue and he would follow up on it.

Mr. G. Robinson outlined that there was delay in Irish Water appointing a regional contractor and the watermain replacement in Ballina will not begin until after Christmas.

The problem with the communal septic tanks was not a Water Services issue but a Housing one and Ms. R. Joyce responded to this query. She outlined that there was a delay in responding on this occasion but the people involved have been given contact details of person to contact if the issue arises again. Ms. Joyce outlined that work needs to be undertaken on these to resolve the issue long-term but this was subject to budget availability.

Cllr. S. Morris requested that Irish Water come to the area where it is proposed to take the water and hold a meeting there. Invitation to attend should issue to some of the groups who oppose the project. He stated that RPS had said it was not part of their remit to meet those who oppose the project.

Cllr. J. Hannigan and M. Ryan raised the issue of the costs of water connections. Cllr. J. Carroll said it was difficult to make contact with Irish Water. He would encourage Irish Water to have a clinic in advance of District Meetings as there was a disconnect emerging and there was a huge number of issues that could be resolved with a meeting. Mr. G. Robinson explained that previously the Council charged a connection fee and a development levy. The Irish Water connection charges are based on previous development levies and are set by the Energy Regulator. There is not a standard charge in place however there will be in time. Any queries relating to charges should be taken up with Irish Water. He also informed the members that there is a separate workshop for Councillors and Irish Water being set up and that it is the more appropriate forum in which to raise these issues. Cllr. G. Darcy requested that the workshop on the extraction be held in Nenagh as this is the area that will be affected. Cllr. M. Ryan suggested that it would not be held as a workshop but as a meeting where the media could attend.

Item 5. Briefing from Environment

Section

Environment Section circulated a report to the members.

Cllr. G. Darcy requested an update on the representations he submitted regarding the Old Mill, Cloughjordan. He said barriers are now around it but these are blocking the footpath causing pedestrians to cross the road and the building is in very bad condition. Cllr. J. Hannigan raised the issue of how people are disposing of waste if they are not paying for a licensed contractor. Cllr. S. Morris stated that he is still waiting on the numbers in relation to dogs to be added to the report. He requested that contact be made with the Department of Defence regarding the Military Barracks. In relation to refuse collection he called for the possibility of a waiver system for bin collections to be examined. He also called for the problem of dumping between Barr an Chnoic and Hamilton Drive to be investigated and to see if better use could be made of the site. Cllr. M. O'Meara raised the issue of Shannon Vermi Composting and the Anglers Rest, Rathcabbin and Cllr. F. Bonfield wanted an update on the Old Convent building in Newport. She also expressed concern on the weakness of the legislation in dealing with cases where receivers are in place.

Cllr. M. Ryan requested clarification on what is the intention of the OPW on the unused Garda Stations and on the dumping of clothing on the Newport/Thurles road. He also complimented Danny and Kathleen McGrath in relation to the work they have done in Templeberry and stated that it shows real pride of place. Cllr. H. McGrath supported Cllr. S. Morris on the Military Barracks, stating that the land was an asset especially with its close proximity to the school. He also requested clarification on the possibility of following up with Tesco to investigate the dumping at the back of the bottle bank.

Marian O Neill and Ann Peters addressed the queries raised by the members. A structural engineers report has been carried out on the building in Cloughjordan and the owner is currently engaging with the Council. It is the last option for the Council to do the necessary works or to CPO the building. If the Council has to do the work there is a charge then placed on the property and the cost of the work is recouped if the building is ever sold. The members felt this was not a cost that the Council should not have to incur. Ms. A. Peters explained that the legislation is very weak and even though a levy is put on the property this will only become relevant if the building is sold. When trying to resolve the issues around derelict buildings the Council is very dependent on the co-operation from owners.

Ms. M. O Neill informed the members that household surveys are being undertaken in a number of areas to establish how households are disposing of their rubbish. The new regulations mean that rubbish has to be presented in a bin to be weighed. AES will still take rubbish in bags from the public.

Ms. A. Peters confirmed that they will try to contact the owner of the Anglers Rest again. Ms. M. O Neill stated that a notice can be sent to the owners of the military barracks and that there will be a follow up on the Old Convent in Newport. She also confirmed that the Enforcement Officers will contact Tesco to clarify if there are cameras at the bottle bank and that funding may become available to clean up the area between Hamilton Drive and Barr an Chnoic.

Ms. A. Peters confirmed that there is funding available to clear the waste at Shannon Vermi Composting and it has to go to landfill. Cllr.

S. Morris expressed concern on taking waste from one area to another within Tipperary and asked that the matter be discussed with the Ballymackey Environmental Group.

Members indicated that they wished to submit three Notices of Motion to the plenary Council for consideration: one relating to calling on the OPW to outline their plans in relation to unused property, particularly Garda stations, one calling for the strengthening of the legislation in the area of derelict sites and dangerous buildings and a third calling for small operators to be allowed operate a refuse collection service and to meet the pay by weight requirements through weighing at the point of disposal.

**Item 6. To consider Part 8 on
N52 Borrisokane Street
Improvement Works**

Cllr M. O' Meara declared that he had a conflict of interest and left the meeting for the discussion on the Part VIII.

Mr. J. Nolan gave a brief outline of the process. The plans and particulars on the proposed development were available from 12th June to 14th July. Submissions were accepted until the 28th July. 6 submissions were received and these are outlined in the Chief Executive's Report. The scheme was designed in house by Mr. Niall Murphy and Mr. Michael Devery. Mr. N. Murphy gave an outline of the drawings. Of the 6 submissions that were received, 4 related to double yellow lines. Meetings took place with the parties involved; the kerb layout has been amended and the parties are happy with this. Mr. John Nolan recommended the development with the proposed amendments and asked the members to agree and proceed with the scheme as advertised.

Cllr G. Darcy welcomed the report and the presentation, and thanked the staff involved in the process. Cllr. G. Darcy stated that it is very important that this goes ahead and that people are willing to put up with the inconveniences while the work is taking place.

Cllr J. Hannigan also welcomed the presentation and commended the people involved in the process. Cllr. S. Morris complimented the process and discussions that took place in this Part VIII project. Cllr. M. Ryan wished to be associated with these comments.

It was proposed by Cllr. G. Darcy and seconded by Cllr. J. Hannigan and resolved:

“That pursuant to the provisions of Section 179 of the Planning and Development Act 2000, as amended and Part 8 of the Planning and Development Regulations 2001, as amended and having considered the Chief Executive’s Report dated 8th September, 2017, the Members of Nenagh Municipal District hereby decide to proceed with the development as outlined in Chief Executive’s Report”.

Mr. M. O Connor thanked everyone for their work and informed the members that now the Council has to go back to TII to draw up the contract documents and it will then go out to tender with work beginning early in the new year.

Cllr. M. O Meara rejoined the meeting. He acknowledged the work by everyone involved. He requested that once the project was up and running that a designated person would be in place to liaise with the public.

Item 7. Tertiary Road Allocation

Ms. R. Joyce brought the email from Mr. P. Fee on the Tertiary Road allocation to the attention of the members. This advised that the allocations needed to be finalised by the following day. Cllr. G. Darcy requested clarification on which roads would be done under the CIS. Ms. R. Joyce explained that it was now being offered to the third person on the list. Cllr M.O’Meara requested a list of what has been allocated – he was advised that this is available from Roads.

Item 8. Update on Projects

Newport Town Park

A public meeting attended by Nic de Jong was held in Newport at which he gave a presentation. It was well received and a copy has been sent to the schools. Arrangements are being made for visits to other facilities by members of the Committee accompanied by Nic de Jong.

Gills Garden

Currently awaiting documentation from the masonry contractors.

Community CCTV Scheme

The tender from Stalwart has been accepted and a project meeting is being arranged for the week after next. Cllr. J. Hannigan said that

Borrisokane was an ideal location for a CCTV Scheme and suggested this be looked at. He referred to the line of sight to the Garda Station. Mr. M. O' Connor advised that the current CCTV Scheme requires a local contribution. He also referred to the county wide CCTV policy which is in place and advised that this is co-ordinated through Community & Economic Development Section.

Nenagh Traffic Management Plan

Tuesday 31st October is the suggested date for a workshop followed by the public meeting, this date is to be confirmed.

Bord Gais Project

The laying of pipes is nearly complete and the timing of the reinstatement is now being agreed. A weekly meeting takes place with the contractor. Cllr Morris requested a schedule of what is included in works programme. He was advised that there was a meeting with the Chamber of Commerce the following day if he wished to attend.

Update on new Shannon Crossing at Ballina/Killaloe

Approval has been received to do the detailed design. Notices to treat have been served. Clare County Council are drawing up the draft brief for appointment of consultants. It will take a month or two to finalise the draft brief and it is hoped to go to tender by the end of the year.

Knockalton

The Consultants are preparing detailed design and tender documents for Knockalton. The Part VIII has been completed and the land has been acquired. There are a number of contractors on site at the moment doing trial holes.

Carrigahorig

There are no further updates on the Carrigahorig project. Cllr M. O' Meara informed the meeting that a landowner is willing to dedicate land to provide a footpath. He requested that Philip McGrath call out to talk with the landowner.

Nenagh Tourist Office

Currently awaiting plans for the Tourist Office.

Garden of Remembrance, Cloughjordan

The work is almost complete and when it is fully complete the garden will be leased to the Cloughjordan Community Development Council.

Item 9. Update on Road Works Programme

A progress report on the 2017 Roadworks programme was distributed to members.

Cllr. M. Ryan requested clarification on what can be done if a road is in bad condition and not on the Roads Works Programme.

Mr. M. O'Connor clarified that emergency works and pothole repairs can be carried out on the road but not strengthening work and any works would be dependent on the availability of a maintenance budget.

Mr. M. O'Connor advised that the Local Improvement Scheme had been suspended for a number of years however there was a commitment in the Programme for Government to re-introduce it. A circular had been received from the Department requesting the submission of schemes which would be certain to go ahead in the current year. This submission had to be made by today. Two schemes had been identified in the Nenagh Municipal District and both had been submitted. These related to roads at Brookfield, Coolbawn and at Ballingarry.

Item 10. Engineer's Checklist

The Engineer's Checklist was circulated to the members.

Cllr. G. Darcy asked that the issue with speed at St Conlon's Road would be examined as it has been put back a few times. He also requested that contact would be made with Offaly County Council regarding the issue of the Cloughjordan to Shinrone Rd as it is quite bumpy. He raised the issue of the road at Bantis – signage, road markings, reflectors all need to be examined. While he agreed with 30 km limit he felt it was unnecessary to have signage in small cul de sac estates. Cllr. G. Darcy requested that someone look at the back road from Dromineer to Nenagh, especially the area around the junction where Water Services would have carried out work. The area at Congar was also a concern to Cllr. G. Darcy; he felt that the

right turning lane was required and that the vegetation on the spare land was in bad condition.

Cllr. P. Bugler requested a solution to the undergrounding of cables in Ballina and the flooding at Kilmastulla. She also clarified that she wanted the tap to be moved on the fountain not the whole fountain to be raised.

Cllr. M. O'Meara welcomed the allocation of €21,000 from TII for the Ferry Bridge; this funding will go towards the cost of engaging a structural engineer. He also requested that the R489 at The Pike would be included in the Low Cost Safety Scheme and the Carrig Bog Road is in very poor condition.

Cllr. J. Hannigan requested that an audit of the footpaths be undertaken in Borrisokane before the improvement works begin. He also requested work to be done on the R493; there are parts of the road very narrow and there may be a need for a barrier near the bridge.

Cllr. F. Bonfield wanted an update on the tenders for the footpaths, the speed survey at Glenree and the railing at the school. Mr. D. Fahy confirmed that the successful contractors for the footpath tender are being written to and another attempt will be made at the speed survey in Glenree.

Cllr. H. McGrath requested that the footpaths at St. Flannan's Estate in Ballinaclough would be added to the checklist. Cllr. M. Ryan asked could Cunneen's Cross, the surface in Kilcommon Village and the kilometres on the sign for Nenagh and Dolla be looked at.

Item 11. To consider Notices of Motion

Notice of Motion No. 1153 submitted by Cllrs. Ger Darcy, Joe Hannigan and Michael O Meara:

"That the Council include the section of the "Old Birr Road" at Boston, Ballingarry in the Roads Works Programme"

The motion was proposed by Cllr. G. Darcy and seconded by Cllr. M. O Meara. The following response was read out by Ms. R. Joyce

“There are a number of sections of the old Birr Road in need of restoration works. The L-1085-0 at Boston and the L-1071-10 at Cornhill are but two examples. The Council accepts that in the context of drafting the next three year road restoration programme, consideration should be given to the Old Birr Road and the sections at Boston and Cornhill in particular”.

Item 12.

Delegated Employee Orders

A list of Delegated Employee Orders up to 14th September 2017 as circulated to the members was noted.

Item 13.

Correspondence

None

Item No: 14.

**Votes of Sympathy/
Congratulations**

Cllr John Carroll offered votes of sympathy to Cllr Phyll Bugler on the death of her nephew, Patrick O Keeffe, Mitchelstown, Co Cork and her brother in law, Michael Lynch, Fantane, Borrisoleigh.

Votes of Congratulations were passed to the following:-

- Lorrha U-12 winning the County “B” Final
- Newport AFC on opening the new clubhouse

Item 15.

A.O.B

Cllr. H. McGrath wanted to thank everyone who assisted with the European Alliance visit. The members who visited got a great impression of the town. One of the items that was highlighted was the use of properties overhead shops, they will now examine if it is possible to get funding to help this issue.

Cllr. H. McGrath also wanted to thank everyone involved in the visit by Minister Moran to Nenagh Castle. He informed the members that Minister Moran is after contacting him to let him know that he will be writing to M. O Connor asking him to carry out a feasibility study in how best to connect the Castle to the Town.

Mr. M. O Connor thanked Cllr. H. McGrath on the EA Group visit and felt it was a great forum for the exchange of ideas and to see what could become available to help the town centre. He also welcomed the outcome of the visit by Minister Moran and the possibility of

proceeding with a feasibility study for the next phase.

Cllr. S. Morris complimented the work done by Cllr McGrath on the EA Group visit and the visit of Minister Moran to Nenagh Castle. He requested that the Council look at the possibility of assigning a member of staff to work in the area of access to funding and applying for funding where possible.

Cllrs. M. Ryan, J. Carroll and G. Darcy also congratulated Cllr. McGrath on the visits.

Mr. M. O Connor informed the members that Michael Moroney in Community and Development is assigned to Special Projects and applications for funding.

Cllr S. Morris raised an issue relating to an industrial relations matter in Sue Ryder in Streama. As the Sue Ryder project in Streama formed the Part V for the development and some of the occupants are from the Council Housing list, Cllr. Morris wanted to express his disappointment at the fact that they were not engaging in the labour relations process. He requested a copy of the agreement between Sue Ryder and the County Council. Ms. R. Joyce informed him that this would be available from the Housing Section.

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

Signed: 
Cllr. J. Carroll
Cathaoirleach

Date: 19.10.2017

Signed: 
Ms. Rosemary Joyce
District Administrator

Date: 19.10.2017

