

**Minutes of February Meeting of Tipperary-Cahir-Cashel
Municipal District hosted in the Council Chamber, Civic
Offices, Tipperary Town and held remotely
on Monday 22nd February 2021 at 11am**

Members Present: Councillor John Crosse, Cathaoirleach
Councillor Micheál Anglim
Councillor Tony Black
Councillor Declan Burgess
Councillor Michael FitzGerald
Councillor Mary Hanna-Hourigan
Councillor Roger Kennedy
Councillor Máirín McGrath
Councillor Andy Moloney
Councillor Marie Murphy
Councillor Annemarie Ryan (Shiner)

Officials Present: Mr. Pat Slattery, District Director
Mr. Anthony Coleman, District Administrator
Mr. Paddy Crowley, District Engineer
Ms. Mairead Ryan, Staff Officer
Mr. Denis Holland, Water Services
Mr. Damien Dullaghan, County Librarian
Planning Staff
Ms. Annemarie Devaney, S.E.P.
Ms. Nuala O'Connell, S.E.P.
Mr. Kieran Ladden, S.E.E.

Mr. Anthony Coleman, District Administrator, commenced the meeting with the meeting prayer. He called the roll and confirmed that all the Municipal District members were present. The Cathaoirleach welcomed everyone to the meeting. He firstly proposed a minute's silence on the death of Mr. James (Jimmy) McGrath of Moanreagh, Tipperary Town who was a former Chairman of Tipperary Urban District Council in 1994 and in 1998; this was seconded by Councillor Roger Kennedy and agreed. The minute's silence was then observed.

1.1 Disclosures/Conflicts of Interest

There were no matters notified to the meetings administrator.

2.1 Minutes of Tipperary-Cahir-Cashel Municipal District January Meeting held on 25th January 2021

The minutes of the Tipperary-Cahir-Cashel Municipal District January Meeting held on 25th January 2021 were adopted on the proposition of Councillor Marie Murphy, seconded by Councillor Roger Kennedy.

2.2 Minutes of Tipperary-Cahir-Cashel Municipal District Special Meeting held on 28th January 2021

There was a discussion regarding the procedures at this special meeting. Councillor Ryan (Shiner) wanted to note her concerns regarding circulation of the planning briefing note during the special meeting. This was followed by a heated discussion regarding a recent meeting arranged with the Minister for Transport and 3 lobby groups in Tipperary town.

Councillor Michéal Anglim indicated that he wanted to apologise for his comment at that special meeting.

The minutes of the Tipperary-Cahir-Cashel Municipal District Special Meeting held on 28th January 2021 were adopted on the proposition of Councillor Roger Kennedy, seconded by Councillor Michael Fitzgerald.

3.1 Planning Directorate Report

The Cathaoirleach welcomed staff from the Planning Section to the meeting. Ms. Nuala O'Connell referred to the report circulated with the agenda and indicated that planning staff would take any questions from the members.

Councillor Ryan (Shiner) asked for an update on the taking-in-charge of the housing estate in Emly and also asked if a date had been agreed for the meeting with Aherlow Woods Estate residents. Councillor Burgess asked for an update regarding the taking-in-charge of the West Meadows Estate in Boherlahan. Councillor Murphy asked for clarification on the timeline of County Development Plan; she also asked regarding the timeframe for the Cahir Local Area Plan and asked if it can go back for public consultation. Councillor McGrath asked for an update regarding the taking-in-charge of Gleann Beag, Newcastle. Councillor Black looked for an update on Aherlow Woods and the taking-in-charge of An Chuir, Monard. Councillor FitzGerald asked if there has been any progress regarding Developer Provided Infrastructure, he also asked if there is anything the Council can do to progress this issue. He also said that the figures do not reflect the refusal rates for planning saying that

that they do not include the number of applications withdrawn. He also referred to the pre-planning process which he said is very disappointing, that restrictions have slowed down the process and added that there are considerable costs involved regarding archaeology and flood risk documents. He asked that this be looked at and addressed.

In response the District Director indicated that a meeting with the Aherlow Woods Estate residents would take place on Wednesday 3rd March at 5pm via zoom. He indicated that the meeting would only be with the property owners and said Council staff would need to know who the owners are in advance of the meeting.

Ms. O'Connell indicated the Council has 12 weeks to prepare the Draft County Development Plan; it will be circulated by 31st May and will be brought to the July meeting for adoption, it will then be placed on public display for a period of 12 weeks. Regarding the Cahir Local Area Plan, she indicated that today Monday 22nd February is the closing date for submissions on the plan, the Chief Executive's Report will be completed in 2-3 weeks, a workshop meeting will be held with the MD members and the report will be considered at the April Plenary Council meeting. She said that planning staff will be preparing more detailed reports with broader information; she acknowledged that there are challenges with the current restrictions and indicated the Council will have a workshop for agents to brief them on updates regarding validation. She urged clients to contact the planning staff where there are issues.

Mr. Ladden indicated that there has been progress on taking-in-charge with 8 estates taken-in-charge over 2020 and to-date this year. He indicated that West Meadows will be next to be progressed, Gleann Beag, Newcastle and Castle Yard, Ballyporeen are progressing. He indicated that there are technical issues at Glencourt, Emly, saying that there is Developer Provider Infrastructure (DPI) at this estate. Regarding DPIs, he indicated that the Council didn't receive any funding to deal with DPIs from the Department. He indicated that additional bids have been put forward for 4 estates and are awaiting the outcome of this application. He stated that An Chuir, Monard has a DPI which is the main issue at this estate.

3.2 Water Services Directorate Report

The Cathaoirleach welcomed Mr. Denis Holland, Water Services to the meeting. Mr. Holland referred to the report circulated with the agenda and indicated that he would take any questions from the members.

Councillor Burgess asked for an update regarding the Boil Water notice on the Galtee line and this was echoed by Councillor Ryan (Shiner). Councillor Murphy referred to the proposed conditions surveys at Clogheen and Cahir and asked did this include Lios Mhuire in Clogheen. Councillor McGrath asked if there is a timeline for the wastewater treatment plant for Newcastle. Councillor Fitzgerald asked about the timeline for the wastewater treatment plant for Golden. Councillor Anglim said he had a query about the cost of a connection for a constituent's house and would like to discuss it with Mr. Holland. Councillor Moloney asked about the upgrade of Cahir wastewater plant and asked if there was timeline for this project.

In response Mr. Holland indicated that he is actively engaging with Irish Water on a long-term solution to the Boil Water notice on a phased basis but said he was unable to give a timeline at this time. He indicated that Lios Mhuire in Clogheen had been identified and Irish Water have authorised the interventions needed there. He said that he hasn't received details of the priorities for the 7 locations in the county of which there are 3 locations in this district. He added that the €3m allocation for these works will not be sufficient for the 7 locations. He indicated that he would ring Councillor Anglim to discuss the issue he raised. Regarding Cahir, he indicated that Irish Water is conscious of the EPA licence and what this will allow.

3.3 Consider Draft Schedule of Municipal District Works

On the proposition of Councillor Andy Moloney, seconded by Councillor Michael Fitzgerald, it was resolved,

"That in accordance with Section 103 of the Local Government Act 2001, as amended by Section 58 of the Local Government Reform Act 2014,

- a. the Draft Schedule of Municipal District Works (SMDW) for the financial year ending 31st December 2021 as presented, be and is hereby adopted, and*
- b. where relevant, that any subsequent changes to the Schedule necessitated by either an inability to proceed with certain works or by emergency repairs elsewhere may be implemented subject to notification to the members as soon as may be and that the works so deferred may be considered for inclusion in the Schedule for the next financial year"*

3.4 Consider Chief Executive's Report on the Part 8 Development at the Craft Granary, Cahir

On the proposition of Councillor Marie Murphy, seconded by Councillor Andy Moloney, it was resolved:

"That having considered the Chief Executive's Report dated February 2021 in accordance with Section 179(4)(a) of the Planning & Development Act 2000, for the proposed development at Craft Granary, Church Street, Cahir, Co. Tipperary, the Tipperary-Cahir-Cashel Municipal District decide that the proposed development be carried out as recommended in the Chief Executive's Report"

3.5 District Administrator's Report

The District Administrator's Report was circulated to the Members with the Agenda; there were no matters from the report raised.

3.6 Vacant House Report February 2021

Councillor Andy Moloney asked about the progress of the vacant house in Cahir. Councillor Roger Kennedy indicated that there are 34 houses awaiting minor repair and asked how many houses are being repaired at present. In response the District Engineer indicated that the repair of vacant houses is progressing, he added that 2 contracts were awarded for houses in Cahir this morning. He said that there are some issues with meeting contractors. He confirmed to Councillor Kennedy that there are works being undertaken at most of the vacant houses.

4.1 Chief Executive/Delegated Officers Orders

The Chief Executive/Delegated Officers orders were read.

5.1 Councillor Marie Murphy (Ref. 2074)

That this Council would replace the extremely damaged footpath from what's known locally as the Forge to the old boys' school on the Ballyporeen road out of Clogheen.

Reply

The Roads Department has submitted a list of proposed Active Travel projects to the National Transport Authority (NTA), including footpath replacement works in the village of Ballyporeen. We await feedback from the NTA on our funding submission.

Councillor Murphy clarified the area that she was referring to is a stretch of footpath approx 100 yards just out of the village of Clogheen.

This motion was seconded by Councillor Michéal Anglim.

5.2 Councillor Andy Moloney (Ref. 2062)

That this Council get advice on CCTV for estates where residents and Gardaí identify a need.

Reply

The process and procedures for installation of CCTV in public areas is covered by Tipperary County Council's CCTV and Other Surveillance Technologies Policy which is available on the following link:

<https://www.tipperarycoco.ie/your-council/cctv-and-other-surveillance-technologies-policy>

The policy sets out the steps necessary for installation of public CCTV and the following is an extract from the policy document (page 11).

13. PUBLIC CCTV INSTALLATION REQUESTS FOR COMMUNITY CCTV SCHEMES

13.1 The installation of Public CCTV will be made using the following 7 steps and at all times in accordance with the Code of Practice for Community Based CCTV Systems published by the Department of Justice and Equality and An Garda Síochána.

13.1.1 A justified need identified by:

- (a) Local elected representatives*
- (b) Community-based not-for-profit registered organisation that is representative of the community e.g. local community council, residents association, area partnerships, community development projects, family resource centres, community enterprise and supported by a local elected representative;*
- (c) An Garda Síochána and requested by a member not below the rank of Superintendent or Acting Superintendent of the district for which the CCTV is requested;*

(d) *Local Authority and requested by an approved officer with delegated responsibility for the prevention, detection and investigation of offences and for the prosecution of offenders;*

- 13.1.2 *Assessment from the local An Garda Síochána Crime Prevention Officer.*
- 13.1.3 *Assessment by the County Council, with the oversight of the DPO, having regards to this Policy, Data Protection Legislation and the Garda Síochána Act 2005.*
- 13.1.4 *Allocation of adequate capital funding for installation and annual funding for maintenance, communications and monitoring costs.*
- 13.1.5 *Public Consultation with the local community where the CCTV will be installed*
- 13.1.6 *Approval of the County Tipperary Joint Policing Committee*
- 13.1.7 *Approval from An Garda Síochána Commissioner*

The processes are iterative, i.e. applications for CCTV installation will need to pass each step before continuing to the next.

This motion was seconded by Councillor Roger Kennedy.

5.3 Councillor Tony Black (Ref. 2063)

That this Council will repair and replace where necessary the footpaths on Dillon Street in Tipperary Town. They are damaged extensively and are in serious need of repair.

Reply

The Municipal District will identify the sections of footpath on Dillon Street that need replacement and include these locations in future footpath replacement works subject to available funding.

This motion was seconded by Councillor John Crosse.

5.4 Councillor Tony Black (Ref. 2064)

That this Council will repair and replace where necessary the footpaths on Arravale Terrace in Tipperary Town. They are damaged extensively and are in serious need of repair.

Reply

The Municipal District will identify the sections of footpath at Arravale Terrace that need replacement and include these locations in future footpath replacement works subject to available funding.

This motion was seconded by Councillor John Crosse.
Councillor Black asked that all section of the footpaths in the vicinity of Gordon Villas, temporary roundabout and the Bridge be looked at.

5.5 Councillor Tony Black (Ref. 2065)

That this Council provide traffic calming measures and look to widen the footpath between the school and church in Knockavilla. The footpath is extremely narrow, and it is dangerous as it is used by local children walking to the school from the village. Also, there is such a long straight stretch of road between the school and church that it is a hotspot for vehicles speeding. Traffic calming measures should be considered in order to reduce speeding entering the village.

Reply

The Municipal District will assess Knockavilla village for appropriate traffic calming measures in line with Tipperary County Council traffic calming policy. The provision of a wider footpath would require land acquisition, and this would need to be with the agreement of landowners adjoining the footpath in question.

This motion was seconded by Councillor Roger Kennedy.

6.1 Votes of Congratulations

A vote of congratulations was extended to

- Conor Sweeney on winning a Football All-Star;
- John Kiely, Limerick Hurling Manager, on being named RTE Sports Manager of the Year.

Votes of Sympathy

Councillor Fitzgerald said that this Covid pandemic has hit everyone and said there is a particular sadness associated with funerals and burials. He acknowledged the pain that these restrictions are having on those who have lost loved ones. This was concurred by Councillor

Black who said that he would like to see something done to remember those lost when restrictions allow.

A vote of sympathy was extended on the death of the following:

- Dr. Emer Holohan of Terenure, Dublin;
- Eamon Power of Grenane Engineering, Grenane, Tipperary;
- Mr. James (Jimmy) McGrath of Moanreagh, Tipperary Town.

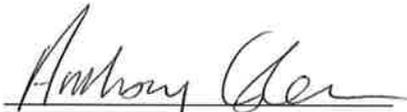
7.0 Any Other Business:

The following Municipal District meeting dates were agreed:

- Aherlow Woods Meeting – Wednesday 3rd March at 5pm
- MD Workshop - Casual Trading Byelaws – Friday 12th March at 11am
- MD Workshop – Cahir Local Area Plan – Friday 19th March at 11am.

This concluded the business of the Municipal District meeting.

Signed/  Dated/ 22/03/2021
Cathaoirleach

Signed/  Dated/ 22/03/2021
District Administrator

