

**Minutes of January Meeting of Tipperary-Cahir-Cashel
Municipal District hosted in the Council Chamber, Civic
Offices, Tipperary Town and held remotely on Monday 25th
January 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
Mr. Paul Farrell, Executive Engineer
Ms. Mairead Ryan, Staff Officer
Mr. Damien Dullaghan, County Librarian
Ms. Roisin O'Grady, Heritage Officer
Environment & Climate Change Staff
Ms. Marion O'Neill, S.E.O.
Mr. Ruairi Boland, S.E.E.
Ms. Colette Moloney, Snr Exec Scientist
Ms. Anne Marie Clifford, S.O.

Mr. Anthony Coleman, District Administrator, commenced the meeting with the meeting prayer and confirmed that all the Municipal District members were present. The Cathaoirleach welcomed everyone to the meeting including the members of the public joining the meeting remotely.

1.1 Disclosures/Conflicts of Interest

There were no matters notified to the meetings administrator.

**2.1 Minutes of December Meeting of Tipperary-Cahir-Cashel
Municipal District held on Tuesday 15th December 2020**

The minutes of the December Meeting of Tipperary-Cahir-Cashel Municipal District held on 15th December 2020 were adopted on the proposition of Councillor Marie Murphy, seconded by Councillor Roger Kennedy.

Matters arising from the Minutes

Councillor Marie Murphy asked for an update regarding the restoration of the original window on Church Street and the condition of external plaster on Market House, Cahir. She also requested a list of the approved applicants for the Community Involvement Scheme for 2021. She asked for an update on her joint motion with Councillor Anglim regarding the request for a new road sweeper in the Cahir area. She also asked if there was a response from Irish Water regarding ongoing issues at Madden's Lane, Cahir.

In response the District Engineer indicated that he would forward her a list of the CIS applications. He indicated that he had discussed the issue of the road sweeper with Roads Section and said that if one is needed, it will be hired rather than purchased. Councillor Murphy expressed her concerns about this and said that she wants the area to get the same service as it previously had when the villages were swept regularly. Councillor Anglim suggested that a schedule would be put together for the sweeper so that each village would be swept on a regular basis. This was seconded by Councillor Marie Murphy. The District Administrator said that he is progressing with the appointment of a consultant for detailed designs of Market House and these works will be considered as part of the plans. He indicated that the District Office had written to Irish Water regarding Madden's Lane and were awaiting their response.

3.1 Environment & Climate Change Directorate Report

The Cathaoirleach welcomed staff from the Environment & Climate Change Section to the meeting. Ms. Marion O'Neill referred to the report circulated with the agenda and indicated that staff would take any questions from the members.

Councillor Ryan (Shiner) asked if she could get a breakdown of the locations of the litter fines issued across the District. She also asked for clarification about the 2 open items regarding the control of dogs. She asked for clarification about illegal dumping on Coillte lands, asking who was responsible for what. She said that dog fouling is a big issue in Tipperary Hills and asked can CCTV be placed in this area. She indicated that she was happy to have her 2 motions on the agenda addressed during this item. Councillor Burgess also looked for more detail on the litter fines issued. He thanked Mr. Anthony Wynne, Environmental Enforcement Officer for all his work and

wished him well in his retirement; this was echoed by the MD members. Councillor Burgess asked for a timeline on the Burial Ground Byelaws. Councillor Black echoed the concerns about the issue of dog fouling in the Tipperary Hills and asked how do other local authorities deal with this issue. He asked if CCTV could be installed at the bottle bank in Lisvernane as there is regular dumping at the bottle bank. Councillor Murphy enquired about the landscaping and ancillary works in Shanrahan New Burial Ground. She mentioned that Waterford County Council had been reprimanded by the Data Protection Commissioner on the use of CCTV, asking will this be an issue for Tipperary. She also enquired if Mr. Arthur Kelly is the new dog warden for the Cahir area. Councillor McGrath said that dumping is also an issue at the bottle bank in Newcastle and asked if CCTV could be installed at this location. She asked have the Council issued fines using the CCTV at various locations. Councillor FitzGerald expressed the view that pet owners need to take responsibility for their pets. He said that it was unfair and disgusting not to clean up after your pet. Councillor Moloney agreed that it is the responsibility of the owner to deal with the dog fouling. He said that education and awareness is the way to proceed with this issue.

In response, Ms. O'Neill indicated that she will arrange a breakdown of the litter fines by town. She indicated that the 2 open items referred to picking up dogs and queries from the public not yet completed. She indicated that the clean up of dumping on Coillte lands was the responsibility of Coillte but the Council would issue litter fines if evidence was found in the illegal dumping. She told the members the Council had spent €50,000 on illegal dumping clean-ups in the District over the last year. She said that the Council have installed 76 mutt mitt dispensers across the county but indicated that it is very difficult to prosecute owners for dog fouling as you need to witness the dog fouling to issue a fine. She expressed the view that education and awareness of this matter is key to improving the situation and agreed to look at an awareness campaign. She said that no other local authority had prosecuted offenders regarding dog fouling as far as she was aware. She said that she would convey their thanks to Mr. Anthony Wynne and confirmed that Mr. Arthur Kelly is now dealing with this District. She indicated that the Cemetery Byelaws are progressing and will be brought before the members. She indicated that there is an issue regarding the use of CCTV in the issue of fines and told the members that the Regional Authority is pursuing this matter. She confirmed that the Council has secured successful prosecutions with the use of CCTV footage. She agreed to look at bottle bank areas in Newcastle and Lisvernane to assess if the sites are suitable for CCTV. She also indicated that 60 stickers had been placed at the bottle banks saying no dumping

allowed and CCTV is in operation to deter dumping at these locations.

It was agreed to take the following motions as they pertain to the Environment & Climate Action Section.

4.1 Councillor Annemarie Ryan (Shiner) (Ref. 2038)

That Tipperary County Council install more Mutt Mitt bins in Tipperary Town. Currently we have only 2 bins, both situated at Tipperary Town Hills. There is a need to provide more bins throughout the town, especially in the following areas: Scallagheen Road, Main Street and the Cashel Road.

Reply

Environment & Climate Action Section will be happy to supply extra Mutt Mitt bins in Tipperary Town and will link with the MD staff in this regard.

This motion was seconded by Councillor Tony Black.

Councillor Ryan (Shiner) indicated that she was requesting bins to dispose of the dog foul rather than the Mutt Mitt bins, however Ms. O'Neill indicated that the Council does not provide bins for the disposal of matter. She indicated that it is either disposed of in the general litter bins or taken home by the pet owner. She agreed to explore this matter further. Councillor Black indicated that there are no public bins in the Tipperary Hills.

Councillor FitzGerald raised the matter of wall at the Church near Clonbeg Bridge. He said that the residents there would help with doing works but would need a financial contribution. Ms. O'Neill indicated that this is a private burial ground. The District Administrator indicated that they could apply for a burial ground grant.

4.4 Cllrs Annemarie Ryan (Shiner), Declan Burgess, John Crosse, Máirín McGrath, Marie Murphy, Mary Hanna Hourigan, Micheál Anglim, Roger Kennedy, Tony Black, Michael FitzGerald (Ref. 2050)

That this Municipal District organise an urgent meeting with resident representatives of Aherlow Woods, Councillor representatives, and Directors of Services for Planning, Environment and Water.

Aherlow Woods Estate needs immediate attention in order to address legacy issues prohibiting the taking in charge process.

Residents of Aherlow Woods are negatively impacted by inadequate development provided infrastructure, (namely the sewage service infrastructure) and issues in relation to planning permission change of use from holiday home to residential. Residents of Aherlow Woods are actively attempting to find solutions to these problems but are dependent on the local authority to assist them in arriving at a satisfactory solution.

Reply

Tipperary County Council has carried out a series of investigations and has initiated enforcement action against the Receivers to ensure the protection of the environment.

There has been regular engagement with the residents in relation to the legal complexity of this matter.

On receipt of a response from the Receivers, who are the duty holders, Tipperary County Council staff will be in a better position to further engage with the residents and the Elected Members.

The Members requested that an immediate meeting be arranged with the heads of Departments (Environment, Planning & Water) and residents to address the issues with the septic tank and lights at this development and give direction to the residents.

In response the District Director indicated that this matter had been raised at the plenary meeting and agreed a meeting should be arranged. He also informed the members that this development was granted as a tourism development, several houses were sold as distressed assets, purchased cheaply and the houses were purchased knowing that there are issues in the estate. The District Administrator stated that the local authority is not responsible for management and maintenance of every private septic tank and treatment system granted planning permission in the county. A legal notice has been issued to the receivers, who are responsible for managing this waste treatment system. He further stated that owners and purchasers of the properties should revert to their legal advisors and agents to determine what due diligence was conducted at the time of purchase to ensure that all the services were in proper working order.

3.2 Culture/Library Services Directorate Report

The Cathaoirleach welcomed Damien Dullaghan and Roisin O'Grady to the meeting. Mr. Dullaghan firstly highlighted that the Library Services are currently only available online indicating that they are very active on all social media platforms and indicating there is a huge amount of content available for children, Ms. O'Grady highlighted that an audit of holy wells in the county would be undertaken this year, she said that there would be a publicity campaign and she will be engaging with the public on this. She also said that worked on the option analysis for the use of Tipperary Courthouse is being undertaken. She told the members that the Bolton Library in Cashel is part of a film project. She indicated that the Commemoration Grant Scheme has been launched for 2021. She also referred to funding received for a reconstruction drawing of the monastic site at Emly which has been prepared for an interpretation panel. Following this they indicated that they would take any questions from the members.

Councillor Marie Murphy asked if the Library in Cahir could remember Marian Tobin of Tinkelly, Cahir, Tipperary's first female councillor elected in 1920. She said it would be a fitting tribute to have an information board and bust of her in the new library. This was supported by Councillor Máirín McGrath. Councillor Moloney said there was also mention of a stone or plaque at her birthplace. Councillor Burgess recognised the great work being done by Cashel Library and welcomed the news of a film in the Bolton Library. Mr. Dullaghan said that the idea of a memorial is feasible and agreed to follow up on this; he agreed to come back to the members on this.

3.3 Consider Director of Services Report on the proposed Taking in Charge of Springfield Grove, Rossmore Village, Tipperary Town

On the proposition of Councillor Mary Hanna Hourigan, seconded by Councillor Michael Fitzgerald, it was resolved

"That pursuant to the provisions of Section 180 of the Planning and Development Act 2000 (as amended) and Section 11 of the Roads Act 1993, and being satisfied that the roads are of public utility, and having considered the financial implications for the local authority and any submissions made, it is hereby ordered that the roads serving the housing estate known as

- Springfield Grove, Rossmore Village, Tipperary Town

be declared a public road. In addition, any open spaces, car parks, sewers, water mains and service connections within the attendant grounds of the development are taken in charge, as outlined in red

on the attached map, which was on public display during the prescribed period and the Director of Services Report to Members for the January 2021 Tipperary-Cahir-Cashel Municipal District Meeting”.

3.4 Consider Director of Services Report on the proposed Taking in Charge of Springfield Crescent (part of), Rossmore Village, Tipperary Town

On the proposition of Councillor Mary Hanna Hourigan, seconded by Councillor Michael Fitzgerald, it was resolved:

“That pursuant to the provisions of Section 180 of the Planning and Development Act 2000 (as amended) and Section 11 of the Roads Act 1993, and being satisfied that the roads are of public utility, and having considered the financial implications for the local authority and any submissions made, it is hereby ordered that the roads serving the housing estate known as

- Springfield Crescent (Part of), Rossmore Village, Tipperary Town

be declared a public road. In addition, any open spaces, car parks, sewers, water mains and service connections within the attendant grounds of the development are taken in charge, as outlined in red on the attached map, which was on public display during the prescribed period and the Director of Services Report to Members for the January 2021 Tipperary-Cahir-Cashel Municipal District Meeting”.

3.5 District Engineer’s Report

The District Engineer’s Report was circulated to the Members with the agenda, he said that he is working on 2021 Municipal District Works Programme and the staff are currently working on drainage across the District. He indicated that he would take any questions from the members.

Councillor Annemarie Ryan (Shiner) asked when the works on O’Brien Street, Tipperary would be complete and when the Market Yard works would commence, and she welcomed the funding for the Mass Path in Tipperary. Councillor Roger Kennedy thanked the District staff for securing funding in Boherlahan village and at Bothar na Marbh in Cashel and asked for a breakdown of the number of applicants in the District for one bedroom properties, two bedroom properties and so on. Councillor Micheál Anglim indicated that the Council indicated that the Council had spent a lot of money

improving sight lines at various junctions and said that the areas need to be sprayed regularly to maintain the areas.

In response, the District Engineer indicated that that he is arranging a section 38 notice for these works inviting public consultation on the junction layout proposal. He hoped to start the works in March subject to the level 5 restrictions being lifted. He said that the District were very fortunate to receive funding for the 3 ORIS measure 1 applications at Bóthar na Marbh, Cashel, Mass Path, Tipperary Town and the Viaduct Walk in Cahir. He stated that the same contractor was appointed for the Lowergate works in Cashel and the Market Yard in Tipperary and that subject to the level 5 restrictions being lifted, Lowergate would be completed and Market Yard would then commence. He agreed to request the figures from Housing Section. He asked Councillor Anglim to highlight the areas that need attention saying that there are a considerable number of areas across the District.

3.6 District Administrator's Report

The District Administrator's Report was circulated to the Members with the agenda, and he indicated that he would take any questions from the members.

Councillor Annemarie Ryan (Shiner) asked if the Wi-Fi4EU could be checked as the signal is not being picked up in some areas, particularly at the traffic lights. The District Administrator agreed to bring this to the attention of Simon Howe, Broadband Officer.

Councillor FitzGerald excused himself from the Municipal District meeting and conveyed his apologies for this afternoon's Municipal District Workshop.

4. Notices of Motion

4.1 Councillors Annemarie Ryan (Ref. 2038)

This motion was dealt with item 3.1 on the agenda.

4.2 Councillor John Crosse (Ref. 2047)

Calling on Tipperary County Council to make safe the cross roads coming down out of the road at Mohera, Annacarty at the Cross of Pyke as there has been a few accidents in recent times.

Reply

The District Engineer will review the junction and assess any improvement works required.

This motion was seconded by Councillor Mary Hanna Hourigan.

4.3 Councillor Marie Murphy (Ref. 2048)

That Tipperary Cahir Cashel Municipal District would consider including a budget of circa €5,000 for training community groups on the use of the property marking machine.

Reply

Funding for this proposal can be considered as part of the budget allocation under the General Municipal Allocation (GMA).

This motion was seconded by Councillor Mairin McGrath.

Councillor Murphy said this property marking machine is used to stamp an Eircode on an individual's property, but training is needed for people who use it, and this is an issue. Councillor Andy Moloney indicated that 2 machines were purchased but they are unable to get access to the second machine and asked for clarification on this matter.

In response the District Director indicated that there was one machine purchased for the Fethard area and this is being operated by the company who supplied it; this machine will now be based in Ballingarrane House under the control of the C & E Section.

The second machine was privately purchased, and he will check the details and will let Members know the position. He indicated that C & E Section will have a dedicated fund for this work in 2021 to be administered by the section.

4.4 Councillor Cllrs Annemarie Ryan (Shiner), Declan Burgess, John Crosse, Máirín McGrath, Marie Murphy, Mary Hanna Hourigan, Micheál Anglim, Roger Kennedy, Tony Black, Michael FitzGerald (Ref. 2050)

This motion was dealt with item 3.1 on the agenda.

4.5 Councillor Declan Burgess (Ref. 2051)

That this Municipal District considers installing traffic calming measures along the stretch at Dean Ryan Terrace in Cashel.

Reply

The Area Engineer will review Dean Ryan Terrace in line with the current traffic calming policy to establish the most appropriate traffic calming measures.

This motion was seconded by Councillor Mary Hanna Hourigan.

4.6 Councillor Declan Burgess (Ref. 2052)

That this Municipal District considers installing public lighting on the hill at the Kiln in Cashel.

Reply

The request has been submitted to Public Lighting Roads Central for consideration in future public lighting programmes. These works had previously formed part of the 2020 Town and Village Renewal schemes submitted by the Municipal District but the application didn't secure funding for 2021.

This motion was seconded by Councillor Roger Kennedy.

4.7 Councillor Declan Burgess (Ref. 2053)

That this Municipal District urgently assesses the pedestrian safety at the top of Boherclough (O'Connor's old shop corner) to the Cahir Road side of the road.

Reply

As part of the 2021 Road works programme its planned to widen the footpaths on Green Street to the Boherclough (Cahir Road) junction providing greater pedestrian connectivity in this area.

This motion was seconded by Councillor Roger Kennedy.

6.1 Votes of Sympathy

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

- John McGrath of 1 Galtee View, Ballyporeen
- Johanna Ryan of Cloghinch, Templederry

6.2 Votes of Congratulations

A vote of congratulations was extended to:

- Samantha Lambert on her retirement from Tipperary Ladies Football

Any Other Business:

The District Administrator reminded Members that the Municipal District workshop meeting to discuss the proposed N24 / N74 Tipperary Town Improvement Works Scheme will be held today at 4.30pm via Zoom.

He also reminded the members of the N24 Cahir to Limerick Junction briefing on this Wednesday 27th January at 11am.

This concluded the business of the Municipal District meeting.

Signed/  Dated/ 22/2/2021
Cathaoirleach

Signed/  Dated/ 22/02/2021
District Administrator

