Present

Cllr. Siobhán Ambrose, Cathaoirleach.


Also Present


Apologies

Cllrs J. Ryan, S Morris

Item 1.1

Minutes of Council Meeting held on 13th June 2016

Proposed by Cllr. John Carroll, seconded by Cllr. R. Kennedy and resolved

“That the minutes of Council Meeting held on 13th June 2016 in the Moycarkey/Borris Community & Sports Centre, Littleton, as presented be adopted”.

Item 1.2

Minutes of Annual Meeting held on 24th June 2016

Proposed by Cllr. P. English, seconded by Cllr. G. Darcy and resolved

“That the minutes of the Annual Meeting of Tipperary County Council held on 24th June, 2016 in Civic Offices, Clonmel as presented be adopted”.

There were no matters arising.

Item 2.1

Conferences/Seminars/Training

It was proposed by Cllr R Kennedy, seconded by Cllr M. Hanna Hourigan 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 Conference/Seminar/Training:-

<table>
<thead>
<tr>
<th>Seminar/ Conference/ Similar Event</th>
<th>Dates</th>
<th>Venue</th>
<th>Nominees</th>
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<tr>
<td>Information Sessions</td>
<td>8th July</td>
<td>Kilkenny</td>
<td>Cllr. Ml. Smith</td>
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<td>for Large Grants</td>
<td>14th July</td>
<td>Athlone</td>
<td>Cllr. Ml. Murphy</td>
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<td>Capital Scheme for</td>
<td>15th July</td>
<td>Galway</td>
<td>Cllr. Ml. FitzGerald</td>
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<td>Tourism Projects</td>
<td>18th July</td>
<td>Cork</td>
<td>Cllr. E. O’Meara</td>
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<td>Dublin</td>
<td>Cllr. L. McLoughlin</td>
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<td>Cllr. Marie Murphy</td>
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<td>Cllr. K. Bourke</td>
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</tbody>
</table>
AILG Induction Training for co-opted Members 14th July 2016 Red Cow Hotel, Dublin Cllr. E. Moran Cllr. Sean Ryan
Celtic Conferences – Local Economic & Community Plans 26th – 28th August 2016 Clonakilty Hotel, Clonakilty Cllr. P. Bugler

It was proposed by Cllr. S. Hanafin, seconded by Cllr. J. Hogan, "that Councillor Siobhan Ambrose, Cathaoirleach, would represent Tipperary County Council at the Tipperary Breakfast in London on the 5th and 6th September, 2016."

Item 2.2
Reports on Conferences

It was noted and agreed by the Council.

Item 3.1

Proposed by Cllr. J. Hogan, seconded by Cllr. R. Kennedy and resolved

Section 183 Notice Disposal of Land at Green Lane, Old Bridge, Clonmel.

"That in accordance with Section 183 of the Local Government Act, 2001, and pursuant to the powers contained in Section 211 of the Planning and Development Act 2000, consent is hereby given to the disposal of lands situate at Green Lane, in the Parish of St. Mary’s Clonmel, situate in the Townland of Oldbridge, in the Barony of Glenahiry, in the Electoral Division of Clonmel West Urban. Folio 26093F refers, containing approximately 0.07214ha, or thereabouts from Eugene McCarthy, in accordance with the terms of the notice issued 22nd June 2016” to facilitate a land exchange in lieu of lands ceded by the OPW to the Council at Old Bridge, Clonmel.

Item 3.2

Proposed by Cllr. A. Moloney, seconded by Cllr. J. Hogan and resolved

Section 183 Notice Disposal of Land at Kilcoran, Cahir

"That in accordance with the provisions of Section 183 of the Local Government Act, 2001, we hereby approve of the disposal of 1.869 hectares (4.618 acres), at Kilcoran, Cahir, Co Tipperary to Mr William Burke and Mr Keith Scanlan in accordance with the terms of the Notice under the above Section as circulated on the 23rd June 2016”, as the property is no longer required and is deemed surplus to requirements, previously acquired as part of N8 Cashel/Mitchelstown Improvement Scheme.

Item 3.3

Proposed by Cllr. I. Goldsboro, seconded by Cllr. D. Dunne and resolved

Section 183 Notice Disposal of Property at Upper Ballingarry, Ballingarry, Tipperary

"That in accordance with the provisions of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the disposal of land situated at Upper Ballingarry, Ballingarry, Co. Tipperary comprising 0.127 acres to Mary Walsh, No. 10 Assumption Tce, Ballingarry, Co. Tipperary in accordance with the terms of the Notice under the above section, as circulated on 28th June 2016“ to facilitate a rectification of title.

Item 3.4

Proposed by Cllr. I. Goldsboro, seconded by Cllr. D. Dunne and resolved

Section 183 Notice Disposal of Derelict Dwelling at Bailey Street, Killenaule, Tipperary

"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 situated at Bailey Street, Killenaule, Co. Tipperary comprising 53m² to Mr. Donie Corcoran, Millgrove House, Tincurry, Cahir, Co. Tipperary in accordance with the terms of the Notice under the above Section, as circulated on the 28th June 2016”, as the property is derelict and deemed surplus
to requirements.

Item 3.5
Section 183 Notice
Disposal of land at Glenagad Road, Clonmel

Proposed by Cllr. R. Kennedy, seconded by Cllr. J. Crosse 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 land situated at Glenagad Road, Cllr. R. Kennedy comprising 171sq.m to Noel & Andrea O’Brien, No. 12, Glenagad Road, Clonmel, Co. Tipperary in accordance with the terms of the Notice under the above Section, as circulated on the 28th June 2016”, to facilitate rectification of title.

Item 3.6
Section 183 Notice
Disposal of land at Mortlestown Little, Cahir

Proposed by Cllr. A. Moloney, seconded by Cllr. Ml. Murphy 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 land situated at Mortlestown Little, Cahir, Co. Tipperary comprising 0.02503 ha to Bridget Stedman, c/o Pat Doolin, Mortlestown, Cahir, Co. Tipperary in accordance with the terms of the Notice under the above Section, as circulated on 28th June 2016”, to facilitate rectification of title.

Item 3.7
Section 183 Notice
Disposal of Site at No. 29 Cashel Road, Tipperary Town

Proposed by Cllr. D. Leahy, seconded by Cllr. R. Kennedy 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 land situated at No. 29 Cashel Road, Tipperary Town, Co. Tipperary 311m² to Gerry Sutton, No. 29 Cashel Road, Tipperary Town, Co. Tipperary in accordance with the terms of the Notice under the above Section, as circulated on the 1st July 2016” to facilitate rectification of title.

Items 3.7 & 3.8
To Consider
Proposed
Variation No. 3 of North Tipperary County Development Plan 2010-2016 and Variation No. 3 of South Tipperary County Development Plan 2009-2015

Mr. Karl Cashen, Director of Services, referred to the Chief Executives Reports that had been circulated to the members for their consideration. The plans had been on public consultation from the 22nd April, 2016 and 22 submissions had been received and were summarised in the report. He referred to further amendments required and that it would be necessary to put the amendments on display for a further 4 weeks following which the matter would be brought back to the Council for consideration.

Cllr. John Hogan proposed a further amendment to Variation No. 3 of the North and South Tipperary County Development Plans as follows:

7.3.4 Peatlands

In Tipperary, the following bogs are designated as SAC’s under the EU Habitats Directive: Ballyduff/Clonfinane Bog, Kilcarren-Firville Bog and Redwood Bog and NHA’s under the Wildlife Act: River Little Brosna Callows, Arragh More Bog, Ballymacegan Bog, Killeen Bog, Monaincha Bog/ Ballaghmore, Cangort Bog, Scohaboy Bog, Lorrha Bog and Nore Valley Bogs. In addition to these designated bog areas there are significant cut-over and partially cut-over peatland areas in the county, particularly in the mid-west of the County.

The National Peatlands Strategy 2015 published by the Department of Arts, Heritage and the Gaeltacht sets out objectives for bogs and peatlands so that they may be managed responsibly in order to optimise their social, environmental and economic contribution to the well-being of this and future generations. It is acknowledged that Ireland’s peatlands will continue to be used for many purposes including agriculture, development, peat extraction, forestry, conservation and amenity.

Ireland’s peatlands are a unique habitat in a European context and there are a number of
sites in Tipperary which have been designated SACs and are subject to conservation management plans. These areas offer opportunities for tourism, education and research purposes. Peatlands which are not protected by European designations can provide a traditional resource for turf cutting, renewable energy development, forestry, agriculture, nature conservation and recreation. The Council will support diversification of use of such peatlands in the county, whilst ensuring the appropriate management of same to ensure the conservation of their ecological, archaeological, cultural and educational significance. Where new development is proposed on areas of peatland in Tipperary, the Council may request the landowner to support his/her proposal with a Master Plan for the entire peatland area in their ownership. A peatland master plan shall be to the satisfaction of the Council and shall identify the natural, infrastructural and cultural attributes of the area and shall set out the proposed use of the entire area, with consideration to rehabilitation and economic, environmental and recreational potential and uses.

Policy LH10: Peatlands
It is the policy of the Council to have regard to the National Peatlands Strategy 2015 and to ensure the conservation of peatlands which are designated sites as set out in Appendix 4. The Council will support agricultural diversification, renewable energy development and the development of tourism and community recreational facilities in peatland areas, where appropriate, and where it is demonstrated that such developments would not significantly or adversely impact on the ecological and environmental sustainability of such sites.

Insert new Specific Objective SO7-08, as follows

SO7-08 It is an objective of the Council to liaise with relevant stakeholders including the National Parks and Wildlife Service and Bord Na Mona to investigate opportunities for the development of environmentally, socially and economically viable options for the future use of cutaway peatlands.

Reason:
To ensure that a co-ordinated and integrated approach is taken to the development of peatlands in the county that will consider environmental, social and economic opportunities for their future use to the benefit of landowners and local communities.

The proposed amendment was seconded by Cllr Sean Ryan and agreed by the Council.

Item 3.8
To Consider Proposed Variation No. 3 of North Tipperary County Development Plan 2010-2016

Proposed by Cllr. D. Leahy, seconded by Cllr. M. Ryan and resolved

“That, pursuant to the provisions of Section 13 of the Planning and Development Act 2000 (as amended) and having considered the proposed Variation No. 3 of the North Tipperary County Development Plan 2010 and Chief Executive’s Report circulated on the 16th June 2016 we the Council hereby resolve to make the proposed variation to incorporate the recommendations of the Chief Executive Report and with further modifications. The alterations, if made, would be a material alteration to the proposed Variation”

It was noted that the proposed material alterations would be placed on public display and submissions would be invited from members of the public for a specified period.

This was agreed by the Council.
Item 3.9
To Consider
Proposed Variation No. 3 of South Tipperary County Development Plan 2009-2015

Proposed by Cllr. D. Leahy, seconded by Cllr. E. O’Meara and resolved

“That, pursuant to the provisions of Section 13 of the Planning and Development Act 2000 (as amended) and having considered the proposed Variation No. 3 of the South Tipperary County Development Plan 2009 and Chief Executive’s Report circulated on the 16th June 2016 we the Council hereby resolve to make the proposed variation to incorporate the recommendations of the Chief Executive Report and with further modifications. The alterations, if made, would be a material alteration to the proposed Variation”

It was noted that the proposed material alterations would be placed on public display and submissions would be invited from members of the public for a specified period.

This was agreed by the Council.

Some members made reference to their disappointment that Ahenny was not included as a protected area.

Item 4.1
Consideration of Management Report

The Management Report with a focus on Directorates in Nenagh as circulated with the Agenda was noted and considered by the Council.

Roads
Cutting of Hedges/Verges - Members referred to overgrown hedges and verges on public roads and the dangers caused by obstructed sightlines. Members also referred to the restrictions on the cutting of vegetation growing on uncultivated land or in hedges or ditches during the nesting and breeding season for birds and wildlife. It was requested that the Council would cut back vegetation on approach roads to villages, schools and in the vicinity of speed limit signs

Mr. Michael Hayes, Senior Engineer, Roads clarified that in accordance with Section 70 of the Roads Act 1993 the responsibility was with the owner or occupier of land to take all reasonable steps to ensure that a tree, shrub, hedge or other vegetation on the land is not a hazard or potential hazard to persons using a public road and that it does not obstruct or interfere with the safe use of a public road or the maintenance of a public road.

He further advised that Notices were served on landowners who did not comply with the Act and a total of 200 notices were served in 2015.

It was agreed to circulate this Section of the Act to all members for their information.

Greenway Clonmel to Carrick-on-Suir - Members expressed their dissatisfaction with progress on the Clonmel to Carrick-on-Suir Greenway. It was agreed that Clonmel Borough District and Carrick-on-Suir Municipal District Members would be briefed on the status of this scheme at their July Meetings

Deputation to Minister.

Mr Michael F. Hayes, Senior Engineer, informed the members that correspondence had been received from the Minister for Transport, Tourism and Sport indicating that he was not in a position to meet a deputation from Tipperary County Council on roads issues. Members expressed disappointment at the reply and asked that the Council write to the Minister to request again that a deputation from Tipperary County Council would be received.

Bridge in Ardfinnan

In response to an enquiry by Cllr Anglim, the meeting was informed that Consultants were being appointed shortly and design works for the bridge in Ardfinnan would commence.

Local Improvement Scheme
It was clarified that there was no dedicated funding for this scheme.

Templemore Road, Roscrea
It was hoped that works would commence on this scheme in 2017.

Cloughmartin, Thurles
In response to a query by Cllr Hanafin regarding safety issues on the diversion route used at Cloughmartin, it was agreed to examine this matter.

Planning
Cllr M. FitzGerald referred to the long delays being encountered by planning applicants seeking pre planning meetings and asked that the current protocol be reviewed. This was agreed. It was noted that priority was being given to Projects with the potential to create jobs.

Item 4.2
Civic Reception Protocol
Mr. Ger Walsh, Meetings Administrator, referred to the protocol adopted by the Councillors in January 2015 and advised that it was agreed by the Corporate Policy Group to review same with a view to further clarifying the procedure to be followed by the Council in their consideration of conferral requests.

The following changes were recommended to the CPG at their meeting held on 13th June 2016 and endorsed for approval by the full Council.

- Considerations be allowed to the holding of a Civic Reception at a venue/location other than the Civic Centres in Nenagh or Clonmel subject to the suitability of the location.
- Groups, Organisations or Individuals that achieve success in any field at Local, County or National level on behalf of their Club or District to be recognised at District Level by way of a Civic Reception or Annual Awards Night.
- Groups, Organisations or Individuals who achieve success in any field at Provincial or National Level on behalf of their County to be recognised at Plenary Level by way of an Annual Awards Event in December each year.
- Requests for Civic Receptions at Plenary level to be consulted with the Cathaoirleach in advance prior to submission to the CPG for consideration.
- Requests for Plenary Civic Receptions to be considered in March and October each year. However, subject to the agreement of the Cathaoirleach, consideration may be allowed to a request to be considered at next appropriate CPG Meeting on exceptional/extenuating circumstances.
- Requests for Municipal District Receptions can be considered at the next relevant monthly CPG Meeting.
- Recommendations for Civic Receptions at Plenary level endorsed by CPG for conferral by full Council to be submitted for approval at next appropriate monthly meeting while recommendations endorsed for conferral at Municipal District level to be submitted to the next Municipal District meeting for approval.
- A limit of 2 Civic Receptions per Council, Municipal District to apply. However, additional receptions may be considered in exceptional circumstances subject to adequate funding being available.

Proposed by Cllr. J. Hogan, seconded by Cllr. M. Ryan and resolved

“That the revised Tipperary County Council Protocol for conferral of Civic Honours and Representation Protocol (Version 1.2) be and is hereby adopted and that the Seal of the Council be affixed thereto”.

Item 4.3
The Strategic Museum Plan as circulated set out the Museum’s Programme of Works for the next 5 years. It drew on the impact the Museum’s collection of 35,000 artefacts had on its
programming and the service it provided to our tourists and local communities. It identified the challenges which faced the Museum and highlighted its potential within County Tipperary.

The SMP was considered and endorsed by the Cultural & Housing SPC at its meeting held in June 2016 and it recommended that the Plan as circulated would be adopted by the Council.

Proposed by Cllr. Marie Murphy, seconded by Cllr. P. English and resolved

“That the Tipperary County Museum Strategic Management Plan 2016-2020, as circulated and endorsed by the Cultural & Housing SPC be and is hereby adopted”.

Chief Executive and Delegated Officers Orders for the period to 30th June 2016 were noted

Item 5.1

Consideration of CE Orders for the Period to 30th June 2016.

Motion No. 6.1 (701) was proposed by Cllr. C. Carey

“That any new housing estate being built would incorporate a green area for children to play”.

The motion was seconded by Cllr. M. Browne

The reply to the Motion was noted as follows:-

It was a Specific Objective of the two County Development Plans (Chapter 4) SO4-4 to prepare a County Wide Play and Recreational Policy and Management Strategy to support the development and effective management of play and recreation infrastructure. The preparation of the Play and Recreational Policy and Management Strategy would be prepared with full engagement with the members. It was envisaged that the strategy would provide an evidence based approach to the appropriate location and type of facilities to be provided throughout the County.

Item 6.2

Notice of Motion

Engagement with Department – Pay-By-Weight Charging System

Motion No. 6.2 (Ref 766) was proposed by Cllr. R. Molloy

“That the Members of Tipperary County Council request that a letter is written to the Minister requesting constructive engagement over the coming months with the Department, the Waste Management Industry, Family Carers Ireland and other groups to ensure poverty proofing of the pay-by-weight charging system which is now on hold until mid 2017”.

The motion was seconded by Cllr. D. Dunne

It was agreed to write to Simon Coveney, Minister for Housing, Planning, Community and Local Government for consideration and response.

Item 6.3

Notice of Motion

Motor Insurance

Motion No. 6.3 (Ref 767) was proposed by Cllr. Marie Murphy

"In light of increased revenues to the exchequer, Tipperary County Council calls for the retention of the Sports Capital Grant and we ask that the Minister for Transport, Tourism and Sport ensures that Sports Capital Funding remains an annual allocation because of the benefits it provides to local clubs”.

The motion was seconded by Cllr. M. FitzGerald.

It was agreed that the motion would be referred to the Shane Ross, Minister for Transport,
Tourism and Sport for consideration and response.

**Item 7.1 – 7.2 Correspondence**

Correspondence as circulated was noted:
- Reply from Minister for Health dated 31st May 2016 regarding Mental Health Services in Clonmel (NOM 714 refers)
  Cllr Pat English expressed dissatisfaction with the reply. He stated that all services referred to in the letter had not been implemented and asked that the Council write again to the Minister. This was agreed.
- Reply from Minister for Health dated 8th June 2016 regarding location of National Children’s Hospital (NOM 706 refers)

**Item 8.1 – 8.2 Resolutions from Other Local Authorities**

Resolutions from other Local Authorities were noted:
- Waterford City & County Council
- Dun Laoghaire-Rathdown County Council

**Item 9.1 Expression of Votes of Sympathy**

Votes of sympathy were passed to the following:
- Marie Dunne, Traffic Warden, Carrick-on-Suir on the death of her father, Patrick.
- Marion O’Neill, Environment Section on the death of her mother, Eileen.
- Matt Ryan, Machinery Section, Clonmel on the death of his mother, Phyllis.
- Vincent McGrath, Camas Road, Cashel (former Caretaker of Cashel Civic Offices) on the death of his wife, Nora.
- Richie Bennett, Waller’s Lot Recycling Centre on the death of his father, Larry.
- Mairead O’Connor, Planning Section, Nenagh on the death of her mother, Elizabeth (Betty).
- Family of Jimmy Moran(former Member of Nenagh Town Council)
- Vera Hewitt, (former Member of Clonmel Borough Council) on the death of her husband, Billy.
- Declan Slattery, on the death of his father, John.
- Buckley family, Castleiney, Templemore on the death of father, Joe.
- Tommy Kearns, Nenagh on the death of his father, Paddy.
- Maureen Stapleton on the death of her husband, David

**Votes of Congratulations**

Votes of congratulations were extended to the following:-
- Cllr. Michael Murphy on his appointment by Minister Simon Coveney to the position of head of the Irish Delegation on the Committee of the Regions, the European Union’s Assembly of regional and local representatives.
- Tipperary Minor & Senior Hurling Teams on winning their respective Munster Titles in Limerick on Sunday 10th July 2016.
- U.14 Tipperary Ladies Football Team on winning the All Ireland U14 ‘B’ Championship Final.
- Moycarkey U.16 Team on winning the County Football Final
• Jake Morris, son of Cllr. S. Morris, on being selected Man of the Match for the Tipperary Minor Munster Final on Sunday 10th July 2016 in Limerick.

• Greg Broderick, on being selected to participate in the Showjumping Events for the Rio Olympics.

• Clonmel Concert Band who won the Southern Concert Band Championships in Clonakilty.

• Banna Chluain Meala who came 2nd in the Southern Concert Band Championships in the Youth Category.

**AOB**

Members were circulated with details of an “Energy in Agriculture” Conference at Gurteen Agricultural College, Ballingarry on the 23rd August, 2016. The conference would showcase opportunities for the farming community in renewable technologies on farms and improve energy efficiency in agriculture practices.

The meeting then concluded.

Signed/__________________________________
Cathaoirleach.

Date: ___________________________________

Signed/______________________________
Get Walsh,
Meetings Administrator.

Date: ___________________________________