

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF  
TIPPERARY COUNTY COUNCIL HELD  
IN CIVIC OFFICES, NENAGH ON MONDAY  
AT 11 AM ON 12<sup>TH</sup> MARCH 2018**

**Present**

Cllr. Phyll Bugler, Cathaoirleach.

Cllrs. Ambrose, S; Anglim, M; Bonfield, F; Bourke, J; Bourke, K; Browne, M; Carey, C; Carroll, J; Crosse, J; Darcy, G; Doran, D; Dunne, D; English, P; Fahey, J; FitzGerald, M; Goldsboro, I; Hanafin, S; Hannigan, J; Hogan, Hanna Hourigan, M; J; Kennedy, R; Leahy, D; Lonergan, M; Lowry, M; McGrath, H; McLoughlin, L; Molloy, R; Moloney, A; Moran, E; Morris, S; Murphy, Marie; O'Meara, O'Meara, M; E; Ryan, J; Ryan, M; Ryan, S; Smith, M; Wood, T.

**Also Present**

J. MacGrath, Chief Executive, M. O'Connor, K. Cashen, S. Carr, C. Curley, S. Keating, P. Slattery, M Shortt, L. McCarthy, Directors of Service, M.F. Hayes, Senior Engineer, D. Carroll, Chief Fire Officer, D. Dullaghan, County Librarian, B. Beck, Senior Planner, K. Malone, Executive Engineer, J. Nolan, Senior Engineer, G. Walsh, Meetings Administrator.

**Apologies**

Cllr. MI Murphy.

**Vote of  
Sympathy and  
Adjournment.**

A vote of sympathy to the family of Sean Byrne, former Councillor, Cathaoirleach, Deputy and Senator of Tipperary Constituency was proposed by Cllr S. Hanafin and seconded by Cllr S. Ryan.

Members paid tribute to Mr. Byrne's contribution to Tipperary and the meeting was adjourned for a short period as a mark of respect.

**Item 1.1**

Proposed by **Cllr. S Hanafin** seconded by **Cllr. D. Doran** and resolved

**Minutes of  
Council Meeting  
held on 12<sup>th</sup>  
February 2018**

"That the minutes of the Council Meeting held on 12<sup>th</sup> February 2018 in the Civic Offices, Clonmel, Co. Tipperary, as presented be adopted".

**Item 2.1**

It was proposed by **Cllr. S. Hanafin**, seconded by **Cllr. S. Ryan** and resolved:-

**Conferences  
/Seminars  
/Training**

"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 Conferences/Seminars/Trainings:-

Seminar/ Conference/ Similar Event	Dates	Venue	Nominees
LEO "County Tipperary Retail Symposium"	7 <sup>th</sup> March 2018	Ballykisteen Hotel, Limerick Junction	Cllr. M. Hanna-Hourigan Cllr. M. FitzGerald
SEAI "Irish Wind Energy Research Network"	22 <sup>nd</sup> March 2018	Hilton Charlemont Hotel, Dublin	Cllr. M. Smith Cllr. M. FitzGerald Cllr. J. Carroll Cllr. M. Hanna-Hourigan

			Cllr. M. O'Meara
NFLA "All Ireland forum Energy Seminar"	9 <sup>th</sup> March 2018	Omagh	Cllr. R. Molloy
Celtic Conferences "New Affordable Houses Schemes"	9 <sup>th</sup> -11 <sup>th</sup> March 2018	Four Seasons Hotel, Carlingford, Co. Louth	Cllr. M. Lonergan Cllr. E. Moran
Celtic Conference "Eight Amendment"	23 <sup>rd</sup> -25 <sup>th</sup> March 2018	Clonakilty Hotel, Clonakilty	Cllr. J. Ryan

**Item 2.2**  
**Reports on**  
**Conferences**

Proposed by **Cllr. S. Hanafin** seconded by **Cllr. S. Ryan** and reports noted.

**Item 3.1**

**Section 183**  
**Notice**

**Disposal of**  
**lands at Nenagh**  
**North (Stereame)**  
**to Iontaobhas**  
**Corporaideach**  
**Chumann**  
**Lughleas Gael**  
**Teorants**  
**(ICCLGT).**

Proposed by **Cllr. S. Morris** seconded **Cllr. J. Hogan** and resolved:

"That in accordance with the provisions of Section 183 of the Local Government Act, 2001, we hereby approve of the disposal of land, the total of which amounts to 3.815 hectares (9.4270 acres) at Stereame, Nenagh, Co. Tipperary to Iontaobhas Corporaídeach Chumann Lúthchleas Gael Teoranta (ICCLGT) and its local trustees namely Gerard Gavin, Rory Flannery and Enda Costello in accordance with the terms of the Notice under the above Section circulated on the 20<sup>th</sup> February 2018."

This Section 183 Notice relates to a disposal of land to be used for community purposes in accordance with the rules of GAA.

**Item 3.2**

**Part 8 of**  
**Planning and**  
**Development**  
**Regulations 2001**  
**- 28 No.**  
**Dwellings -**  
**Knockanrawley,**  
**Tipperary Town**

In accordance with Part 8, Article 81, of the Planning & Development Regulations, 2001, as amended, the Chief Executive's Report in relation to the proposed development for the construction of a new social housing development of 28 dwellings at Knockanrawley, Tipperary Town, Co. Tipperary, had been circulated for consideration. The proposed development included for; 28 no dwellings consisting of 2 no. 4 bedroom 2 storey houses, 10 no. 3 bedroom 2 storey houses, 10 no. 2 bedroom 2 storey houses, 6 no. 2 bedroom single storey houses, complete with associated site works.

Plans and particulars of the proposed development had been on public display from Thursday 4<sup>th</sup> January 2018 to Friday 2<sup>nd</sup> February 2018 at the Offices of Tipperary County Council. Submissions/observations were accepted up to Tuesday 16<sup>th</sup> February 2018

Eleven submissions were received. A summary of the submissions in addition to the consideration and recommendation of the Chief Executive was included in the report.

The development as set out on the plans and particulars was considered acceptable and was consistent with the principle of the proper planning and sustainable development of the area. It was recommended that the proposed development should proceed subject to the following recommended requirements and conditions.

The development should be subject to the following:

1. A raised table or mini-roundabout (as agreed with the District Engineers Office) should be incorporated at the junction to the estate to reduce traffic speeds.
2. A Project Construction and Demolition Waste Management Plan to be agreed with the Environment Section prior to works commencing on the site.
3. This estate is designed as an open plan estate and notwithstanding any exemptions available under the Planning and Development Act 2000, as amended, or the

Planning and Development Regulations 2001, as amended; no gate, gateway, railing, fence or walls shall be constructed to the front of the houses.

In response to concerns raised by Cllr D. Leahy on behalf of the existing residents in the area in relation to increased traffic volumes, Mr. Kieran Malone, Executive Engineer, outlined that traffic counts had been carried out and the Council was satisfied that the main junction was within its traffic capacity. The matter would be kept under review.

Following consideration of the Report as circulated, the development was proposed by **Cllr. M. FitzGerald**, seconded by **Cllr. J. Crosse** and agreed by members.

### Item 3.3

#### Part 8 of Planning and development Regulations 2001 – 2 No. Semi- Detached Dwellings – Cloughjordan, Tipperary

In accordance with Part 8, Article 81, of the Planning & Development Regulations, 2001, as amended, the Chief Executive's Report in relation to the proposed development for the construction of 2 no semi detached two storey dwelling houses, completed with associated boundary treatment and parking bay at Cloughjordan, Tipperary, had been circulated for consideration. The site was within an existing development located off the main street in Cloughjordan.

Plans and particulars of the proposed development had been on public display from 21<sup>st</sup> December 2017 to 26<sup>th</sup> of January 2018 at the Offices of Tipperary County Council. Submissions/observations were accepted up to 4:30pm on Friday 9<sup>th</sup> of February, 2017.

One submission was received. A summary of the submission in addition to the consideration and recommendation of the Chief Executive was included in the report.

It was considered that the proposed development was in accordance with the policies and objectives of North Tipperary County Development Plan 2010 as varied.

It was recommended that the proposed development should proceed subject to the recommended requirements and conditions.

Following consideration of the Report as circulated, the development was proposed by **Cllr. G. Darcy**, seconded by **Cllr. M. O'Meara** and agreed by members.

### Item 4.1

#### Ratification of Agricultural Pillar Alternate to LCDC

Proposed by **Cllr. M. Smith** seconded **Cllr. J. Hogan** and resolved

"That Timothy Sutton be ratified as member (alternate) on the Local Community Development Committee".

### Item 5.1

#### Presentation on Road Network and Non- National Road Allocations

Mr. M.F. Hayes, Senior Engineer, made a presentation to the members on the Road Network and Non National Road allocations.

The presentation detailed the road classification in County Tipperary together with details of road grant allocations since 2007. It was estimated that as a result of under-investment since 2007 a backlog sum of €196.3m was required to bring roads in the county to a reasonable standard. Details of pothole filling and patching practices were outlined together with costings for the various methods used.

Members thanked Mr. Hayes for the concise and informative presentation.

A lengthy discussion took place on the condition of the road network in Tipperary particularly in rural areas. Members referred to the anger among the rural community who felt that their areas were being neglected. The condition of the road network was at crisis point and extra investment was urgently needed. It was agreed to seek a meeting with the Tipperary Oireachtas members to impress on them the urgent need for extra funding. The members would be represented at this meeting by the Cathaoirleach, District Chairs and members of the Corporate Policy Group.

Mr. Marcus O'Connor acknowledged that the condition of the road network was the single biggest issue facing the rural economy at present. The chronic underinvestment in roads over a number of years was at the core of the problem and a clear message to central government was required that funding had to increase.

Members queried the methods being used for pothole filling and if these methods represented best practice and value for money. In response Mr. M. O'Connor, Director of Services, confirmed that the working methods were adequate and there was nothing to suggest that the materials or manner of carrying out the work are ineffective. The issue was the disintegration of the road network and repairs were being carried out in sometimes adverse weather conditions to roads that needed urgent attention, such repairs were an interim measure.

Mr. Joe MacGrath, Chief Executive, acknowledged the constructive debate on the issue that had taken place. He was keenly aware of the member's frustration. He referred to the investment deficit of €196m referred to in the presentation to the members and the need to make a case to central government for increased funding. Previous deputations had been successful in securing extra funding and a meeting with Oireachtas Members would be beneficial in securing a deputation.

It was agreed to circulate the presentation to the Members for their information.

## **Item 5.2**

### **Presentation on Project Ireland 2040 – Building Irelands Future – National Planning Framework**

Mr. Brian Beck, Senior Planner, made a presentation to the members on Project Ireland 2040 National Planning Framework.

The National Planning Framework had been published following two formal phases of public consultation, a series of regional events and workshops and consideration of detailed submissions. The principal objectives for the Limerick and Waterford Metropolitan Areas were outlined together with the targets and strategies for rural towns and villages and the aims for employment. Reference was made to the establishment of a National Regeneration and Development Agency to coordinate and secure the best use of public lands and legislate for enhanced Compulsory Purchase powers for private owned sites. A number of zoning considerations contained in the plan were highlighted together with roads, tourism and rail proposals/projects that would affect Tipperary. A summary of the Rural and Urban Regeneration and Development Fund whereby regional and local authorities and other agencies could bid to leverage public investment was included in the presentation.

Mr. Beck advised the members that the next stage would be the development of the Draft Regional Spatial Economic Strategy. This would be required to be prepared by June and once agreed in early 2019 each Local Authority would then have to prepare a new County Development Plan.

In general the members welcomed the plan which was vitally important for the future of Tipperary. However concerns were expressed in relation to what the real impact for Tipperary would be.

In response to specific queries Mr. Beck advised as follows:-

**Carrick-on-Suir** – It would be a matter for the Council to negotiate on behalf of Carrick-on-Suir and consider the future potential for the town by being included in the Metropolitan Strategic Plan for Waterford.

In addition to the five cities, there were opportunities for other Urban Areas and in particular well connected towns that were accessible to a significant population catchment and/or could offer a good quality of life to accommodate employment growth. It would be a matter for regional and local authorities to identify and quantify locations for strategic employment development, where suitable in urban and rural areas.

**N24** - It would be important to keep re-iterating the economic positives and the connectivity of the Southern Region.

**Greenway Strategy** – The implementation of a Greenway Strategy would be important for

Tipperary and it was critical to consider all options available for the county.

Clonmel – It was noted that while Clonmel was similar in size to towns like Tralee, Ennis and Kilkenny who were not specifically mentioned in the National Plan, it was up to the Council to utilize the Plan for the benefit of Clonmel through the Rural and Urban Regeneration and Development Fund which supported transformational public realm initiatives and encouraged greater city and town centre living.

Thurles - It was noted the appraisal of the Thurles Relief Road was referenced in the National Plan.

In conclusion Mr. Joe MacGrath stated that there was a lot of emphasis in the document that reflected the Council's submission, noting the €3billion investment in the Rural/Urban Regeneration and Development Fund. It was up to the Council to capitalise on the opportunities and funding streams contained in the plan and ensure that Tipperary was well positioned. The development of the Draft Regional Spatial Economic Strategy would now be the focus of the Council in co-operation with the Regional Assembly, noting an 18 month timeframe before a new County Development Plan would be finalized.

It was agreed to circulate a copy of the presentation to the Members for their information.

### **Item 5.3**

#### **Consideration of Management Report**

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

#### **Roads and Transportation, Health & Safety**

##### **Severe Weather Event – Beast from the East/Storm Emma**

Members thanked officials and outdoor staff for their response to the recent extreme weather in Tipperary.

##### **Footpath Repair**

It was confirmed that Irish Public Bodies had provided a fund to local authorities for footpath repair/replacement. This fund would be apportioned across the districts in a target based approach where a high risk of claims existed.

##### **Community Involvement Schemes (CIS) and Local Improvement Schemes (LIS).**

The LIS Scheme was distributed through each Municipal District. The allocation was not sufficient to meet the volume of applications received.

Applications for the CIS Scheme were determined by the Department.

##### **Blueway Clonmel to Carrick-on-Suir**

This project was almost complete with the official opening planned for June, 2018.

##### **Thurles Inner Relief Road**

The planning stage for this development had been confirmed. The securing of lands for this project was being progressed.

##### **LED Lighting**

A business case was being prepared for loan funding to replace existing public lighting with LED lights in order to comply with Energy Efficiency Targets.

#### **Planning, Emergency Services & Libraries**

##### **Fire Station, Templemore**

It was noted that the contractor appointed to carry out construction works to the fire station in Templemore had gone into liquidation. Chief Fire Officer, Mr Dave Carroll told members that while this was unfortunate, he was confident that a new contractor would be back on site within nine weeks to continue on the work and see the project to conclusion. Members

welcomed the news and looked forward to progress being made in the coming weeks.

#### Library, Clonmel

Mr. Damien Dullaghan, County Librarian confirmed that approved funding for the redevelopment of Clonmel Library had not been received from the Department.

#### Library, Excel Centre, Tipperary.

The relocation of the Library to the Excel Centre in Tipperary was almost complete with an expected opening date for the end of March.

### **Finance and Information Technology**

#### Early Payment Scheme, 2018

Mr. Liam McCarthy, Head of Finance, informed the members that the Early Payment Scheme for ratepayers for 2018 was open. This scheme supported small and medium businesses by reducing the amount of rates payment if the demand was paid in a timely manner. It was highlighted that customers in arrears could still qualify for the scheme if they pay an amount equivalent to the 2018 demand and agree a structured payment plan subject to certain exceptions.

Mr. Joe MacGrath, Chief Executive, referred to the excellent collection rate for both rates and rents in Tipperary and thanked tenants and ratepayers for their compliance. He acknowledged the work of staff in achieving these collection rates.

#### **Item 5.4**

#### **To note Tipperary County Joint Policing Committee Annual Report 2017**

Further to Section 36(5) of the Garda Síochána Act 2005, the Tipperary County Joint Policing Committee Annual Report 2017 had been circulated to the members for noting. This report outlined the performance of its functions during the year 2017. The report had been adopted at the Tipperary County Joint Policing Committee meeting held on the 26<sup>th</sup> January, 2018.

Members noted the report as circulated.

#### **Item 6.1**

#### **Fix Revised Date for Workshop with Irish Water/Environment**

It was agreed that the Workshop with Irish Water and Environment would take place on 12<sup>th</sup> April, 2018 at 1.30 p.m. in Thurles Municipal District offices.

#### Water Network issues Fethard Regional Water Supply Scheme

Mr. Sean Keating, Director of Service updated members on a recent incident affecting the Fethard Regional Water Supply Scheme as follows:-.

Tipperary County Council received a phone call on the 5th March advising of spillage of an estimated 10,000 L of kerosene into the River Anner. Two teams were dispatched, one to the site of the spill and the other to check the new Fethard WSS treatment plant, which abstracts a considerable portion of its raw water from the River Anner. Contact was made with Irish Water, Environment Protection Agency, HSE and Inland Fisheries.

Environment staff immediately ensured that the contamination was contained within the site where it had occurred and began working with the company on a clean up operation. A decision was made with Irish Water to turn off the treatment plant and to close the outlet from the treated water reservoir and sampling commenced at various points on the network.

It was subsequently confirmed that traces of kerosene were in the water supply network. Following HSE advice "Do not Drink" notices were immediately passed to Tipp FM and placed on the Irish Water website. Vulnerable customers were contacted by IW, including all schools. Water tankers and bulk containers were organised for delivery across the network. Leaflets were delivered to consumers. Irish Water were active in communicating on the incident across local and national media and the Council had also been involved in updating local

radio stations and newspapers as well as briefing the Carrick District Councillors

A deep clean of the Water Treatment Plant and Reservoir had been carried out. It was anticipated that the plant would be back in operation treating upland raw water on or before Friday, 16<sup>th</sup> March and 70% of demand would be met from these upland sources. This water was not fit for drinking. It was estimated that it would be a further week before the network was fully clear of any contamination.

Investigation into the cause of the spill was ongoing.

Members complimented staff on their response to the incident and members in the area appreciated the regular updates.

**Item 7.1**

**CE Orders to 28<sup>th</sup> February 2018**

Chief Executive and Delegated Officers Order for the period to the 28<sup>th</sup> February, 2018 were noted.

**Item 8.1**

**Tricolour - Strabane St. Patrick's Day Parade**

Motion No. 8.1(1291) was proposed by **Cllr. M. Browne**

**"That Tipperary County Council contact Strabane Council and voice their opposition to them banning the Tricolour from their St. Patrick's Day Parade".**

The motion was seconded by **Cllr. D. Dunne**.

The motion was opposed by **Cllr. M. FitzGerald**, seconded by **Cllr. M. Hanna-Hourigan** on the basis that the subject matter was not relevant to the business of Tipperary County Council.

A vote was taken on the motion as follows:-

	<b>Comhairleoir</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
1.	Ambrose, Siobhan		√		
2.	Anglim, Micheál		√		
3.	Bonfield, Fiona		√		
4.	Bourke, Joe			√	
5.	Bourke, Kieran			√	
6.	Browne, Martin			√	
7.	Bugler, Phyll			√	
8.	Carey, Catherine	√			
9.	Carroll, John			√	
10.	Crosse, John			√	
11.	Darcy, Ger			√	
12.	Doran, David			√	
13.	Dunne, David	√			
14.	English, Pat	√			
15.	Fahey, John			√	
16.	FitzGerald, Michael		√		
17.	Goldsboro, Imelda			√	
18.	Hanafin, Seamus		√		
19.	Hannigan, Joe			√	
20.	Hogan, John			√	
21.	Hourigan, Mary Hanna		√		

22.	Kennedy, Roger		√		
23.	Leahy, Denis			√	
24.	Lonergan, Martin		√		
25.	Lowry, Michael			√	
26.	McGrath, Hughie			√	
27.	McLoughlin, Louise		√		
28.	Molloy, Richie	√			
29.	Moloney, Andy			√	
30.	Moran, Eddie			√	
31.	Morris, Seamus			√	
32.	Murphy, Marie			√	
33.	Murphy, Michael			√	
34.	O'Meara, Eddie			√	
35.	O'Meara, Michael			√	
36.	Ryan, Jim			√	
37.	Ryan (Coole), Mattie			√	
38.	Ryan, Sean			√	
39.	Smith, Michael			√	
40.	Wood, Tom			√	
<b>TOTALS</b>		4	9	27	

The motion was defeated by 9 votes to 4 with 27 absent.

**Item 8.2**

**Notice of Motion**

**County Council Meetings to be shown on live on Social Media**

Motion No. 8.2(1292) was proposed by **Cllr. D. Dunne**

**"Tipperary County Council to call on the Minister for Health, Deputy Simon Harris, to request the HSE to review the decision to restrict the use of Versatis pain relief patches to patients, in chronic pain, outside those experiencing post herpetic neuralgia, and to revert to the pre-December status while this review is being undertaken".**

The motion was seconded by **Cllr. M. Browne**

It was agreed to forward the motion to Minister for Health, Simon Harris, TD for consideration and response.

**Item 9.1**

**Correspondence**

It was agreed to revert to Minister Shane Ross to clarify the content of the motion in relation to the Urban Road Minor Improvement Grant noting that the Minister had fundamentally missed the point in that those Councils that previously availed of a Block Grant lost out under the new allocation and those that didn't benefit from a Block Grant benefitted now.

**Items 10.1 to 10.2**

**Resolutions from other local authorities**

Resolutions from other Local Authorities were noted:

**Leitrim County Council**

That Leitrim County Council call on the Minister of State for Disabilities and the Minister for finance with a view to seeking that the medical criteria for entry to the drivers and passengers with Disabilities Tax Relief Scheme be amended to include those without the use of one hand or arm.

**Limerick City & County Council**

Calling on all Councillors and TD's to lobby the Taoiseach, Leo Varadkar and the Minister for Health, Simon Harris to reinstate the provision of Versatis pain relief patches on the Drug Payment and Medical Card schemes for chronic pain.

**Item 10.1**

**Expression of  
Votes of  
Sympathy**

Votes of Sympathy were extended to the following:

- Family of Sean Byrne, former Councillor, Cathaoirleach, Deputy and Senator of Tipperary South.
- Mary Buckley on the death of her husband, George former employee of North Tipperary County Council.
- Jim Casey (Former Councillor) on death of his sister, Maura Kennedy.
- Derek Pyke and Patrick Pyke on the death of their father Michael.
- Ann Marie Brophy, County Library on the death of her mother, Anne.
- Tom Mackey, Nenagh Leisure Centre on the death of his sister, Patsy.
- Francis Cashman, Cahir/Clonmel Area on the death of his mother, Josie(Johanna).

**Item 10.1**

**Votes of  
Congratulations**

Votes of Congratulations were extended to the following:

- Colaiste Phobal, Roscrea on winning the All Ireland Junior Camogie Final.
- Ronan Casey, Cahir, on winning a medal in the World Indoor Tug of War Championship in China.

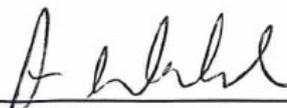
**Item 11.1**

**AOB**

The meeting then concluded.

Signed/ \_\_\_\_\_  
Cathaoirleach.

Date: \_\_\_\_\_

Signed/  \_\_\_\_\_  
Ger Walsh,  
Meetings Administrator.

Date: \_\_\_\_\_