

**MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF
TIPPERARY COUNTY COUNCIL HELD
IN BRU BORU, CASHEL, COUNTY TIPPERARY
AT 11.00AM ON 14th December, 2015**

Present

Cllr. Seamus Hanafin, Cathaoirleach

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

Also Present

Joe MacGrath, Chief Executive, S Carr, K. Cashen, M. Shortt, S. Keating, M. O'Connor, D.O.S., L. McCarthy, Head of Finance, A. Fennessey, S.E.O., Housing, B. Beck, Senior Planner, Ger Walsh Meetings Administrator.

Apologies

Cllr R Molloy, P Bugler, E. O'Meara

Welcome

The Cathaoirleach, Cllr. S. Hanafin welcomed the Council to Brú Ború, Cashel and thanked Ronan O'Brien for facilitating the meeting which was being held in Cashel to coincide with the launch of the Tipperary 1916 Commemoration Plan, scheduled to take place at 5.00p.m.

Votes of Sympathy

The Cathaoirleach extended the sympathy of the Council to Cllr. R. Molloy on the death of his mother Bridie and with the agreement of the members; the meeting was adjourned for a short period as a mark of respect.

European Public Sector Award

The Cathaoirleach informed the members that Tipperary County Council had recently won the EPSA 2015 Best Practice Award for the project merger of North and South Tipperary Council Councils into a unified Tipperary County Council within the category Supra-Local/Local Administrative Level and congratulated all involved in achieving this award.

Tributes

Members paid tribute to the outdoor staff for their work during the recent spell of heavy rainfall and flooding in areas of the County.

Members acknowledged the efforts of both the Fire Service Crew and staff in the Cahir Area during a recent river rescue incident in Cahir.

Cllr. M. Anglim, Tipperary County Council's representative on LAMA, advised the Council that following a recent meeting of LAMA a number of councillors who were the source of a recent Prime Time Investigation Programme had resigned from the Association.

Item 1.1

Proposed by **Cllr. S. Ambrose** seconded by **Cllr. R. Kennedy**

Minutes of Monthly Meeting 12th October 2015

"That the minutes of the Council Meeting held on 12th October, 2015, as presented be adopted"

Item 2.1

It was proposed by **Cllr. J. Crosse**, seconded by **Cllr. G. Darcy** 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 Conference/Seminar/Training:-

Seminar/ Conference/ Similar Event	Dates	Venue	Nominees
“A Practical Guide to Budget 2016”	4 th -6 th Dec 2015	Clonakilty Hotel, Clonakilty	Cllr. E. O’Meara

Item 2.2

Members noted reports on Conferences/Training attended.

**Reports on
Conferences**

Item 3.1

Proposed by **Cllr. R. Kennedy**, seconded by **Cllr. D. Leahy** and resolved:-

**Section 183 Notice
Lease of
Carrowclough,
Tipperary Town to
Brother of Charity
South East
Services**

“In accordance with the provision of Section 183 of the Local Government Act, 2001, Tipperary County Council hereby approves of the lease of 49 Carrowclough, Tipperary Town, County Tipperary, to the Brothers of Charity South East Services for an initial term of five years”.

Item 3.2

**Draft Polling
Scheme for
County Tipperary.**

The Draft Polling Scheme for County Tipperary had been circulated to the members. It was noted that the draft scheme was advertised, circulated and made available for public inspection in accordance with Article 4 of the Electoral (Polling Schemes) Regulations 2005. The matter was brought to the attention of the members at the Borough/District Council meetings during October 2015. The closing date for representations/submissions was 30 November 2015, and none were received.

Members raised queries regarding the location of a number of polling stations and the division of polling districts, which were noted and it was agreed to defer the matter for consideration to the January meeting of the Council to allow further consultation with the County Registrar in relation to the amendments proposed.

Item 3.3

**Variation (No2) of
North and South
Tipperary County
Development
Plans.**

Mr. Brian Beck, Senior Planner, referred to the Chief Executive’s report, as circulated with the agenda, and prepared in respect of Proposed Variation No. 2 of the South Tipperary County Development Plan 2009 and the North Tipperary County Development Plan 2010, which was also considered by the Members at their workshop held on Monday 7th December 2015. He advised that further modifications to both Plans may be made in accordance with Section 13(6) (a) and 13(6)(c) of the Planning & Development Act 2000 where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European Site.

Mr. Beck then proceeded to bring the Council through the various modifications proposed by the Elected Members and the Chief Executive, which if agreed, would result in modification to the recommendations of the Chief Executive as set out in his report in respect of both plans:

Retain Section 3.4 ‘Rural Housing in the Open Countryside’ as set out in proposed Variation Number 2, and make a text insertion:

Section 3.4 Rural Housing in the Open Countryside

The Council has also identified Strategic Transport Corridors which, in order to protect public investment, carrying capacity and the safety of road users, are considered generally unsuitable for new housing development. Therefore, the Council will resist new entrances on Strategic Transport Corridors except in exceptional circumstances. Exceptions will only be made in specific circumstances related to the applicant's individual need to locate in areas adjoining Strategic Regional Roads and National Secondary Roads in line with the policies set out below.

Policy SS6: Housing on National Secondary Roads.

It is the policy of the Council to protect the carrying capacity of, and traffic safety on National Secondary Roads. The Council will only facilitate a dwelling on National Secondary Roads, in exceptional circumstances, ~~for a person who has a demonstrated housing need particular to the area and who is seeking to provide a home for their own occupation~~ **where an applicant complies with Policy SS4, and the following criteria are met:** A housing need should be demonstrated in accordance with the following categories

~~(a) The applicant is a farming landowner and there is no existing dwelling located on the landholding that they can inherit, renovate or extend whichever is applicable.~~

(a) The applicant is a son or daughter of a farming landowner, is engaged in full-time farming the landholding and will inherit the holding at the location of the proposed dwelling.

and

(b) The applicant has demonstrated, to the satisfaction of the Council, that there is no alternative site available to her/him off a regional or local road

and

(c) The proposed dwelling is accessed off the existing farmhouse entrance.

Retain proposed Section 9.3.2 Policy T12 (d) Strategic Road Network, as set out in proposed Variation number 2.

Section 9.3.2 Safeguarding the Strategic Road Network

Policy T12 Strategic Road Network

(d) Proposals for new rural houses to access onto a Strategic Regional Road or a National Secondary Road will only be permitted where compliance is demonstrated with Policy SS5: Housing on Strategic Regional Roads¹ and Policy SS6: Housing on National Secondary Roads.

Insert text amendment Section 9.3.3 Policy T13: Motorway Service Stations and rest areas (off-line)

Policy T13 Motorway Service Stations and rest areas (off-line)

It is the policy of the Council to support off-line motorway service areas along the motorways which demonstrate consistency with the Spatial Planning and National Roads: Guidelines for Planning Authorities, DECLG 2012 (or any amendment thereof) and the National Roads Authority Service Area Policy, 2014 (or any amendment thereof).

In particular the Council will have regard to locations where national routes coincide. In the consideration of proposals for motor service areas the Council will require the following criteria to be met:

(i) The facility is justified by virtue of location and traffic volumes, and it has been demonstrated that the development will not adversely affect the capacity and efficiency of the road network, and will contribute positively towards the safety of roads users of the network;

and

(ii) The development will not act as a draw from, or negatively impact on the vitality or viability of any town or village in proximity to the proposal.

Insert text amendment Section 3.4 Rural Housing in the Countryside

The Council, in areas which were deemed to exhibit significant areas of decline, i.e. 'Structurally Weak Area', may consider permitting a dwelling, in exceptional circumstances, for an individual who is not intrinsic to the area. Exceptional circumstances will only be considered to apply where an applicant has demonstrated that:

(a) He/she has a functional/employment need to live in the community and;

(b) It has been demonstrated that due to technical planning constraints that a site in a village (or immediately abutting the village boundary) within 5km of the site cannot be developed.

Insert text change Section 5.10 Specific Objectives

SO-5-6 It is an objective of the Council to co-operate with the owners/operators of **historic** mining sites and sites which are coming to closure, in the promotion and development of lands in order to provide for the proper long term planning of the area. **The Council will promote and facilitate high quality sustainable development, re-use of existing infrastructure, proposals of renewable energy developments and public amenities.**

Insert new policy Section 7.3.5 Control of Invasive Species

7.3.5 Control of Invasive Species

Invasive alien species of plants and animals such as Japanese Knotweed, Himalayan Balsam, the Grey Squirrel etc, may have significant adverse impacts on the environment of Tipperary. Invasive species can affect conservation and the economy due to their presence. It is an offence to plant, breed, disperse allow dispersal or cause to grow, a range of plant or animal species, or to import or transport these from vector materials such as soil, or spoil from where they grow. The European Communities (Birds and Natural Habitats Regulations 2011) Regulations 49 and 50 are applicable. Ireland's National Biodiversity Plan (Government of Ireland, 2002) addresses the threat of alien species and promotes the necessity to document and review introductions that have already taken place and the impacts they have had, and continue to pose, to biodiversity.

Policy Control of Invasive Species

It is the policy of the Council to protect plant and animal species and habitats as identified by the Habitats Directive, Birds Directive, Wildlife Act (1976) and Wildlife (Amendment) Act 2000 from invasive species and to seek control and manage the spread of invasive plant and animal species in the county.

Following consideration of the Chief Executive's report and the modifications proposed, further queries were raised by the members in relation to

- Policy SS6: Housing on National Secondary Roads

The concerns of the Members in relation to the requirement "engaged in full time farming" was noted and it was proposed by **Cllr. G. Darcy**, seconded by **Cllr. J. Cahill** that the **reference to "full-time" be removed** from the policy. This was agreed by the Council.

In relation to the proposed variation No. 2 to the South Tipperary County Development Plan 2009, the following modifications were agreed:-

- **Section 3.4 Rural Housing Policy SS6 Housing on National Secondary Roads as amended**
Proposed by Cllr. M. FitzGerald, seconded by Cllr. R. Kennedy
- **Section 9.3.2 Safeguarding the Strategic Road Network. Policy T12 Strategic Road Network**
Proposed by Cllr. P. English, seconded by Cllr. R. Kennedy
- **Policy T13 Motorway Service Stations and rest Areas (off-line)**
Proposed by Cllr. M FitzGerald, seconded by Cllr. R. Kennedy
- **Section 3.4 Rural Housing in the Countryside**
Proposed by Cllr. R. Kennedy, seconded by Cllr. J Carroll
- **Section 5.10 Specific Objective SO-5-6**
Proposed by Cllr. R. Kennedy, seconded by Cllr. J. Carroll
- **Section 7.3.5 Control of Invasive Species**
Proposed by Cllr. M. FitzGerald, seconded by Cllr. Marie Murphy
- **Consideration of Chief Executive's report**
Proposed by Cllr. J. Carroll, seconded by Cllr. J. Cahill
- **Adoption of Proposed Variation No. 2 to the South Tipperary Development Plan 2009**
Proposed by Cllr. J. Carroll, seconded by Cllr. G. Darcy

In relation to the proposed variation No. 2 to the North Tipperary County Development Plan 2010, the following modifications were agreed:-

- **Section 3.4 Rural Housing Policy SS6 Housing on National Secondary Roads as amended**
Proposed by Cllr. M. FitzGerald, Seconded by Cllr. R. Kennedy
- **Section 9.3.2 Safeguarding the Strategic Road Network. Policy T12 Strategic Road Network**
Proposed by Cllr. G. Darcy, Seconded by Cllr. M. Hanna Hourigan
- **Policy T13 Motorway Service Stations and rest Areas (off-line)**
Proposed by Cllr. M. Fitzgerald, Seconded by Cllr. R. Kennedy
- **Section 3.4 Rural Housing in the Countryside**
Proposed by Cllr. J. Carroll, Seconded by Cllr. M. Ryan
- **Section 5.10 Specific Objective SO-5-6**
Proposed by Cllr. M. Fitzgerald, Seconded by Cllr. R. Kennedy
- **Section 7.3.5 Control of Invasive Species**
Proposed by Cllr. M. FitzGerald, Seconded by Cllr. R. Kennedy

- **Chief Executive's report**

Proposed by Cllr. J. Carroll, Seconded by Cllr. R. Kennedy

- **Adoption of Proposed Variation No. 2 to the North Tipperary Development Plan 2010**

Proposed by Cllr. W. Kennedy, Seconded by Cllr. J. Hogan

Mr. Beck thanked the members for their input and stated that the 2 Development Plans would remain in effect until the Regional Spatial and Economic Strategy was adopted by the Regional Authority, likely to be around the end of 2016 following which the Council would then commence the process of preparing a new Tipperary County Development Plan.

Wind Energy Strategy

Mr B. Beck, Senior Planner, referred to item 8.10 on the agenda concerning correspondence received from the DoECLG in relation to the preparation of a Wind Energy Strategy by Tipperary County Council. He advised the Council that national planning policy with regard to wind energy development remains under review at this time and that while it is intended to conclude this review at the earliest opportunity, it would be premature for any planning authority to attempt to review its development plan policies in this regard in advance of the conclusion of the Minister's guidelines. Therefore, as the review of the Guidelines is not yet complete, the 2006 Guidelines continue to apply and the advice communicated by the Department in Circular PL-2012/013 still pertains. Local authorities should defer amending their existing Development Plan policies as part of either the cyclical review or variation processes. They should instead operate their existing Development Plan policies and objectives until the completion of these processes. Any review carried out prior to the conclusion of the review of the Wind Energy Guidelines 2006 runs the risk of being inconsistent with a revised national policy, necessitating a further review of policy within a short timeframe.

In replying, the members expressed their concern and requested that the Council proceed with Variation No. 3 in relation to a review of the Council's wind energy strategy notwithstanding the implications for the Council to review it again following the review of the National Spatial Strategy.

It was proposed by **Cllr K. Bourke** and seconded by **Cllr. P. English** and agreed to proceed with the Variation No. 3 of both plans to facilitate a review of the Council's Wind Energy Strategy.

Mr. Brian Beck, Senior Planner, noted the Council's decision and advised that a workshop would be arranged early in 2016 to brief members on the process prior to proceeding with the public consultation phase.

**CFRAM -
Draft Areas of
Flood Risk**

Mr. Brian Beck, Senior Planner advised the Council that the Office of Public Works (OPW) had published draft flood maps under the National CFRAM (Catchment Flood Risk Assessment and Management) Programme. Tipperary is included in both the South East and Shannon study areas. He advised that the main purposes of these CFRAM programmes is to identify areas of significant risk of flooding, to inform flood risk management plans that may be prepared by the Government to prevent and reduce the risk and impact from future flooding. Mr. Beck informed the meeting that the Draft plans were on public display up to 23rd December, and submissions can be made by members of the public up to this date, while the Local Authority had a statutory obligation to review the maps and may make a submission before the 20th January 2016.

This was noted by the Council.

**Item 3.4
Consideration of
Annual Financial
Statement (AFS)
2014**

The Annual Financial Statement and the Report thereon covering income, expenditure & Transfers To/From Reserves for the year ended 31st December, 2014 was circulated to the members for consideration.

Proposed by **Cllr. Michael Murphy**, seconded by **Cllr. Michael FitzGerald** and noted.

**Authorise Excess
Expenditure for
year ended 31st
December 2014**

It was proposed by **Cllr. Ml. Murphy** , seconded by **Cllr. J. Crosse** and resolved:-

“That in accordance with Section 104 of the Local Government Act 2001 excess expenditure in respect of the Financial Year ended 31st December 2014 for Tipperary County Council be and is hereby approved as follows”

Service	Service Description	Amount €
A05	Administration of Homeless Service	34,290
A07	RAS Programme	301,134
A11	Agency & Recoupable Services	1,506
B05	Public Lighting	26,236
C03	Collection of Water and Waste Water Charges	44,521
C06	Support to Water Capital Programme	75,842
C08	Local Authority Water and Sanitary Services	495,714
D01	Forward Planning	88,518
D06	Community and Enterprise Function	17,676
D07	Unfinished Housing Estates	384,229
D09	Economic Development and Promotion	1,189,851
D10	Property Management	348,363
D11	Heritage and Conservation Services	319,304
E01	Landfill Operation and Aftercare	49,639
E02	Recovery & Recycling Facilities Operations	21,869
E05	Litter Management	97,054
E07	Waste Regulations, Monitoring and Enforcement	16,089
E08	Waste Management Planning	42,308
E11	Operation of Fire Service	380,766
E12	Fire Prevention	34,225
E14	Agency & Recoupable Services	319,305
F01	Leisure Facilities Operations	13,835
F03	Outdoor Leisure Areas Operations	38,083
F06	Agency and Recoupable Services	6,397
G04	Veterinary Service	90,321
H04	Franchise Costs	190,420
H07	Operation of Markets and Casual Trading	582
H09	Local Representation & Civic Leadership	112,922
H11	Agency & Recoupable Services	1,062,563

In reply to a query from Cllr. J. Ryan in relation to the expenditure by the Council during 2015 on the procurement of Consultants, it was agreed to forward a report on the matter to all Councillors for their information.

Item 3.5

Draft Control of Horses Bye-laws

Mr. Matt Shortt, DOS, Environment, referred to the report and draft Control of Horses Bye-laws, as circulated with the agenda. He advised the Council that the Control of Horses Act was introduced in 1996 to combat the issue of stray horses in the Country. Under this legislation, South Tipperary County Council introduced Bye-Laws in 1998 and these were subsequently amended in 2013. North Tipperary County Council introduced Bye-Laws in May, 1998 and these were not amended. Tipperary County Council prepared Draft Bye-Laws for the new merged Council under the Control of Horses Act in April 2015.

The Draft Bye-Laws were presented to the Strategic Policy Committee of Environment and Water Services on the 20th April 2015 and subsequently to the full Council in July 2015.

Following this a Public Notice was placed in the newspaper regarding the intention to make Bye-Laws under the Control of Horses Act 1996. Interested parties were given a two month period to lodge a written submission. Two submissions were received and these submissions were discussed at the Strategic Policy Committee Meeting held on the 7th October, 2015 following which no amendments to the original Draft Bye-Laws 2015 as advertised were recommended by the SPC.

Following consideration of the Bye-laws by the members, Cllr. Hogan referred to Clause 5 of the Byelaws, the requirement for a landowner to have land leased for a minimum period of 11 months and the difficulty that this could present.

Mr. Matt Shortt, D.O.S., advised that this clause had now been superseded by the Department of Agriculture, Food and Marine's requirement to have all horses issued with a passport and the clause referred to would be removed from the Bye Laws.

Concerns were also expressed by the Council in relation to road safety issues surrounding sulky racing and it was suggested that the Chief Superintendent of the Garda Siochana, who were responsible for road safety, would be invited to a meeting with the members to discuss their concerns.

In reply, Mr Matt Shortt, DOS, recommended that it might be more appropriate for the matter to be discussed with the Chief Superintendent at the next meeting of the Council's Joint Policing Committee and it is his understanding that a representative from Kilkenny County Council has been invited to brief the JPC on their attempts in dealing with sulky racing through the implementation of Bye-laws; this was agreed by the Council.

Cllr. Mattie Ryan expressed concern about deer breaking out on to the public road and the danger to road users, which is becoming as serious a problem as stray horses.

It was proposed by **Cllr S. Ambrose**, seconded by **Cllr Michael Murphy** and resolved:-

"That in accordance with the Control of Horses Act, 1996, we the Members of Tipperary County Council, hereby adopt the Control of Horses Bye-Laws, 2015, the terms of which were circulated with the Agenda for the meeting of the Council held on today, the 14th December 2015".

Item 4.1

Consideration of the Management Report

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

Housing

Voids

It was agreed to consider motion 538 (item 7.1) submitted by **Cllr C. Carey** under this item.

"In light of the current housing crisis, I am calling on the Government to provide emergency funding to assist all Local Authorities to make void housing units available as soon as possible".

The motion was seconded by **Cllr J. Ryan**;

In reply to the motion, Mr. A. Fennessey, S.E.O., Housing, informed the members that an initial allocation of €953,882 had been received from the department for voids in 2015. This allocation had been increased by €440,000 as a result of a further application by this local authority, which in total was a significant increase on previous year's allocations. The Council had also invested €500,000 from its own funding. The allocation allowed 180 houses to be brought back into use in 2015 and the Council would continue to seek additional funding from the Department. He advised that voids were an evolving situation as vacant dwellings arise on a daily basis.

This was noted by the Council.

Tenant Purchase Scheme

Further information was awaited from the Department on the Tenant Purchase Scheme being introduced and once this was received all tenants would be notified with details of the scheme.

N.A.M.A. Dwellings

Dwellings offered by NAMA to the Council were unsuitable for Council stock due to a variety of reasons relating to the condition, design and social mix of the dwellings offered.

Housing Assistance Payment (HAP)

It was clarified that persons on this scheme were offered the opportunity to be transferred to social housing.

Limerick City and County Regeneration Study

Mr. Joe MacGrath clarified to members, that a fund of €2.5m had been made available to Limerick City and County Council as part of the Limerick hinterland Regeneration study into resettlement issues and an allocation from this fund was being made available to Newport for infrastructural and amenity improvements in the town as a result of the town being an area impacted by population changes caused by the Limerick regeneration project. The Chief Executive also advised that provision was included in the Councils Capital Programme to meet the Council's commitment in this regard.

Community and Economic Development

Market Place, Clonmel

In reply to a no. of queries from Cllr Ml. Murphy concerning the availability of the Council's Commercial Incentive scheme and commercial rate valuations in Market Place, it was noted that a draft scheme would be submitted for consideration by the Council at its January meeting and that the Council would be writing to the Commissioner of Valuations concerning commercial valuations in Market Place.

Cllr Ml. Murphy in reply proposed that a deputation be sought with the Minister for the Environment, Community and Local Government to outline the difficulties businesses were encountering in meeting their rates demand and to request the Minister to direct the Commissioner to utilise his powers under existing Rates legislation to carry out a review of rates in Market Place. This was seconded by Cllr. P. English and agreed.

Mr. Liam McCarthy, Head of Finance, in reply, advised that a global revaluation of the

County is not likely to take place in the short term.

In reply to a further request from Cllr. Ml. Murphy, that the Tipperary Chamber of Commerce be invited to attend a meeting of the Council, it was noted that the most appropriate forum for the various Chambers of Commerce to input into the Council business was through their participation in the Town Hall Retail Forums in existence in a number of towns throughout the county. It was also noted that there was a positive level of engagement between the Chambers and the respective District Administrators in each of the 5 Districts and the Chambers were also the business pillar's representative on the Council's Strategic Policy Committee's.

Water Services

It was agreed to revert to Cllr Ryan regarding overflow sewage solutions for Thurles in severe weather conditions.

Proposed by **Cllr. R. Kennedy**, seconded by **Cllr. M. Murphy** and resolved:-

"That the Chief Executive's Report on the Capital Programme for the period 2016-2108 as incorporated into the Report on the Budget be noted".

Capital Programme 2016 - 2018

Item 4.4

Draft Scheme of Capital Grants for Community Facilities & Amenities

The draft scheme of Capital Grants for Community Facilities and Amenities had been circulated to the members. The scheme was created for Community Facilities & Amenities (hereinafter referred to as "Scheme of Capital Grants") as a means of providing the Council and community-based groups, clubs and voluntary organisations with a fund that will support:

- The development of "needs-based" facilities to deal with the deficit in community infrastructure and amenities;
- The availability of appropriate community infrastructure and amenities for all groups of the population at a convenient distance from their homes and places of work;
- Opportunities for communities to improve and give added-value to their existing facilities;
- Strengthening of community relationships by supporting communities to work together to provide facilities needed in their locality;
- Equality of access to all community facilities and amenities.

Funding for the Scheme of Capital Grants would come from development contributions levied on all new developments approved in accordance with the Council's Development Contribution Scheme 2015-2019.

There were also a no. of guiding principles set out in the scheme namely:

- Funding to be in place before any call is issued;
- Capital works which have not yet taken place will only be funded;
- Needs-based support projects that address identified deficits needs;
- Avoid duplication & displacement in relation to facility/amenity provision and use;
- Promote multi-use and shared facilities;
- Encourage projects using multi-source funding;
- Seek financially sustainable projects;
- Ensure social inclusion, public access and equality;
- Promote environmental protection and energy efficiency;

The scheme also set a methodology for determining funding distribution:

- Determined on county wide basis with funding allocated at both MD and urban levels;
- Distribution methodology within the scheme based on population;

- 50% of monies becoming available to be ring-fenced for unique projects, Council-led capita works programme;
- Fund to be allowed to build up subject to a minimum fund of €2m available prior to a public call for proposals;

Following consideration of the draft scheme by the Council, it was proposed by **Cllr. Ml. FitzGerald**, Seconded by **Cllr. M. Hanna Hourigan** and agreed to adopt the Scheme of Capital Grants for Community Facilities and Amenities as recommended.

Item 5.1

Presentation by representation of Irish Congress of Trade Unions.

The Cathaoirleach, Cllr. S. Hanafin welcomed Mr. Macdara- Doyle of the Irish Congress of Trade Unions to address the meeting seeking the Council's support to a major new national initiative organised by Congress in relation to a Congress Charter for Fair Conditions at Work.

On the proposal of the Cathaoirleach, it was also agreed to consider Notice of Motions Ref 539 (item 7.2) in the name of Cllrs. D. Dunne, D. Doran, M. Browne, S. Morris, C. Carey and Motion No. 544 (item 7.3) in the name of Cllr. P. English with this item.

"The Congress Charter for Fair Conditions at Work seeks a societal consensus as to what constitutes fair conditions of employment. The charter identifies five key principles which, as a minimum, should be respected by every employer: a living wage, fair hours of work, the right to representation and collective bargaining, to be treated with dignity when at work and fair public procurement. This Council supports and advocates the implementation of the Congress Charter for Fair Conditions at Work".

Seconded by Cllr. P. English.

"That Tipperary County Council supports and advocates the implementation of the Irish Congress of Trade Unions Charter for fair conditions at work and seeks a societal consensus as to what constitutes fair conditions of employment. The charter identifies five key principles which, as a minimum, should be respected by every employer: a living wage, fair hours of work, the right to representation and collective bargaining, to be treated with dignity when at work and fair public procurement".

Seconded by Cllr. M. Browne.

Mr. Macdara- Doyle of the Irish Congress of Trade Unions, outlined details of the congress charter for fair conditions at work which sought basic terms for workers, including a living wage, fair hours of work, fair public procurement, respect at work, and union recognition. A campaign had launched in April and elected representatives were being asked to signal their support by signing the pledge. Congress had written to almost 1000 elected councillors individually, asking them to sign the Charter pledge and support the five key principles of the campaign.

Mr. Macdara-Doyle urged the members to sign and return the charter.

Members thanked Mr. Macdara- Doyle for his attendance at the meeting and he then withdrew from the meeting.

Item 6.1

Consideration of Orders for period to 30th November, 2015

Chief Executive and Delegated Officers Orders for the period to 30th November, 2015 were noted.

Item 7.4

Notice of Motion – National Public Holiday

Motion No. 550 in the name of **Cllr. D. Doran** was considered by the Council:

"I am calling on this Council to support the proposal that a National Public Holiday be declared by our Government marking the Easter Rising of 1916 which many already

recognise as Irish Independence Day"

The motion was seconded by Cllr D. Dunne.

It was agreed to refer the motion to the Office of the Taoiseach.

Item 7.5
Notice of Motion-
Commencement
Order

Motion No. 552 in the name of **Cllr. P English** was considered by the Council:

"That Tipperary County Council request the Minister for Finance not to sign the commencement order in relation to CP88 which Credit Unions across Ireland believe will hamper their efforts to serve their valued 2.89 million members".

The motion was seconded by Cllr Michael Murphy

It was agreed to refer the motion to the Minister for Finance

Item 7.6
Notice of Motion –
Scoil Aonghusa

Motion No. 576 in the names of all members was considered by the Council:

"That HSE would recognise the consequences of the ongoing lack of therapy services at Scoil Aonghusa special school in Cashel and outline what measures will be taken to have the matter resolved without further delay".

It was agreed to refer the motion to the H.S.E.

Item 8.1 to 8.10
Correspondence

Correspondence as circulated was noted:

- Letter and attachment from AILG regarding review of meeting structure of the Association.
- Reply dated 20th October, 2015, from Transport Infrastructure Ireland regarding naming of Nenagh to Moneygall Motorway. (Notice of Motion Ref. 495)
- Reply dated 28th October, 2015 from Office of the minister for Education and Skills regarding suicide awareness, depression and mental health as a subject in the secondary school curriculum. (Notice of Motions ref. 486 & 499)
- Reply dated 18th November, 2015, from Office of the Minister for Environment, Community and Local Government, regarding Local Property Tax.
- Reply dated 19th November, 2015, from Office of the Minister for Health regarding Public Nursing Home Units (Notice of Motion Ref. 528)
- Reply dated 20th November, 2015, from Office of the Minister for Justice and Equality regarding Church Gate Collections by political parties (Notice of Motion Ref. 436)

Church Gate Collections

Cllr J. Ryan requested that the issue of Church Gate Collections by political parties be discussed further with the Garda Superintendent and it was agreed that the matter would be referred to the next meeting of the JPC for further consideration.

- Reply dated 23rd November, 2015, from HSE regarding funding for public nursing units and HIQA compliance. (Notice of Motion Ref. 528)

- Reply dated 1st December, 2015 from Office of the Minister for communications, Energy and Natural Resources, regarding the construction of a Metropolitan Area Network (MAN) in Thurles.
- Email dated 3rd December, 2015, received from Grid Link Project Manager giving update on recent developments on the Grid Link Project.
- Reply dated 19th November 2015 from DoECLG re Wind Energy Strategy

Item 9.1-9.7

Resolutions from Other Local Authorities

Resolutions from other Local Authorities were noted:

- Clare County Council
- Cork County Council
- Donegal County Council
- Sligo County Council
- Galway County Council
- Meath County Council

In relation to item 9.4 - Donegal County Council

It was agreed to issue a letter of support to Donegal County Council in respect of their resolution in relation to the appeal of global revaluation of 6 utilities;

Item 10.1

Votes of Sympathy/Congratulations

Votes of sympathy were passed to the following:

- Cllr. R. Molloy on the death of his mother, Bridie
- Cllr. W. Kennedy on the death of his father-in-law, Jeremiah (Jer)
- Matt Shortt on the death of his father-in-law, Bobby Mockler
- Maria Clancy, Human Resources on the death of her father, George
- Patricia Barron, formerly Roads, on the death of her mother, Peggy O'Dwyer
- Aileen Healy, Tipperary Childcare Committee on the death of her father, James Leahy
- Breda Moloney, Finance Section on the death of her mother, Bridget 'Bridie' Ryan
- Mary Crowe, Housing Section on the death of her sister Julia Tierney
- Martina Ferncombe and Mairead Bradshaw, Cashel-Tipperary Municipal District on the death of their mother, Eileen Kinane
- Michael Fanning, County Museum & Phil Crowley, Canteen, on the death of their father, Phil Fanning
- Mary Bourke, Finance Section, Nenagh on the death of her father, Martin Bourke
- Pat Murphy, Environment Section, Nenagh on the death of his mother, Nora
- Liz Newport, Customer Services on the death of her mother, Mary.

Votes of Congratulations

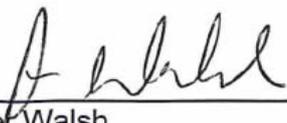
Vote of Congratulations was passed to the following:-

- Clonmel Commercials on winning the Munster Club Senior Football Final and also their recent quarter-final win in the All Ireland Club Senior Football Championship in Ruislip.
- Cahir Camogie Team on winning the Munster Intermediate Club Championships.
- Pat Ryan, Killenaule, All Ireland Match Play Champion Golf in Wicklow

The meeting then concluded.

Signed/ *Seamus Hanafin*
Cathaoirleach.

Date: 11/01/2016

Signed/ 
Ger Walsh,
Meetings Administrator.

Date: 11/01/2016