

South Tipperary County Council

Minutes of South Tipperary County Council Meeting held in The Council Chamber, County Hall on 9th May, 2011

In the Chair	Cllr. Sean McCarthy
Present	Cllrs. T. Acheson, L. Ahearn, M. Anglim, J. Brennan, S. Cooney Sheehan, J. Crosse, J. Crowe, J. Donovan, P. English, J. Fahey, M. Fitzgerald, M. Hanna Hourigan, D. Leahy, S. Lonergan, L. McLoughlin, R. Molloy, M. Murphy, MI Murphy, J. O'Brien, E. O'Meara, D. Ryan, B. Shoer, T. Wood.
Apologies	Cllr. S. Ambrose
In attendance	B. McEvoy, S. Keating, A. Fennessy, D. Walsh, J. Harney, D. McGuire
Meetings Administrator	Mr. John O'Mahoney
Congratulations	The Cathaoirleach and members conveyed their congratulations to Denis Landy and Labhrás O'Murchú on their successful election to Seanad Eireann. Congratulations were also extended to Cllr. Joe Brennan and Mary Hanna Hourigan on their campaign.
Welcome	Members welcomed Mr. B. McEvoy to the position of County Manager
Minutes	On the proposal of Cllr. M. Fitzgerald Seconded by Cllr. D. Leahy the Minutes of the Council Meeting held on 4 th April, 2011 were adopted.
Conferences	On the proposal of Cllr. M. Fitzgerald and seconded by Cllr. M. Anglim, it was agreed that:- Cllr. Marie Murphy be nominated to attend conference organised by Institute of Public Administration entitled "A-Z of Irish Local Government – Environmental Services" at

Clare County Council Offices, Ennis Co.
Clare on 6th May, 2011.

Cllr. Mary Hanna Hourigan be nominated to attend conference organised by Border, Midland & Western Regional Assembly" entitled Restoring the Regional Economy" to be held at the Sheraton Hotel, Athlone on 6th May, 2011.

Cllr. Richie Molloy be nominated to attend conference organised by Celtic Conferences entitled "A Conference on Public Speaking and Promotional Literature Design" to be held at Celtic Ross Hotel, Rosscarbery, West Cork on 13th, 14th and 15th May, 2011.

Cllrs Marie Murphy, Tom Acheson, Darren Ryan and Louise McLoughlin be nominated to attend conference organised by Esperanza Enterprises entitled "European Influences on Local Government in Ireland" to be held at The Kingsvalley Hotel, Merlin Park, Dublin Road, Galway on 13th – 15th May, 2011.

Cllr. Denis Leahy be nominated to attend conference organised by Superior Training entitled "National Public Policy-Making and the Councillor" to be held at the Carlton Millrace Hotel, Bunclody, Co. Wexford on 20th and 21st May, 2011.

Cllr. Joe Brennan be nominated to attend conference organised by Bailieborough Mental Health Association entitled "Suicide – A Community Response to be held at The Bailie Hotel, Bailieborough, Co. Cavan on 21st May, 2011.

Cllr. Sean McCarthy and Liam Ahearn be nominated to attend conference organised by The Institute for British-Irish Studies entitled "The Institute for British-Irish Studies (IBIS) Annual Conference 2011" to be held at the John Hume

Institute for Global Irish Studies, UCD on 26th May, 2011.

Appointment of member to Committees:-

It was proposed by Cllr. P. English
Seconded by Cllr. MI Fitzgerald
And Resolved:-

“That Cllr. B. Shoer be appointed to the Suir Drainage Committee, the Physical, Economic, Planning and Development SPC and the Traveller Accommodation Consultative Committee”.

Chair for the Housing Policy and Social Development SPC

It was proposed by Cllr. D. Ryan
Seconded by Cllr. P. English
And Resolved:-

“That Cllr. Seanie Lonergan be appointed as Chair for the Strategic Policy Committee for Housing Policy and Social Development as a result of the vacancy that arose following the election of Cllr. D. Landy to Seanad Eireann on the 29th April, 2011”.

Adoption of the South Tipperary County Council Litter Management Plan

The draft Litter Management Plan 2011-2013 had been circulated to the members. It had been considered by the Strategic Policy Committee and public consultation had been carried out. No submissions had been received. The plan set out objectives to prevent and control litter in South Tipperary.

It was proposed by Cllr. MI Fitzgerald
Seconded by Cllr. P. English
And Resolved:-

“That we the Members of South Tipperary County Council hereby adopt the Litter Management Plan 2011-2013, in accordance with Section 13 of the Litter Pollution Act 1997, the terms of which were circulated with the agenda for the meeting of the Council held on today the 9th of May, 2011”.

Members complimented staff in the Environment Section on their efforts to date. Suggestions were made in relation to the type of litter bins being provided and their appearance.

**Fethard
Regional Water
Supply Scheme**

With the agreement of the Cathaoirleach Cllrs. J. O'Brien and E. O'Meara voiced their anger and disappointment at the recent interruptions to the water supply in the Fethard area and requested that works on the Fethard Regional Water Supply Scheme be commenced as a matter of urgency. They were supported by all Fethard Area Members.

Mr. Sean Keating apologised to consumers for the interruption to their water supply. He outlined the reasons for the delays in the commencement of the scheme and confirmed steps which had been taken to expedite the commencement of work. Mr. A. Fennessy informed the members that eight bursts had occurred in the Fethard Area over the May Bank Holiday weekend as a result of which consumers experienced delays in having their water supply restored. Staff would continue to review operational practices and seek other sources of water to augment existing supplies pending the completion of remedial works.

**Bathing Water
Quality
Regulations
2008**

Mr. Denis McGuire informed members that Bathing Water Regulations 2008 came into force on the 24th March, 2011 under which bathing areas had to comply with certain criteria before they could be designated as a bathing area. In South Tipperary there were four existing popular bathing locations, Sandybottom, Cahir, The Green, Ardfinnan, Sandybanks, Marlfield and Carrick on Suir. These areas had been assessed in accordance with the Regulations. The water in these locations did not meet the guidelines and also there were safety considerations together with

poor infrastructure at each site. The Strategic Policy Committee had been informed of the assessment and had approved the decision to withdraw lifeguards from these locations.

Mr. Sean Keating informed the meeting that it was therefore proposed to withdraw lifeguards from these locations for the months that they are normally provided i.e. July and August. Notices would be put on the radio and in local newspapers to inform the public and leaflets would be handed out at each location.

Various members expressed their opposition to the removal of lifeguards from these locations which were traditional bathing spots that had been used for generations.

The County Manager advised the members of the serious issues involved for the Council and that the areas involved did not meet the standards required by the regulations and as a local authority we were obliged to comply with the regulations.

Following discussion it was agreed that the matter would be referred back to the Strategic Policy Committee and members asked that the legal implications for the council be examined.

**Presentation –
Radiological
Protection
Institute**

The Cathaoirleach welcomed Mr. David Fenton, Radon Advice Section, Radiological Protection Institute of Ireland who gave a presentation to the members on Radon in South Tipperary. Radon is a naturally occurring radioactive gas that was easily measured and reduced. To date 43,000 homes in Ireland had been measured and 5,600 of these had high radon concentrations. One in five homes in Clonmel that were measured had high radon levels. The Radiological Protection

Institute of Ireland in association with South Tipperary County Council will carry out public awareness efforts in the area in the coming weeks. Public meetings, radio and newspaper advertising would be carried out and radon awareness packs would be distributed to homes. Members were asked to help create awareness at a local level and proactively spread the message to householders to take the radon test.

Mr. Fenton responded to queries from members in relation to his presentation and members thanked him for his informative presentation.

Presentation on South Tipperary Science and Technology Park

This item was adjourned to the June Meeting.

Fix date and time for June Meeting

It was agreed that the June Meeting would be held at 11am on 13th June in Bru Boru, Cashel.

Fix date and time for Annual General Meeting

It was agreed that the Annual General Meeting would be held at 12 noon on 27th June.

County Managers Orders for April, 2011

County Managers Orders for the month of April were noted.

Notice of Motion

Amplification in the Chamber

The Council considered the following Notice of Motion in the name of Cllrs. S. Lonergan, P. English, D. Ryan, B. Shoer, D. Landy, T. Wood, R. Molloy, D. Leahy and E. O'Meara: -

“That this Council look into the possibility of providing amplification in the Chamber. In most cases it is

impossible to hear elected members and guests presentations”.

It is intended to look at the various options which may be available in relation to amplification in the Chamber. It is further recommended that any proposals should be considered in first instance by the Standing Orders Committee, with a recommendation then being made to the Council. In assessing any option regard will of course have to be had to the cost of implementation and the availability of resources.

Road Markings at Rathronan

The Council considered the following Notice of Motion in the name of Cllr. Darren Ryan: -

“That the road markings on the 2 junctions at Rathronan Cross be replaced/upgraded”

It was intended to review a number of junction road markings over the coming weeks and will include the junction at Rathronan as part of these works.

Spending cuts for the Community & Voluntary Forum

The Council considered the following Notice of Motion in the name of Cllr. Darren Ryan: -

“That this Council calls on the Department of Environment, Community and Local Government to stop the spending cuts to Community & Voluntary Forums and to reinstate all cuts that have taken place to date. Futhermore, that this motion be forwarded to all Local Authorities for their consideration”.

It was agreed to write to the Minister in this regard.

Roadway at Poulaculleare, Kilcoran, Cahir

The Council considered the following Notice of Motion in the name of Cllr. Pat English: -

“That the roadway at Poulaculleare, Kilcoran, Cahir serving the Boylesk, the Heffernans, Carrigans and others be resurfaced as it is in very poor condition”.

The road referred to in the Notice of Motion is not a public road. Accordingly, the Council has no responsibility for the maintenance of the road.

Cycle Racks in South Tipperary

The Council considered the following Notice of Motion in the name of Cllr. John Fahey: -

“That this Council provide a site for a cycle rack in as many towns and villages in South Tipperary as possible”.

Section 7.1.4 of South Tipperary County Council’s Development Plan sets out our current strategy on Cycling and Walking. In view of the economic situation, it is unlikely that funding would be available to develop additional cycling facilities in the short to medium term. However, we would like to encourage greater use of bicycles in Towns and Villages.

The cost of providing cycle stands (various types available) can be investigated and subject to Elected Members approval, these can be installed as part of 2012 budget at a number of locations to be agreed, as part of a pilot scheme for the county.

Lighting at Mill Walk, Clogheen

The Council considered the following Notice of Motion in the name of Cllr. Marie Murphy: -

“That additional lighting is installed at the Mill Walk, Clogheen (adjacent

to Senior Citizens Houses at Fr. Sheehy Terrace) to help alleviate the anti-social behavior in the area”.

No new public lights would be erected in 2011 because no funding provision was made for such in the Roads Budget 2011 due to reduced funding allocations.

Accordingly, it will not be possible to erect additional lighting as requested.

Water Supply at Cranna, Kilcommon, Cahir

The Council considered the following Notice of Motion in the name of Cllr. Marie Murphy: -

“That this Council install a pump on the water supply at Cranna, Kilcommon, Cahir which would give users an improvement to the supply they currently have”:-

This area is fed from the Ballylooby supply and is subject to low pressure from time to time in elevated areas. It is proposed to review the supply arrangements in this area over the next few months, with a view to improving on the current situation.

Signs on the M8 Motorway

The Council considered the following Notice of Motion in the name of Cllrs. M. Murphy, L. Ahearn, Ml Anglim, S. Lonergan: -

“That South Tipperary County Council consult with the NRA about putting up signs on the M8 motorway advertising that the town of Cahir is a Heritage Town”.

The NRA has produced new policy guidelines entitled: Policy on the Provision of Tourist and Leisure signage on National Roads (March 2011). This policy recognises that the tourist industry is very important to the Irish economy. The new

guidelines also acknowledge that tourist signs must act with other directional signage, such as road numbers, to assist visitors to locate key tourist and other destinations, while avoiding the proliferation of signs that sometimes confuses tourists. In this regard the new policy guidelines have indicated thresholds of visitor numbers for specific road types to establish if a destination can have a sign on a National road. For example, to have a sign on a motorway an attraction must have at least 50,000 visitors per year and be located within 30km of the proposed sign.

In this regard the Council will be carrying out a full review of all tourist related signage on the Motorway and on National roads, and in doing so will be working in close cooperation with Fáilte Ireland (SE), the NRA and the relevant stakeholders. Naturally, it would be important to include reference to our three heritage towns as part of that review.

A detailed report would be prepared in due course for the consideration of the Elected Members.

Gorse Fires

The Council considered the following Notice of Motion in the name of Cllr. L. Ahearn: -

“That the Manager advises as to what the Council Policy is in relation to charging for fire services in connection with “Gorse Fires” in mountain locations within its functional area and will the Manager confirm the number of people, other than Coillte, who have been charged in relation to the usage of the service”.

Under Section 35 (3) of the Fire Services act, 1981, which states “A fire authority

shall be entitled to charge users or beneficiaries of a fire service for services where it provides”.

Coillte agreed at a meeting in August, 2007 that if fire occurs near their forestry and they ring in for assistance from fire service, they will pay the invoice accordingly.

Fires in mountain areas are typically commonage. With regard to commonage, while people are registered as having grazing rights, complications arise whereby some owners own more than others and it is not possible to apportion the invoices accordingly, as the Land Registry do not have these specific details.

The following was recommended in April, 2009 and has been implemented -

(a) Where fires occur on land involving gorse/forestry, investigations will be made using GPS to ascertain the exact owners as soon as possible after the incident with regard to the owner of same being invoiced accordingly.

(b) Where fire occurs on commonage, no invoices be raised.

36 invoices have been issued for grass/gorse fires to persons other than Coillte.

Correspondence

- Reply dated 5th April, 2011, from Office of Public Works in relation to Ahenny High Crosses

Resolutions from other Local Authorities

Kilkee Town Council

“That this Town Council supports the retention of Co-ordinators in Primary Schools”.

Carrickmacross Town Council

“That this Local Authority, in light of the potentially catastrophic danger to public health posed by various nuclear power plant reactors in Japan; renews its opposition to Westminster’s plans to build 5 new nuclear power stations along the Irish Sea in Britain and calls on the new government in Dublin to voice these concerns to Westminster in the strongest possible terms as well as calling on Dublin to take further legal steps confirming Ireland’s status as a Nuclear Free State.

That if this Motion is adopted that it be circulated to other Local Authorities in Ireland for their support”.

Thurles Town Council

“Thurles Town Council adopts a resolution expressing our revulsion at the callous and cowardly murder of Ronan Kerr, a young catholic police officer from Omagh, Co. Tyrone on Saturday 2nd April, 2011.

The growing tendency by a very misguided minority towards reigniting terrorist activity on this island must be confronted by every means possible to ensure that other families do not have to live with total devastation which has been inflicted on Constable Kerr’s mother and family. Mrs Kerr’s courageous and dignified comments in the immediate aftermath of such a horrific incident should act as an inspiration to all right minded people in the country.

That a copy of this resolution be forwarded to all other councils throughout Ireland both North and South”.

Leitrim County Council

“I seek the support of my fellow councillors in asking that Leitrim County Council write to the Minister for Finance, Mr. Michael Noonan requesting that he

meet with representatives of the Quinn Group at the earliest opportunity in order that they may present their proposal concerning Quinn Insurance for the safe guarding of almost 6,000 jobs for this region and the potential creation of an additional 1,800 jobs over the next 7 years”.

Leitrim County Council

“I ask Leitrim County Council to write to the Minister for Education and Skills, Mr. Ruairí Quinn not to introduce the proposed changes to the Primary School Transport Scheme arising from the last Budget 2011. These changes will impose considerable financial hardships and inconvenience on parents and pupils living in rural areas”.

Votes of Sympathy

- Fergal Gallagher, Tipperary on the death of his father Thomas
- Frank Bourke on the death of his wife Josephine

Adjournment Resumption

Retirement Presentation to Mr. Ned O'Connor

The Cathaoirleach welcomed Mr. Ned O'Connor to the meeting and also welcomed former members and oireachtas members to the chamber on this special occasion. The Cathaoirleach in paying tribute to Mr. O'Connor said that he had left an indelible mark in all the areas he had worked in South Tipperary, he had an immense knowledge of local government, a deep understanding of the political system and a huge respect for the elected members. His advice was invaluable and South Tipperary was a better place under his leadership.

Members past and present joined in the tributes to Mr. O'Connor and thanked him for his outstanding service to South Tipperary and for his kindness, help and advice to the members.

Mr. O'Connor thanked the members for their generous tributes. He said that it had been a pleasure at all times to work with the public representatives and he had utmost respect for the work that they did for the people they represented. He admired their ability to work together and this united effort gave South Tipperary great strength to pursue the challenges it faced. He thanked the members for their loyalty to him throughout the career. Mr. O'Connor thanked the staff, the community organisations and the media for their positive attitude and their co-operation and support over the years.

The meeting then concluded.

Signed/_____. **Dated/_____.**
Cathaoirleach.

Signed/_____. **Dated/_____.**
Meetings Administrator.