

South Tipperary County Council

Minutes of South Tipperary County Council Meeting held in The Council Chamber, County Hall, Clonmel on Monday 11th January, 2010

In the Chair	Cllr. Liam Ahearn
Present	Cllrs. T. Acheson, S. Ambrose, M. Anglim, J. Brennan, S. Cooney Sheehan, J. Crosse, J. Crowe, J. Donovan, P. English, MI Fitzgerald, M. Hanna Hourigan, S. Healy, D. Landy, S. Lonergan, C. McLoughlin, R. Molloy, M. Murphy, MI Murphy, J. O'Brien, E. O'Meara, D. Ryan, T. Wood.
In attendance	Mr. E. O'Connor, Mr. B. McEvoy, Ms. S. Carr, Ms. C. Curley, Mr. S. Keating, Mr. K Conway, Ms. E. Murphy
Apologies	Cllrs. J. Fahey, D. Leahy and S. McCarthy
Meetings Administrator	Mr. John O'Mahoney
Minutes	On the proposal of Cllr. Darren Ryan and seconded by Cllr. Pat English the minutes of 14 th December, 2009 were adopted.
Conferences/ Seminars	<p>On the proposal of Cllr. Michael Fitzgerald and seconded by Cllr. Joe Brennan it was agreed that:-</p> <p>Cllrs. Jimmy O' Brien, Marie Murphy, Seanie Lonergan, Joe Brennan and Michael Fitzgerald be nominated to attend conference organised by Kadenza Consultancies Ltd entitled "A Guide to Child Protection" at the Silver Tassie Hotel, Letterkenny on 15th – 17th January, 2010.</p> <p>Cllrs. Tom Wood, Michael Murphy and John Crosse be nominated to attend conference organised by ICLRD entitled "Preparing for the Economic Recovery" at Killyhavin Hotel, Enniskillen on 21st – 22nd January, 2010.</p>

Cllrs. Darren Ryan and Seanie Lonergan be nominated to attend conference organised by Clare Tourist Council & Antrim Borough council entitled Tourism in the 21st Century at Dunadry Hotel, Dunadry, Co. Antrim on 29th – 30th January, 2010.

Cllr. Sean McCarthy, Michael Anglim and Michael Fitzgerald be nominated to attend conference organised by TJK Conference Ltd entitled "Planning Seminar for Councillors" at the Patrick Punch Hotel, Limerick on 29th – 30th January, 2010.

Cllr. Jimmy O'Brien be nominated to attend the Merriman Winter School at Hotel Meyrick, Galway on 29th – 31st January, 2010.

Proposed taking in charge of "Doire De" Housing Estate, Middlequarter, Newcastle

It was proposed by Cllr. Michael Murphy
 Seconded by Cllr. Darren Ryan
 And Resolved:

"That we the members of South Tipperary County council being satisfied that the road at "Doire De" Housing Estate, Middlequarter, Newcastle, Co. Tipperary as more particularly described in the schedule set out below is of general public utility and having considered the financial implications for the Council of the proposal declare the road to be a public road in accordance with Section 11 of the Roads Act 1993 and that in accordance with Section 180 of the Planning & Development Act 2000 the Council take in charge all open spaces, car parks, sewers, watermains and drains within the attendant grounds of the development."

Location of Road	Length of Road to be taken over (m)	Terminal Point of Road
"Doire De" Housing Estate, Middlequarter, Newcastle, Co. Tipperary	101m	Co-Ordinates E212634 N113438

**Presentation –
Tourism
Overview**

Ms. Eileen Horgan, Community and Enterprise, made a presentation to the members on the “South Tipperary Tourism Review 2009 – Plans for 2010”. Ms. Horgan informed the members that as a result of Tourism Ireland/Fáilte Ireland restructuring that the South Tipperary Tourism Company had been set up under the County Development Board, County Council, Local Development Companies and Tourism Trade Representatives.

Ms. Horgan circulated a copy of “Tipperary 2010 Holiday Guidebook” to the members. This Guidebook was produced by the South Tipperary Tourism Company and sets out places of interest in both North and South Tipperary. Ms. Sinead Carr, Director of Services advised the members that in order for this Guidebook to reach its full potential that businesses and traders needed to be encouraged to get involved and to advertise within the guidebook. Ms. Horgan responded to members queries about features not included.

Members thanked Ms. Horgan for her presentation and complimented all involved in the production of the Guidebook. Members acknowledged the hard work that went into producing the guidebook and agreed that they would promote the use of the guidebook.

**Date for
February
Meeting**

It was agreed that the February Council Meeting would be held on 1st February, 2010

**Management of
funds of South
Tipperary
County Council**

It was proposed by: Cllr. M. Fitzgerald
Seconded by Cllr. S. Ambrose
And Resolved: -

“That all transactions on all Bank Accounts held by South Tipperary County Council be authorised on the drawing instructions of any two of the following signatories:

Ned O’Connor, County Manager
Eileen Drennan, Head of Finance
John O’Mahoney, S.E.O., Corporate Affairs

Pat Brennan, Management Accountant Finance
Ken Conway, S.E.O., Finance

"That any two of the above be authorised to open and operate Bank Accounts with Financial Institutions for the efficient management of the funds of South Tipperary County Council".

**County
Managers
Orders**

County Managers Orders for the month of December were noted.

**Notice of
Motions**

**Chairmans
Address**

The chairman spoke of the severe prolonged spell of freezing snowy weather that we have experienced recently. He acknowledged the fact that South Tipperary County Council had the foresight to ensure that the new salt barn in Cahir was well stocked so that salt shortages were not experienced in the cold snap. He acknowledged the hard work and excellent service that the rostered crews had provided working in atrocious weather since before Christmas.

Cllr Ahearn however expressed his disappointment that more leadership was not shown at national level earlier by recognising the severity of the impact of freezing conditions and by allocating emergency funding to Councils.

Several members acknowledged the excellent response by staff to the severe circumstances. They outlined difficulties which had arisen with the condition of footpaths, county roads, water supplies and the distribution of salt and grit. They also referred to the need for ensuring co-ordinated responses to emergencies and the need for more resources to be made available to the Council.

The County Manager and Director of Services acknowledged the elected members appreciation of the efforts made by local authority staff

across the 5 local authorities in the County. They also acknowledged that responses would be reviewed in the light of practical experiences gained as a result of the spell of severe weather. The importance of the availability of emergency out of hours contacts and the use of existing emergency response structures were also noted.

Gritting Service in South Tipperary

The Council considered the following Notices of Motions together:

Cllr. Pat English

“That South Tipperary County Council ensure emergency resources are procured from Government to ensure our roads (main & byroads) are adequately gritted during adverse weather conditions”.

Cllr Marie Murphy & Cllr. Joe Brennan

“That this Council failed in its obligation to provide an adequate gritting service to all the people of South Tipperary during the extremely dangerous road conditions experienced during the past few weeks. We as a Council must ensure that sufficient recourses are put in place so that this does not happen in the future and therefore, request funds from the Department of Environment, Heritage and Local Government in the interest of public safety”.

The total length of road network in South Tipperary is approximately 3,000 km. The priority for winter maintenance is in line with the Department of Environment, Heritage and Local Government’s “Memorandum on Maintenance of Essential Services in Severe Weather Conditions” and is based on the following criteria: -

- (a) Category of Road (e.g. Motorway, National, Regional, Local Roads)
- (b) Volume of traffic using the road (i.e. heavily trafficked Regional and Urban routes in excess of 2,000 AADT receive special attention)

- (c) Large Urban Centres (through routes)
- (d) Ambulance, Fire Station and Railway Routes and other strategic routes, where possible

Present resources allow us to treat approximately 400 Km on a priority basis. Local area response to black spots is possible, as required.

To provide a winter maintenance/gritting service to the road network including byroads, as requested, is not possible as South Tipperary County Council does not have the resources of labour, plant and materials required for such a vast operation.

Additional resources are requested from the NRA and Department of Transport to cover additional expenditure during prolonged cold spells such as occurred in 2009 and again in 2010 to date.

**Cllr. Marie Murphy & Cllr. Joe Brennan
"That this Council under its winter maintenance service prioritise School Bus Routes for gritting during icy road conditions. Footpaths outside of schools and post offices should also be gritted as a matter of urgency and therefore request funds from the Department of Heritage and Local Government as a matter of public safety".**

Our winter maintenance resources allow us to treat approximately 400 km on a priority basis. Prioritization is as follows in accordance with National Guidelines.

- a) Category of Road (e.g. Motorway, National, Regional, Local Roads)
- b) Volume of traffic using the road (i.e. heavily trafficked Regional and Urban routes in excess of 2,000 AADT receive special attention)
- c) Large Urban Centres
- d) Ambulance, Fire Station and Railway Routes and other strategic routes, where possible.

Treatment of the above prioritized road network is normally undertaken approximately 25 times each winter. It is likely to considerably exceed this in the current winter. The main network elements covered by the above will coincide with portions of school bus routes. Unfortunately it is beyond our capability to treat the full extent of all school bus routes given that a lot of these routes cover rural and remote areas away from the prioritised routes.

Treatment of footpaths outside schools and other locations will be undertaken by each Area under normal winter maintenance activities as resources allow and as weather conditions enable.

The Council will endeavour to obtain additional funding if available from the Department of Transport when exceptional weather conditions justify such an application.

In response to these motions Members in turn thanked staff for all their efforts during the past few weeks and expressed their thanks especially to the outdoor staff who have been gritting the roads since 15th December. Members acknowledged the importance of the salt barn in Cahir where salt had been stored during the cold spell. Members however expressed their disappointment that there was no leadership shown from the Government during this hard time.

Clare Curley, Director of Services informed the meeting that members of the Local Co-ordinating Group had been working hard together with South Tipperary County Council in order to put elements in place to help the public. Fire Stations had provided water to people who were left without at the Fire Stations around the county, this service was be advertised on local radio. Members acknowledged the Civil Defence for their assistance with housing the issues and getting food parcels to those in need.

The Manager acknowledged that there was enormous pressure on staff and every available resource had been made available and that going forward a lot had been learned.

Mr. Billy McEvoy, Director of Services advised the members of the current stock levels at the Salt Barn in Cahir. Mr. McEvoy advised that under the Winter Maintenance Plan that there are 6 routes set out and that the NRA was now in control of salt distribution. He advised that South Tipperary County Council would request further funding from the NRA in view of the extra pressure which had been placed on resources.

Roundabout in Grange Village

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

“That this Council in the interest of public safety repaint the roundabout in Grange Village and provide signs on approach roads to indicate that a roundabout is ahead”

The repainting of the roundabout at Grange Village and the provision of signage on approach roads will be included in the 2010 Clonmel Area Roadworks Programme.

Hedging at Keatings Cross, Grange

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

“That South Tipperary County Council in the interest of public safety and in conjunction with the landowner remove the hedging at Keatings Cross, Grange, in the direction of Ardfinnan”.

Discussions will take place with the Landowner regarding the removal of the hedging at Keatings Cross, Grange. If agreement can be reached, this proposal can be included for consideration in the 2010 Clonmel Area Works Programme

**County Dev.
Plan 2009**

The Council considered the following Notice of Motion in the name of Cllr. Pat English: -
That South Tipperary County Council amend the County Development Plan 2009 to include 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' issued by the Department of the Environment, Heritage & Local Government and the OPW in the interest of avoidance, reduction and mitigation of flood risk.

1. The 2009 South Tipperary County Development Plan (CDP) addresses the matter of flood risk through Section 7.2.6 and Policy INF 7. The policy provision of the CDP with respect to flooding and flood risk is consistent in approach to that of recently published Planning System and Flood Risk Management Guidelines for Planning Authorities (DEHLG, 2009).
2. Section 28 (1) of the Planning & Development Act requires the Planning Authority in the exercise of their functions, which includes plan making and decision making through the development management process, to have regard to published Guidelines.
3. With regard to points 1 & 2 above there is no requirement to vary the CDP to include reference to the Guidelines.
 - a) However, arising from the Guidelines, what is required is an assessment of areas at risk of flooding and the identification of flood risk zones (through mapping). It is recommended that same be undertaken by way of a Strategic Flood Risk Assessment (SFRA). The SFRA will provide for an improved understanding of flood risk issues, will identify natural flood plain areas, will provide an assessment of existing flood defence infrastructure & would produce suitably detailed flood risk assessments leading to a suite of flood

risk maps that will support appropriate decision making through plan making and development management processes.

The preparation of an SFRA and preparation of detailed flood risk maps for the county is a significant undertaking that will take time to complete. In undertaking the SFRA the Council will consult with the OPW, who are undertaking a Catchment Flood Risk Management Plan (CFRAMS Study) for the river Suir which it is anticipated will be complete in 2011. This will form a significant contribution to the SFRA.

It is considered at this point in time that South Tipperary County Council will be in a position to include the findings of the SFRA in the next review of the CDP.

b) In the meantime development proposals on individual sites in flood risk areas will be dealt with through the development management process at planning application stage. The guidelines outline justification test criteria that must be satisfied for such development proposals and require the preparation of detailed flood risk assessments to address the matter of flood risk.

Warning Signs for Flooding

The Council considered the following Notice of Motion in the name of Cllr. Joe Brennan: -
“South Tipperary County Council develops a policy regarding roads that flood regularly by placing permanent warning signs that flooding can occur and signs indicating water depth”.

Flooding by its nature is seasonal and is variable by nature, extent and location. The current practice is to respond locally to flood events by erecting warning signs. This gives motorists real time information whereby they can proceed with caution or find a detour route. Therefore, it is considered inadvisable to erect signage that indicates water depth. However, it would be

considered possible to erect signage **“Danger – Road Prone to Flooding”** at well known locations liable to flood where the road may become impassable.

The majority of locations in the County where roads flood adjoin rivers and the flooding arises because the river bursts its banks. Other areas where flooding can arise may be due to drainage problems and it is considered more helpful to respond immediately to such events by resolving the problem rather than erecting signage.

Therefore, on balance, it is considered preferable that the status-quo remains in place where by an immediate local response is available to either resolve the flooding problem, erect warning signs or to close the road as determined locally.

**Shanrahan
Cemetery,
Clogheen**

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

“What are the up to date details of the progress made, if any, of plans to extend Shanrahan Cemetery, Clogheen. I would also request that the extension is prioritised as there are only a few burial spaces remaining.”

The burial ground at Shanrahan, Clogheen has historically been under the control of the Council. An extension, which was provided by the Council in the early 1950's, is now nearly full with only a small number of spaces remaining.

The members will be aware that, at the Council meeting held on 04 November 2007, a Policy on the Provision and Management of Burial Grounds for 2008-2012 was adopted. This policy detailed a 5 year plan for new burial grounds 2008-2012 based on existing commitments, included in which is the following:

Shanrahan Burial Ground, Clogheen – extension to existing Council burial ground (subject to land availability and suitability), or, alternatively, a new burial ground.

Efforts to locate a suitable site have been a priority of the Environment Section in recent times and will continue to be so in 2010. Due to the site characteristics, location and topography of the existing burial ground, an extension can only be provided on lands to the immediate east of the existing facility. These lands are in the ownership of 2 individuals. However, despite many approaches to, and discussions with, these landowners and/or their representatives, it has not been possible to secure agreement in relation to the acquisition of the necessary lands. The Council has reluctantly come to the conclusion that it may be necessary to seek an alternative site in order to provide a new burial ground.

In this regard, the Council is currently examining lands near the existing burial ground as it is considered that the provision of a new burial ground in the vicinity of the existing facility would be preferable to a new site at a remote location. However, a successful outcome will be contingent on identifying a suitable site (which would be satisfactory from the point of view of topography, drainage, size, access, sight distance etc.) and where the landowner is prepared to consider selling the site to the Council.

The Council remains committed to achieving progress on this issue and the members will be kept informed of developments.

New houses in Ballyporeen

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

“That the Housing Section advises as to the current status of the new houses in Ballyporeen:

- (a) When will the tenants receive the keys to their new homes and when**

can the tenants who were allocated the houses in May of 2009 expect to move in.

- (b) The sewerage tank, associated with the sewerage pumping station at the new houses is beside the Ballyporeen playground site. The playground committee is concerned that the issues with this pumping station will interfere with the construction of the playground which is scheduled to start in mid March. Can we allay the committee's fears?"**

I refer to the above Notice of Motion submitted by Cllr. Marie Murphy for consideration at the January meeting of the Council and I wish to confirm that the matter has been examined and I wish to reply as follows:

The 11 No. dwellings in Ballyporeen are completed at this stage and are ready for snagging by the Clerk of Works. However, the dwellings cannot be occupied until the foul sewerage pumping chamber has been completed, commissioned and connected to the wastewater treatment plant in Ballyporeen. The delay in completing the scheme arose as a result of the pumping station being constructed at the incorrect depth by the Contractor. This has resulted in the childcare facility and 6 serviced sites being unable to connect to the foul sewer network.

The Contractor was notified in writing on the 4th August 2009 that the pumping chamber had not been constructed at the correct level and that the only acceptable solution was the construction of a new pumping chamber in accordance with the design drawings provided by the Council's Consulting Civil and Structural Engineers for the project.

The Contractor has confirmed that he intends to lift the existing pumping chamber and install it at a lower level. The storm water attenuation tank and estate roads also need to be

completed before the scheme handover to the Council. Works are currently ongoing in this regard and it is estimated that the dwellings will be ready for occupation by end of March 2010.

In relation to the construction of the playground, the Council is satisfied that the issues associated with the pumping chamber should not interfere with the commencement of construction of this project.

Cllr. Murphy suggested that in future houses shouldn't be let until the Snag list is completed.

Correspondence

- (a) Letter dated 11th December, 2009 and enclosures from Senator Phil Prendergast regarding N.24, Tipperary Institute and Tipperary VEC.
- (b) Reply dated 18th December, 2009, from Office of the Minister for Foreign Affairs

Votes of Sympathy

- Former Councillor Andy Moloney on the death of his sister in law, Helen Keating
- Marie O’Gorman on the death of her mother in law Alice O’Gorman
- Brian Crowley on the death of his brother Flor Crowley

Votes of Best Wishes

- Minister for Finance, Mr. Brian Lenihan for a speedy recovery