

# South Tipperary County Council

## Minutes of South Tipperary County Council Meeting held in The Community Hall, Clerihan On Monday 12<sup>th</sup> May, 2009.

<b>In The Chair</b>	Cllr. Tom Ambrose
<b>Present</b>	Cllrs. L. Ahearn, M. Anglim, J. Crosse, J. Crowe, J. Donovan, S. Healy, J. Fahey, M. Fitzgerald, D. Foley, R. Kennedy, C. Kinahan, D. Landy, S. Lonergan, S. McCarthy, A. Moloney, S. Meagher, P. Norris, S. Nyhan, J. O'Brien, R. O'Meara, B. Shoer, T. Wood, D. Ryan, M. Maguire and K. Bourke
<b>In Attendance</b>	E. O'Connor, B. McEvoy, S. Keating, E. Drennan, G. Walsh, S. Reidy, D. Holland, H. Houlihan
<b>Meetings Administrator</b>	Mr. John O'Mahoney

**Welcome** The Cathaoirleach welcomed members to the Community Hall in Clerihan for his last meeting as Cathaoirleach of the Council. He thanked Fr. Ailbe O'Brick for celebrating Mass that morning for the members and officials of the Council and thanked those who helped prepare the hall for the meeting.

The Cathaoirleach thanked the members and officials for their co-operation during his term and thanked his wife and family for their support. He recapped on the 5 year term of the present Council, wished the contesting members success in their election campaign, paid tribute to the 3 members who were retiring with him, Cllr Sean Nyhan, Cllr Pat Norris and Cllr Susan Meagher and remembered the two deceased members of the Council, Cllr Michael O'Brien and Cllr Denis Bourke.

The County Manager paid tribute to the members of the Council for their achievements during their 5 year term. Huge progress had been made in the physical infrastructure of South Tipperary and the development of arts, sport, heritage and culture. He thanked the members for their courtesy to staff and wished them success in the forthcoming elections. He commended the four outgoing members on their service to the Council and remembered Cllr Bourke and Cllr O'Brien who sadly passed away during the term of the Council.

Members congratulated Cllr Ambrose on his successful year as Cathaoirleach and paid tribute to the four retiring members who had worked diligently for their local communities over a long number of years.

**Litter Cleanup Campaign**

The Cathaoirleach referred to the roadside litter cleanup that was undertaken by teams of Fás Workers in co-operation with area engineering staff which was carried out during March and April. The clean up was a huge success and 20 tonnes of waste was collected. Sincere thanks was conveyed to Mr. Liam O'Brien, the FAS Supervisors and the teams.

**Minutes**

On the proposal of Cllr. Roger Kennedy and seconded by Cllr. Andy Moloney the minutes of Council Meeting held on 6<sup>th</sup> April, 2009, were adopted.

**Conferences/Seminars**

On the proposal of Cllr. R. Kennedy, seconded by Cllr. P. Norris it was agreed that:-

Cllr. Sean McCarthy be nominated to attend conference entitled "Rising to the Challenge" organised by Irish Rural Link to be held on 7<sup>th</sup> and 8<sup>th</sup> May, 2009 at The Majestic Hotel, Tramore, Co. Waterford.

Cllr. Susan Meagher and Pat Norris be nominated to attend conference entitled "Supporting Family Carers" organised by Kadenza to be held on 29<sup>th</sup> – 31<sup>st</sup> May, 2009 in Castlebellingham, Co. Louth.

**Section 183 Notice – disposal of dwelling house at Cullenagh, Burncourt, Cahir**

It was proposed by Cllr. A. Moloney  
Seconded by Cllr. Sean Lonergan  
And Resolved:-

"That in accordance with the provisions of Section 183 of the Local Government Act, 2001, we hereby approve of the disposal of dwelling house and cartilage, the total of which amounts to 0.8466 hectares (2.092 acres) at Cullenagh, Burncourt, Cahir, Co. Tipperary in accordance with the terms of the notice under the above Section as circulated on the 29<sup>th</sup> April, 2009".

**Taking in charge of Ashcourt, Ballyclerihan**

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

"That we the members of South Tipperary County Council being satisfied that the road at Ashcourt, Ballyclerihan, Clonmel 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 and Development Act 2000 the Council take in charge all open spaces, car parks, sewers, watermains and drains within the attendant grounds of the development”.

### **EPA Drinking WaterQuality Report**

Mr Sean Keating informed the members that the 2007 EPA Drinking Water Report had been published. South Tipperary County Council had carried out 6,261 individual tests on drinking water in 2007 and the overall compliance rate in South Tipperary was 98.0% which was above the national average and improved from 97.6% in 2006. Data for 2008 was also now available and South Tipperary County Council carried out 6,018 individual tests on drinking water in 2008. The overall compliance rate in public water schemes improved in 2008 by comparison to 2007 with group water schemes 97.4% and public water supplies 98.4%.

Queries raised were responded to as follows:-

Funding – the council had not been advised of any reductions in funding.

Boreholes Drangan and Dualla –an agreement had been reached with a landowner for a site in Dualla and site investigations were taking place to identify a suitable site in Drangan.

Clonmel Town North and Environs Water Supply – The feasibility of mixing the existing groundwater supply with surface water was being investigated as part of the water conservation project.

Clonmel Area members said that that the water supply in this area was a huge issue and consumers had serious concerns, they requested that this matter be further examined.

### **Reduced Road Grant Allocation 2009**

Mr. McEvoy informed the meeting that following the 8<sup>th</sup> April Budget reductions in Grant Allocations had been notified. The Non-National Road Grant Allocation was reduced by €4.267m (28%) and the National Road Grant Maintenance Allocation was reduced by €169,161 (15%). The Annual Road Programmes 2009 had been amended and discussed at recent area meeting. The reductions were significant and would impact on all road section operations. Members acknowledged the difficulties that these reduced allocations would have on service/maintenance operations but asked that every effort be made to maintain the response to pothole repairs and emergency call-outs.

**Social Housing  
Investment Programme  
2009**

Mr. Ger Walsh, S.E.O. Housing informed the meeting that South Tipperary County Council had recently been notified of an allocation of €13,907,000 and full particulars had been circulated to the members. Allocations included the main local authority social housing programme, the improvement works programme (remedial, regeneration, energy efficiency, and central heating), for traveller accommodation and expenditure projections based on known commitments for voluntary and co-operative housing funded under the Capital Loan and Subsidy Scheme [CLSS] and Capital Assistance Scheme [CAS]. Rental Accommodation Scheme monies and targets were also specified.

In response to queries from members regarding the Disabled Persons Grant and the Housing Adaptation Grants Schemes, Mr. Walsh confirmed that no allocation had been received to date. Members outlined their concerns about the volume of applications, the operation of the scheme and emergency cases. Mr. Walsh confirmed that the possibility of including a category for emergency cases in 2010 was being considered.

**Relocation of Tipperary  
Institute**

The County Manager stated that as the members were aware, one of the key elements of the development of Ballingarrane was the relocation of the Tipperary Institute. The County Council had agreed to sell land and property to the institute to facilitate this relocation.

The relocation of the Institute had been approved by the Department of Education on a cost neutral basis. Basically this meant that the Institute would have to fund the relocation from the sale of their existing property in Clonmel. On this basis the Institute proceeded to invite proposals and had in fact received what they had regarded in principle to be an acceptable proposal. However, due to the market down turn the developer concerned was not in a position to proceed on the basis of his proposal.

The Tipperary Institute and the County Council had been looking at a number of alternatives to see if this matter could be progressed. Both sides agreed that there was little point in re-advertising at this point in time. To enable Stage 1 to be completed (this would consist of the transfer of all existing students but not including the renovation of Ballingarrane House) a sum of €3 million would be needed. When examining all possibilities the County Council also looked at its own development plan for the area and in particular bringing forward its own plans to provide an area

within the Park for an Eco Friendly cluster of live/work units and the development of some 15 sites would be a joint venture with The Tipperary Energy Agency.

On this basis the County Council would be in a position to offer a loan of €3 million to the Tipperary Institute to enable stage 1 to commence. The security for this loan would be a charge on the Institutes existing property in Clonmel. While it was difficult to predict when the property market may recover it is felt that a five year period for repayment would be reasonable. If not paid within that period, interest to be charged at the Local Loans Fund rate. In addition the County Council was required to do development work to facilitate the relocation costing approximately €1 million and the proposal is that this sum together with the purchase price would be repaid on the same basis. The proposals have been discussed with Tipperary Institute who are prepared to proceed, subject of course, to the approval of the Department of Education. The matter has also been discussed with the Clonmel Area members who are in agreement with the proposals concerned.

The benefits to the County Council of proceeding on this basis were significant. Apart from the stimulus to the local construction industry there is no doubt that the relocation of the Tipperary Institute had the potential to be the catalyst for the development of a Science and Technology Park in the area. Indeed, the purchase by the IDA of some 50 acres at Ballingarrane was conditional on the relocation of the Tipperary Institute and would be a huge encouragement to attract foreign investment to the area. Furthermore, the improvement of third level facilities is even more critical in the current climate and is essential if we are to be in a position to avail of an improved economic situation if and when it happens. Finally, we would be very hopeful that a positive decision in this regard would encourage other support for the Institute.

As already indicated the matter had been discussed and agreed by the Clonmel Area members who were recommending for full Council approval.

A discussion followed the presentation during which the County Manager clarified issues raised by members.

The Cathaoirleach, Cllr. Ambrose expressed his strong support for the various elements in the proposal as outlined by The Manager and formally proposed that we proceed as outlined by the County Manager. He also proposed that the relevant borrowing in the sum of €3m for the carrying out of

works for stage 1 of the project in addition to €1m for accommodation wont be approved. The proposal was seconded by Cllr. Ml. Fitzgerald and agreed.

### **Annual Report**

It was proposed by Councillor Michael Fitzgerald

Seconded by Councillor Sean Nyhan

And resolved:

“That the Annual Report for 2008 be and is hereby adopted”.

### **Reports from members on Committees**

The Meetings Administrator informed the meeting that reports and minutes from the various committees on which South Tipperary County Council was represented were available for inspection:-

Tipperary Leader Group, Audit Committee, Local Authority Members Association, Clonmel Community Partnership Ltd, Tipperary Excel Heritage Co. Limited, Association of County and City Councils, South Tipperary Arts Centre, Tipperary Energy Agency, South Tipperary Vocational Education Committee, Regional Health Forum South, Fáilte Ireland, Southern & Eastern Regional Assembly, Irish Public Bodies Mutual Insurances Ltd, South-East Regional Authority, and Tipperary South Riding County Enterprise Board.

### **Polling Information Cards – Local Elections 5<sup>th</sup> June, 2009**

It was proposed by Cllr. Michael Fitzgerald

Seconded by Cllr. Darren Ryan

And Resolved:

“That in accordance with Article 55 (3) of the Local Election Regulations 1995 Polling Cards for use at the Local Elections to be held on 5<sup>th</sup> June, 2009 be issued to all Electors who are registered to vote at Local Elections only. These Electors are denoted with the letter ‘L’ in the current Register of Electors.

Polling Cards should also issue to all such Electors who are included in the Supplement to Register which will be prepared and published prior to the Elections”.

### **Launch of South Tipperary County Council Climate Change Strategy**

Mr. Denis Holland, Senior Engineer, Environment introduced this item and referred to previous presentations which had been made to the members on this topic. He thanked the members for their input to the presentations on the Strategy which had been made at recent meetings of the SPC's by Mr. Paul Kenny, Senior Energy Consultant,

Tipperary Energy Agency Ltd.

He indicated that Mr. Kenny, who was present and himself, would be happy to answer any queries which the members might have. He then invited the Cathaoirleach to launch the Strategy.

The Cathaoirleach officially launched the South Tipperary County Council Climate Change Strategy 2008-2010. This strategy highlighted the key issues impacting on issues in relation to climate change and the actions that the Council propose to take to mitigate its greenhouse gas emissions and adapt to the risks and opportunities presented by climate change.

**World Heritage Site  
Draft Tentative List**

The Cathaoirleach welcomed Brian Duffy, Chief Archaeologist, Department Environment, Heritage and Local Government Brian Lucas, Principal Officer, Department Environment, Heritage and Local Government and Dermot Bourke, Office of Public Works

Mr. Lucas informed the meeting that the World Heritage list, established by the World Heritage Convention, comprised sites of outstanding universal value, cultural, natural, mixed or cultural landscape and there were over 850 sites on the list. To be included on the list, a site must be of outstanding universal value and meet one out of ten selection criteria. To nominate a site for inscription on the World Heritage List a country may only nominate a site from a tentative list which was an inventory of properties which a country intends to consider for nomination in the next five to ten years. This list was now being reviewed and Cashel was a potential site for inclusion as part of the Royal Sites serial nomination.

Cllr Wood queried the submission of the Rock of Cashel under the Royal Sites list when it was also an ecclesiastical site and Mr. Duffy outlined that it was felt that the site would have a stronger case and less contenders in the Royal Site category.

Members thanked Messrs. Duffy, Lucas and for their presentation and expressed the hope that Cashel would be successful in being listed on the World Heritage List

**Cashel Towns and  
Environs Development  
Plan 2009-2015**

It was proposed by Cllr. Sean McCarthy,

Seconded by Cllr. Roger Kennedy

And Resolved:

“That in accordance with Section 12 (10) (a) of the Planning and Development Act 2000 that the Draft Cashel and Environs Development Plan 2009-2015 and the Draft Environmental Report as amended by the proposed Material Amendments as further modified by the members directions of May 2009”

Cllr Wood registered his opposition to the adoption of the Plan.

**County Manager’s Orders**

County Manager’s Orders for the month of April were noted.

**Notice of Motion**

**Notification from Car Testing Centres**

The following Notice of Motion was not moved in the absence of Cllr. B. Shoer:-

**“That this Council call on the department of transport to insist that the national car testing centres throughout Ireland send out a notice to car owners when a test renewal date is due”**

**Bend at Ballyboy, Clogheen**

The following Notice of Motion was not moved in the absence of Cllr. Seanie Lonergan

**“That this Council in the interest of road safety make safe the bend at Ballyboy, Clogheen, near McCarthys. There has been a number of accidents at this location”.**

**Roadway at Ardgeeha, Clonmel**

The following Notice of Motion was not moved in the absence of Cllr. Seamus Healy:-

**“That the roadway at Ardgeeha, Clonmel serving the Oliver and McGrath families and others, be resurfaced and the pot holes filled, as it is in very poor condition”.**

**Disabled persons parking at 26 Mountain View, Marlfield**

The following Notice of Motion was not moved in the absence of Cllr. Billy Shoer:-

**“That a disabled persons parking bay be installed outside no. 26 Mountain View, Marlfield, Clonmel, also that yellow boxes be installed at each car track entrance in the estate”.**

**Speed ramps in Cloughcarrigeen Estate, Kilsheelan**

The following Notice of Motion was not moved in the absence of Cllr. Billy Shoer:-

**“That this Council consider putting speed ramps in the back straight in Cloughcarrigeen Estate, Kilsheelan, Clonmel or some signage “Children at Play” as speeding has become a serious problem in the Estate with the growing number of children playing around the area”.**

**Entrance to Slievenamon View Estate, Kilsheelan**

The following Notice of Motion was not moved in the absence of Cllr. Billy Shoer:-

**“That the entrance to Slievenamon View Estate, Kilsheelan, off the main road, be reinstated and the gully raised to allow safe passage for those using this entrance. To date a number of cars have been damaged resulting from this road surface. When will this work be completed?”**

**Hillview Estate, Clonmel**

The following Notice of Motion was not moved in the absence of Cllr. Derry Foley:-

**“That this Council take in charge Hillview Estate, Clerihan as the 5 years has elapsed.”**

**Correspondence**

Letter from National Youth Council of Ireland regarding “Vote at 16-A New Age in Voting Campaign:-

**“That this Council supports the campaign by the National Youth Council of Ireland to change the law to extend the electoral franchise to young people at the age of 16 for the upcoming Local and European elections”.**

It was agreed to support the motion contained in this letter.

**Any other Business**

**Draft River Basin Management Plans**

With the permission of the Cathaoirleach, Mr. Sean Keating, DOS, informed the meeting that the Draft River Basin Management Plans were currently on public display.

A Working Group was set up to examine the implications of the Plans for South Tipperary County Council and the Working Group has reported that the implications were likely to be significant. It was noted that while the overall objectives of the Water Framework Directive were endorsed, the consequences of strict time limits and high standards in the legislation must be carefully considered.

The principle implications of the Draft River Basin Management Plans were:

1. The legislation set mandatory targets which, it was considered, were not achievable due to the short timeframe set for compliance (i.e. 2015) and the level of investment required to achieve these mandatory targets.
2. The measures which Local Authorities are required to implement to comply with the Plans are expensive and there is no certainty that in the current financial climate that these resources can be provided by Central Government. South Tipperary County Council can not implement these measures without funding.
3. The high environmental standards set by the Water Framework Directive had significant consequences for planning and development, particularly in towns and villages where the wastewater treatment plant discharges to a relatively small river. In these instances, developers and STCC may face significant costs to ensure that their development will not cause water quality to deteriorate. Worst case scenario was that development would be severely restricted in these areas.

The Plans were on public display and submissions could be made before the 22<sup>nd</sup> of June 2009. The Plans would then be finalised and would come before the Council for adoption in October 2009. In the meantime it was proposed to make a submission on the basis of the three points above and the consent of the members was sought to make this submission in the name of South Tipperary County Council. This was agreed.

**Signed/\_\_\_\_\_ . Dated/\_\_\_\_\_ .**  
**Cathaoirleach.**

**Signed/\_\_\_\_\_ . Dated/\_\_\_\_\_ .**  
**Meetings Administrator.**