

South Tipperary County Council

Minutes of South Tipperary County Council Meeting held in Brú Ború, Cashel, on 13th June, 2011

- In the Chair** Cllr. Sean McCarthy
- Present** Cllrs. T. Acheson, S. Ambrose, 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.
- In attendance** B. McEvoy, S. Keating, A. Fennessy, S. Carr, C. Curley, P. Slattery, K. Conway, P. Brennan, G. Walsh
- Meetings Administrator** Mr. John O'Mahoney
- Bansha Post Office** With the permission of the Cathaoirleach, Cllr. Fitzgerald referred to the threatened closure of Bansha Post Office and stressed the importance of this facility to the residents in the village and surrounding areas. He asked that a meeting with officials of An Post be requested as a matter of urgency. Members supported this request.
- Minutes** On the proposal of Cllr. P. English seconded by Cllr. D. Ryan the Minutes of the Council Meeting held on 9th May, 2011 were adopted.
- Matters Arising** M8 Motorway Signs.
In reply to an enquiry by Cllr. Marie Murphy, Mr. Peter Britton confirmed that discussions were ongoing with Failte Ireland and the NRA with a view to having signage upgraded.
- Conferences** On the proposal of Cllr. Michael Fitzgerald and seconded by Cllr. D. Ryan, it was agreed that:-

Cllr. Liam Ahearn be nominated to attend conference organised by TASC entitled "2011

TASC Annual Lecture" at The Royal College of Physicians, Kildare Street, Dublin 2 on 2nd June, 2011

Cllr. Michael Fitzgerald be nominated to attend conference organised by Tipperary Peace Convention entitled "International Peace Conference" to be held at Ballykisteen Hotel & Golf Resort, Ballykisteen, Limerick Junction, Tipperary on 2nd – 5th June, 2011

Cllr. Darren Ryan be nominated to attend conference organised by Celtic Conferences entitled "European Union Funding & Functions" to be held at Celtic Ross Hotel, Rosscarbery, West Cork on 17th – 19th June, 2011

Cllrs. Marie Murphy, Louise McLoughlin, Joe Brennan and John Fahey be nominated to attend conference organised by Seán MacDiarmada Summer School entitled "Emigration, Migration and the Irish Diaspora" to be held at Seán MacDiarmada Summer School, Kiltyclogher, Co. Leitrim on 17th – 19th June, 2011

Cllr. Denis Leahy be nominated to attend conference organised by Byrne Perry Summer School entitled "Sport in Irish History and Society" to be held in Gorey, Co. Wexford on 24th – 26th June, 2011.

Cllrs. John Crosse, Denis Leahy, Jack Crowe, Joe Brennan, Marie Murphy and Siobhan Ambrose be nominated to attend conference organised by Finance Government entitled "The Croke Park Agreement – One Year On" to be held on 30th June, 2011.

Finance

Draft Annual Financial Statement 2010

The Draft Annual Financial Statement for 2010 was presented to the members. The total Revenue Expenditure for 2010 amounted to €78,885.025. The total Revenue Income for 2010 amounted to €78,907,989. The Fixed Assets fully incorporated into the Balance sheet were valued at €2,157,486,025.

The Capital Expenditure in 2010 amounted to €36.67M, while Capital Income amounted to €36.73M leaving the Capital Account in balance for the year.

The percentage collection and year end arrears in respect of the Council's main Revenue Collection Accounts were outlined to the Members.

The Draft Annual Financial Statement was adopted on the proposal of Councillor Michael Murphy, seconded by Councillor Tom Acheson.

Financial Report – Quarter ended 31/03/2011

A Financial Management Report in respect of the Revenue and Capital Account for Quarter ended 31/03/2011 was circulated to the members.

The total Revenue Expenditure amounted to €17,975,523 compared to Revenue Income of €18,154,733 with Expenditure and Income generally in line. Expenditure and Income has been accrued to March and all sums are due to be followed up by the various sections.

The Capital Account balance showed a deterioration of €0.04Million in the three months from January to March 2011.

The Acting Head of Finance replied to queries raised by Cllr. MI Murphy in respect of capital expenditure incurred under Recreational Amenity and Miscellaneous Services.

A summary of the main Revenue Collection Accounts to March 2011 with comparative figures to March 2010 was circulated to members.

The acting Head of Finance replied to queries in relation to policy on arrears and rate judgements issued.

Approval to overdraft facilities

It was proposed by Cllr. MI. Murphy
Seconded by Cllr. T. Acheson
And Resolved: -

“That overdraft accommodation in the sum of €250,000 be and is hereby approved”.

Approval to Excess Expenditure 2010

It was proposed by Cllr. MI Murphy
Seconded by Cllr. T. Acheson
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 2010 be and is hereby approved as follows: -

<u>Programme</u>	<u>Amount</u>	
A01	Maintenance & Improvement of LA Housing	€750,000
A03	Housing Rent and Tenant Purchase Administration	€19,000
A07	RAS Programme	€750,000
A11	Agency & Recoupable Services	€70,000
B01	NP Road Maintenance & Improvement	€283,000
B03	Regional Road Maintenance & Improvement	€3,200,000
B07	Road Safety Engineering Improvement	€25,000
B08	Road Safety and Promotion	€10,000
C01	Water Supply	€220,500
C02	Waste Water Treatment	€101,000
C03	Collection of Water & Waste Water Charges	€42,500
C07	Agency & Recoupable Services Water	€40,000
D03	Enforcement	€95,000
D05	Tourism Development and Promotion	€41,500
D06	Community & Enterprise Function	€185,000
D07	Unfinished Housing Estates	€2,500
D09	Economic Development & Promotion	€535,000
D10	Property Management	€26,500
D11	Heritage & Conservation Services	€28,000
D12	Agency & Recoupable Services	€1,000
E01	Landfill Operation & Aftercare	€218,000
E04	Provision of Waste Collection Services	€28,500
E08	Waste Management Planning	€117,500
E09	Maintenance of Burial Grounds	€190,000
E14	Agency & Recoupable Services	€350,000
F01	Leisure Facilities Operations	€15,000
F03	Outdoor Leisure Areas Operation	€14,000
F04	Community Sport and Recreational Development	€35,500
F05	Operation of Arts Programme	€534,000
G05	Educational Support Services	€570,000
H02	Profit & Loss Stores Account	€1,000,000
H03	Administration of Rates	€57,500
H05	Operation of Morgue and Coroner Expenses	€46,000
H11	Agency & Recoupable Services	€545,000

Update on Croke Park Agreement

A report had been circulated to the members outlining savings achieved by South Tipperary Local Authorities under the Croke Park Agreement. The challenge facing local authorities was to ensure that services were maintained with reduced staff levels and

restructuring and productivity measures had been implemented to achieve this.

Members referred to various works programmes and the importance of maintaining staff numbers to ensure the delivery of these and acknowledged savings achieved to date under the agreement.

Draft Allocation Scheme 2011 – Social Housing Allocation Regulations 2011

A final draft of the South Tipperary Local Authorities Allocation Scheme 2011, was circulated to the members. This draft had already been endorsed by the Housing Strategic Policy Committee. The scheme determined the order of priority to be given in the allocation of dwellings to persons assessed as being qualified for social housing support for persons transferring from one dwelling and for persons purchasing a house under the Incremental Purchase Scheme.

Key areas of change included revised positions in relation to refusals of offers of accommodation and the new choice based letting provisions.

In response to members, Mr. Ger Walsh clarified aspects of the scheme.

It was proposed by Cllr. S. Cooney Sheehan
Seconded by Cllr. M. Hanna Houigan

And resolved: -

“That pursuant to Section 22 of the Housing Miscellaneous Provisions Act, 2009, and Social Housing Allocations Regulations 2011, the South Tipperary Local Authorities Allocation Scheme, 2011, be hereby approved and the seal of the Council be affixed hereto”.

Tipperary Town & Environs Development Plan 2007 – Proposed Variation No. 1

It was proposed by Cllr. Ml. Fitzgerald
Seconded by Cllr. J. O’Brien

And Resolved: -

“That pursuant to the provisions of Section 13(6) of the Planning and Development Acts, 2000 – 2010, the Proposed Variation No. 1 of the Tipperary Town and Environs Development Plan 2007 as amended by the Recommended Amendments set out under the Section 13(4)

Managers Report and the Members Direction attached is hereby made to the extent that it applies to the administrative area of South Tipperary County Council".

Revoke Limerick Junction Local Area Plan 2005 It was proposed by Cllr. Ml. Fitzgerald
Seconded by Cllr. J. O'Brien
And Resolved:-
"That pursuant to the provisions of Section 20 (3)(d) of the Planning and Development Acts, 2000 – 2010, the Limerick Junction Local Area Plan 2005 is hereby revoked".

Revoke Knocklofty Local Area Plan 2006 It was proposed by Cllr.
Seconded by Cllr.
And Resolved:-
"That pursuant to the provisions of Section 20(3)(d) of the Planning and Development Acts, 2000 – 2010, the Knocklofty Local Area Plan 2006 is hereby revoked".

South Tipperary County Development Plan 2009 – 2015 Proposed Variation No. 1 It was proposed by Cllr. D. Ryan
Seconded by Cllr. Ml. Murphy
And Resolved:-
"That pursuant to the provisions of Section 13(6) of the Planning and Development Acts, 2000 – 2010, the Proposed Variation No. 1 of the South Tipperary County Development Plan 2009 as amended by the Recommended Amendments set out under the Section 13(4) Managers Report is hereby made".

Clonmel & Environs Development Plan 2008 Proposed Variation No. 2 It was proposed by Cllr. P. English
Seconded by Cllr. S. Ambrose
And Resolved:-
"That pursuant to the provisions of Section 13(6)(a) of the Planning and Development Acts, 2000 – 2010 and having considered the Proposed Variation No. 1 and the Section 13(4) Manager's Report and Manager's Recommendations contained within to the extent that it applies to the administrative area of South Tipperary County Council hereby direct that the Proposed Variation be modified as set out in the attached Members' Direction and that this Material Alteration be advertised for a further period of public consultation prior

to the further consideration of the Proposed Variation” .

**Cashel &
Environs
Development
Plan 2009 –
2015 Proposed
Variation No. 1**

It was proposed by Cllr. L. McLoughlin
Seconded by Cllr. J. Crowe
And Resolved: -
“That pursuant to the provisions of Section 13(6) of the Planning and Development Acts, 2000 – 2010 and having considered the Proposed Variation No. 1 and the Section 13(4) Manager’s Report and Manager’s Recommendations contained within to the extent that it applies to the administrative area of South Tipperary County Council hereby direct that the Proposed Variation be modified as set out in the attached Members’ Direction and that this Material Alteration be advertised for a further period of public consultation prior to the further consideration of the Proposed Variation” .

**Appointment of
member to the
Burial Grounds
Committee**

It was proposed by Cllr. D. Ryan
Seconded by Cllr. Ml. Fitzgerald
And Resolved: -
“That Seanie Lonergan be appointed as a Representative on the South Tipperary County Council Burial Grounds Committee” .

Annual Report

It was proposed by Cllr. Ml. Fitzgerald
Seconded by Cllr. D. Ryan
And Resolved: -
“That the Annual Report for 2010 be and is hereby adopted” .

**Bathing Water
Quality
Regulations
2008**

It was agreed to defer this item to the July Meeting

**Presentation –
Anthony
Fitzgerald**

Mr. Anthony Fitzgerald showed the meeting a promotional DVD for business and enterprise in the County. Members complimented Mr. Fitzgerald on the DVD and made suggestions regarding possible outlets for it.

**County
Managers
Orders for May,
2011**

County Managers Orders for the month of May were noted.

Notice of Motion

**Changing Clocks
for Winter Time**

The Council considered the following Notice of Motion in the name of Cllr. Richie Molloy: -

“That South Tipperary County Council agrees to ask the Minister and the Department of the Environment to give serious consideration to keeping summer time going the entire year around rather than the present system of putting the clocks back an hour at winter time as the reasons for doing this are no longer valid”.

It was agreed to write to the Minister for the Environment and circulate the motion to other local authorities.

**Resurfacing of
roadway at Mill
Park,
Grangemockler**

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

“That the roadway at Mill Park, Grangemockler, Carrick-on-Suir be resurfaced as it is in very poor condition”

There are currently no plans in the 2011 Fethard Area Roadworks Programme to carry out resurfacing works at Mill Park, Grangemockler, Carrick-on-Suir. Ordinary maintenance repairs will be carried out, as necessary.

**Fair Trade
Status for
Clonmel and
Cahir**

The Council considered the following Notice of Motion in the name of Cllr. Richie Molloy: -

“That South Tipperary County Council would offer all the assistance it can to have the towns of Clonmel and Cahir receive fair trade status as they are the only two remaining towns in South Tipperary not to have fair trade status and in order to achieve this the Council would

encourage more retail outlets in both towns to sell fair trade products”.

Fair Trade is an international grass roots popular movement committed to the creation of a trade system which puts people, specifically those in third world countries, before profit. It tries to do so by encouraging towns and cities, retail outlets and customers to commit to purchasing Fair Trade produce.

The involvement of the local authority would be in the areas of encouragement and some commitment to the ideals by passing a motion of support, participation in the local committee and using Fair Trade products in-house. However, the main focus and strength of the movement must be in the local community and committees. I understand that while the Fair Trade movement in the county was very strong in recent years, the committees are presently being reorganised.

This Council has already expressed its support for the Fair Trade movement by passing a resolution of support for Fair Trade at the September, 2009 meeting.

National TB Testing

The Council considered the following Notice of Motion in the name of Cllr. Jimmy O’Brien: -

“I call on South Tipperary County Council to write to the Minister for Agriculture to insist on the abolition of the National TB testing in its current form”.

Mr. O’Brien referred to the financial burden that the testing was placing on farmers. The motion received the members support.

Estate taken in charge by the Council

The Council considered the following Notice of Motion in the name of Cllr. Jimmy O’Brien: -

“Given that the Council has taken a number of estates in charge recently, would it be reasonable to assume that the communal areas would be maintained by

South Tipperary County Council”.

The Council's has an adopted policy and procedure in relation to taking in charge of private residential developments. This policy includes:

- Maintenance of all roads and footpaths
- Maintenance of water mains and drainage services
- Repair and reinstatement of roads, footpaths
- Road sweeping and cleaning services
- Upkeep and maintenance of all public lighting
- Maintenance of public open spaces but will **not** include grass cutting
- Upkeep and maintenance of all playgrounds in cases where the playground or play lot is required by condition of a planning permission.

Where the Council takes roads and/or estates in charge it takes on the responsibility to maintain the road, including the cutting of verges where the grass may impede sight lines or road sign visibility. With limited resources and many roads in need of attention, there is insufficient funding available to maintain communal grass areas. There are some exceptions to the above, such as the maintenance of key approach roads to towns and villages.

The council supports resident groups and community associations with grant support and other supports under the Environmental Campaign to undertake Environmental Amenity, conservation or recreations works or activities which will achieve an overall improvement in the environmental status of their respective areas. Many tidy towns groups and residents associations have availed of such assistance and the council will continue to work closely with these groups in the maintenance and improvement of communal areas.

**St. Michaels
Acute
Psychiatric
Hospital**

The Council considered the following Notice of Motion in the name of Cllr. Richie Molloy: -

“That South Tipperary County Council call on the Minister of State Kathleen Lynch who has special responsibilities for mental health services to ensure that St. Michaels acute psychiatric remains open and that the minister be asked to meet a delegation from South Tipperary County Council to ensure the Minister is aware of how necessary it is for a major town like Clonmel to have its own psychiatric unit”.

Members supported the motion and requested that the Minister would be asked to meet a delegation from South Tipperary on her forthcoming visit to St. Michael’s Psychiatric Unit and that a presentation document would be prepared for the members of the delegation.

**Sewage System
at Theresa
Ahearne Estate**

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

“That South Tipperary County Council investigate and remedy the sewage system serving the Theresa Ahearne estate as the system is malfunctioning on a regular basis and is a serious health and safety issue for the residents of this estate”.

South Tipperary County Council are aware of the ongoing issues with the Waste Water Treatment Plant in Grange and have identified the replacement of the plant as a priority. We have recently sought proposals to remedy the situation and are currently investigating a proposal with a view to commencing remedial works over the coming months.

Correspondence

(a) Letter dated 31st May from Mary Davis re. Upcoming Presidential Election seeking support as an independent candidate

**Resolutions
from other
Local
Authorities**

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 this country.

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

Monaghan Town Council

“That this Council calls on the Minister for Environment, Phil Hogan TD to address as a matter of urgency the crippling cost of rates on commercial properties”.

Donegal County Council

“That this Council recognises that the Universal Social Charge is an unjust and regressive tax, bearing down most heavily on those least able to afford it, and calls on the Government to abolish the Universal Social Charge”.

Carlow Town Council

“That this Council recognises that:

- The Universal Social Charge is an unjust and regressive tax, bearing down most heavily on those least able to afford it
- The Universal Social Charge affects people earning as little as €77 per week
- The Universal Social Charge is indiscriminate and affects someone earning €100,000 at the same rate as someone earning €16,016

- Low income workers, including medical card holders, working lone parents and working widows, who were exempt from the health and income levies which the Universal Social Charge replaced, are no longer exempt
- Coupled with the changes to tax credits and bands introduced in Budget 2011, the Universal Social Charge has increased the burden of taxation on the working poor and calls on the Government to abolish the Universal Social Charge”

Nominations for Presidential Election

Requests had been received from Sean Gallagher and Mary Davis to address the members on their campaign to seek a nomination for the Presidential Election and it was agreed that they would be invited to attend a meeting of the Council.

Votes of Sympathy

- Sean Nyhan on the death of his wife Betty
- Family of Cllr. Martin Browne
- Kathleen Maher on the death of her mother Margaret
- John Fitzgerald on the death of his grandmother Margaret
- Anthony Wynne on the death of his mother Lila
- Helen Prout on the death of her mother Alice
- Former Councillor Susan Meagher on the death of her sister Angela
- Liam and Shirley Byrne on the death of their son Dean
- The Fitzgerald family on the death of former Taoiseach Garrett
- The Lenihan Family on the death of Brian Lenihan
- The Costello family on the death of Declan
- The O'Regan Family on the death of Billy O'Regan

Votes of Congratulations

The members complimented Cllr. Dr. S. McCarthy on his successful year as Cathaoirleach

The meeting then concluded.

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

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