

South Tipperary County Council

Minutes of South Tipperary County Council Meeting held in The Council Chamber, County Hall on 4th April, 2011

- In the Chair** Cllr. Sean McCarthy
- Present** Cllrs. T. Acheson, L. Ahearn, S. Ambrose, M. Anglim, J. Brennan, S. Cooney, Sheehan, J. Crosse, J. Crowe, J. Donovan, P. English, J. Fahey, M. Fitzgerald, M. Hanna Hourigan, D. Landy D. Leahy, S. Lonergan, L. McLoughlin, R. Molloy, M. Murphy, MI Murphy, J. O'Brien, E. O'Meara, D. Ryan, T. Wood.
- In attendance** E. O'Connor, B. McEvoy
- Meetings Administrator** Mr. John O'Mahoney
- Minutes** On the proposal of Cllr. P. English Seconded by Cllr. M. Fitzgerald the Minutes of the Council Meeting held on 7th March, 2011 were adopted.
- Conferences**
- Cllr. Denis Landy be nominated to attend conference organised by Nuclear Free Local Authorities Ireland entitled Key nuclear policy issues for Irish Local Authorities in 2011 to be held at the Boardroom, Council Offices, O'Hagan House, Monaghan Row, Newry, Co. Dow BT35 8DJ, Northern Ireland on Friday 1st April, 2011.
- Cllr Joe Brennan be nominated to attend conference organised by Celtic Conferences entitled How to be an effective Chairperson to be held at the Celtic Ross Hotel, Rosscarbery, Co. Cork on 1st, 2nd and 3rd April, 2011.
- Cllrs. Jack Crowe, Seanie Lonergan, Michael Anglim, Eddie O'Meara, Denis Landy and Michael Fitzgerald be nominated to attend conference

organised by Kerry Environmental entitled 20th Annual Kerry Environmental Conference and Training Seminar for Elected Members to be held at the Meadowlands Hotel, Oakpart, Tralee, Co. Kerry on 7th – 10th April, 2011.

Cllrs. John Crosse, Joe Brennan and John Fahey be nominated to attend conference organised by DoEHLG entitled Regional Seminars for Councillors on Planning and Development (Amendment) Act 2010 to be held at Dublin Castle Conference Centre on Monday 11th April, 2011.

Cllrs. Marie Murphy and Joe Brennan be nominated to attend conference organised by DoEHLG entitled Regional Seminars for Councillors on Planning and Development (Amendment) Act 2010 to be held at Athlone IT, Douglas Hyde Lecture Theatre on Friday 15th April, 2011.

Cllr Mary Hanna Hourigan be nominated to attend conference organised by Esperanza Enterprises entitled The Good Friday Agreement Local Government North and South to be held at The Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City on Friday 15th April to Sunday 17th April, 2011.

Cllrs. Michael Murphy, Sean Lonergan, Denis Landy, Siobhan Ambrose, Liam Ahearn be nominated to attend conference organised by Celtic Conferences entitled The Future of Local Politics to be held at Celtic Ross Hotel, Rosscarbery, West Cork from 15th – 17th April, 2011.

Cllrs. Marie Murphy, Darren Ryan, Louise McLoughlin, Joe Brennan, John Fahey, Mary Hanna Hourigan be nominated to attend conference organised by Respond! Housing Association entitled Housing in

Ireland – Past, Present and Future to be held at Respond! Housing Association, High Park, Grace Park Road, Drumcondra, Dublin 9 on Wednesday 20th April, 2011.

Cllrs Mary Hanna Hourigan, Michael Anglim, Jack Crowe, Eddie O’Meara be nominated to attend conference organised by Louth County Council entitled Economic Revival: A Role for Local Government to be held at Fairways Hotel, Dundalk, Co. Lough from Friday 29th April to Saturday 30th April, 2011.

**Section 183
Notice –
Disposal of land
at Abbey Street,
Fethard**

It was proposed by Cllr. J. O’Brien
Seconded by Cllr. P. English
And Resolved:-

“that in accordance with the provisions of Section 183 of the Local Government Act, 2001 we hereby approve of the disposal of property at Abbey Street, Fethard, Co. Tipperary containing approximately 0.01 acres or thereabouts to the Repts of Donal O’Sullivan, Abbey Street, Fethard, Co. Tipperary, in accordance with the terms of the Notice under the above Section, as circulated on the 25th March, 2011.

**Section 85
Agreement with
Waterford
County Council
regarding Public
Lighting
Maintenance
Contract**

Mr. B. McEvoy informed the meeting that it was proposed that Waterford County Council would act as Purchasing Authority in the procurement of Public Lighting Maintenance for the six local authorities in the South East Region. The contract would be for approximately 3 years with the option of extending by two years.

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

“That South Tipperary County Council shall enter into an agreement with Waterford County Council pursuant to

Section 85 of the Local Government Act, 2001 for the purposes of procurement of Maintenance Services for Public Lighting in South Tipperary County Council and associated Borough and Town Councils”.

Members referred to the need for new public lighting in locations where new developments have taken place.

Finance – Water Services Capital Schemes

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

“In accordance with Section 106 of the Local Government Act, 2001, we the Members of South Tipperary County Council, hereby approve the raising of a loan in the sum of €1,403,000 (One million and four hundred thousand euro) to finance the local contribution to Water Services capital schemes.

Housing

(a) Social Housing Assessment Regulations 2011

It was agreed to hold a workshop to brief members on aspects of the housing needs assessment to be carried out under the Social Housing Assessment Regulations 2011.

(b) Housing Adaption Grant Schemes Capital Allocation 2011

A report had been circulated to the members outlining details of the capital allocation to South Tipperary County Council for Disabled Persons, Essential Repairs and Housing Adaptation Grant Schemes and was noted.

(c) Revised Tenant Purchase Arrangements – Draft Fixed Term Tenant Purchase Scheme

A report had been circulated to the members outlining details of a new fixed term tenant purchase scheme which applied to tenants of 10 years or longer and would be open for applications until the end of 2011.

It was proposed by Cllr. J. Crosse
Seconded by Cllr. Mary Hanna Hourigan

And Resolved:-

“that the 2011 Fixed-term Tenant Purchase Scheme for long-standing tenants as presented be adopted pursuant to the provision of Section 90 of the Housing Act 1966, and in compliance with the Housing (Sale of Houses to Long-standing Tenants) Regulations 2011.

**Drinking Water
Quality Results
2010**

Mr. Denis Maguire, Executive Chemist, gave the members a summary of the Drinking Water Quality Results 2010. Water Quality in South Tipperary was above the standard achieved by comparable counties nationwide and was in line with the national average overall. The results were available to the public on the council website.

Members spoke of problems in various areas with hardwater and the damage this was doing to consumers appliances. Mr. Maguire pointed out that there were no health issues associated with the consumption of hardwater and it was not government policy to install water softeners as these removed beneficial agents in water.

In relation to specific enquiries regarding the Clonmel Rural Scheme, Mr. Aidan Fennessy said that in view of the current position in relation to the overall scheme it was unlikely that funding would be made available for the reservoir. He also confirmed that negotiations were taking place with a landowner regarding a borehole to augment the supply to Kilross.

**Tipperary
Energy Agency
Ltd –
Presentation
Mr. Seamus
Hoyne**

Mr. Denis Holland, Senior Engineer, Environment, introduced Mr. Seamus Hoyne, Managing Director, Tipperary Energy Agency Ltd., who made a presentation to the members on the TEA Strategic Plan 2011 to 2015. The strategy set out specific objectives for each sector

of society and over 75 actions had been identified which would assist County Tipperary in being a leader in the field of sustainable energy. There would be a 6 monthly review process to assess progress.

Members thanked Mr. Hoyne for his presentation and suggested that the range of schemes and services available by the Energy Agency should receive more promotion. In response to queries in relation to transport alternatives and hydro projects Mr. Hoyne confirmed that both these issues were being examined.

**Update
Tipperary
Science and
Technology
Park**

The County Manager updated the members in relation to the four elements of Tipperary Science and Technology Project at Ballingarrane. He advised that there were ongoing contacts with the IDA in relation to the promotion and marketing of the 50 acres which had been acquired. While the number of itineraries were still at a relatively low number, initiatives such as meetings with their USA division and their C.E.O. had taken place recently and there is an appreciation of the high quality of the product which is on offer at the park. In relation to the Councils own lands he advised of previous marketing efforts which had been negatively impacted on by the downturn in the economy. However, he also advised that marketing is ongoing and that there are currently two "live enquiries" being investigated.

With regard to the Limerick Institute of Technology/Tipperary Institute proposal he advised the members of the initial Tipperary Institute proposal involving Ballingarrane House and adjoining lands, of the subsequent threat to the Tipperary Institute as a result of the McCarthy report and of the subsequent merger with Limerick Institute of Technology which

had commenced and was due for finalisation in September 2011.

Management of Limerick of Technology were very positive about a joint venture project with the County Council at the park. They were, however, interested in a more high profile site with more direct potential linkage to any other industrial/business which may be developed in the park. In this regard, a proposal was being progressed by Limerick Institute of Technology management in conjunction with management at the Council in relation to a project estimated at approximately €4m on the eleven acre site adjacent to the main entrance to the park, part of which had been identified as suitable for hotel development. Apart from the change in location the overall proposal was of a similar nature to that which had been agreed to by the Council in May 2009, other than it was now proposed that the new development would be a multi purpose educational, research and development facility with strong linkage to industry and business and that the new development would be in addition to rather than a replacement for the existing facility. This was considered positive as it represented an enhanced level of third level education activity in the county. Current management proposals are subject to ratification by the Board of Governors.

In relation to Ballingarrane House, the Manager confirmed that extensive works of refurbishment were in progress and it would be ready for occupation later in the year by the County Enterprise Board and South East Regional Authority staff.

A number of members thanked the Manager for the positive updates in relation to all four aspects of the project.

They were especially supportive of the proposal in relation to the Limerick Institute of Technology/Tipperary Institute and welcomed the new proposed location and range of educational activities.

In response to queries raised the County Manager confirmed that various timelines would be agreed with the Limerick Institute of Technology/Tipperary Institute in order to ensure the earliest possible progress on the project.

Fix date for next meeting It was agreed that the May meeting would be held on the 9th May, 2011 at 11.30am.

County Managers Orders for March, 2011 County Managers Orders for the month of March were noted.

Notice of Motion

Resurfacing of roadway from Killusty to Walshbog/Cloran Old The Council considered the following Notice of Motion in the name of Cllr. Pat English:-

“That the 3km stretch of roadway from Killusty to Walshbog/Cloran Old be resurfaced as it is in extremely bad repair. This roadway serves twenty households including a Stud Farm”.

The length of road involved is approximately 3.1km. The Council recently carried out maintenance repairs i.e. patching, pothold repairs etc. along the section of this road that required attention.

The council was satisfied that this road was in a reasonable state of repair. However, there were approximately 5 sections of this road that would need continual monitoring over the next couple of months and they will be maintained in

line with our maintenance policy and area funding.

**Footpath at
Crosscannon
Graveyard,
Killenaule**

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

“I call on this Council to provide a footpath by extending the present one to Crosscannon Graveyard, Killenaule”.

The proposal for an extension of the footpath to Crosscannon Graveyard would be surveyed and costed.

**Sewerage
System at
Castlequarter,
Killenaule**

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

“I call on this Council to replace the faulty sewerage system at No. 3 and No. 4 houses at Castlequarter, Killenaule”.

The issue of the sewerage system servicing No. 3 and No. 4 Castlequarter, Killenaule had been an ongoing problem for the past 12 months and arrangements have been made to survey the area in question with a view to replacing the existing sewerage system servicing the affected areas within the estate. As the problem is not confined to No's 3 and 4 Castlequarter, Killenaule, which are Council owned dwellings, it would be necessary to consult with a number of adjoining residents as some of the dwellings also affected are in private ownership.

**Carrick on Suir
By-Pass**

The Council considered the following Notice of Motion in the name of Cllrs. Sylvia Cooney Sheehan, Denis Landy and Joe Brennan:-

“That South Tipperary County Council writes to the National Roads Authority to urge them to abandon their current preferred route for the Carrick on Suir By-Pass with a view to examining an alternative route corridor which would have less negative impact on local people and the viability of Carrick-on-Suir and its surrounding areas”.

The motion was proposed by Councillor Cooney-Sheehan and seconded by Councillor Landy.

In reply Mr. B. McEvoy, Director of Services advised that the N24 Carrick-on-Suir By-Pass Project formed part of the Western Corridor that links Limerick City and Waterford City (National Spatial Strategy Gateways). The N24 was identified as a key national primary route in Transport 21.

As discussed at previous Council meetings, the Part 8 Planning Process for a single carriageway for the Carrick-on-Suir By-Pass was completed in December 2004. A review of this corridor was initiated in 2008 to take account of an NRA decision to ensure that the entire N24 Route could be constructed to dual carriageway standard and new NRA project criteria. An updated Route Selection Report would also be required as part of the review.

Therefore, the preferred route corridor for the Carrick-on-Suir to Kilheffernan N24 Roads Improvement Schemes is being assessed under the following criteria as set out in the National Roads Project Appraisal Guidelines which were published in 2008.

- Safety
- Economy
- Environment
- Accessibility & Social Inclusion
- Integration

The emerging preferred route corridor is also being reviewed following the Public Consultations process undertaken in October 2010. A total of 752 submissions were received following the consultations and these have now been considered and a Draft Route Selection Report is being finalised. Minimising negative impacts is a key aspect of the current assessment.

It was proposed that “workshop” type meetings will be held with Clonmel and Fethard Area Elected Members of South Tipperary County Council, the Elected Members of Carrick-on-Suir Town’s Council and the Elected Members of Piltown Area of Kilkenny County Council, to consider the findings of the report. These meetings could be arranged during April 2011.

Therefore, it was recommended that South Tipperary County Council awaits the outcome of the above process before considering the notice of motion.

Following extensive discussions about the various issues arising the motion was agreed. It was further agreed that a workshop would take place to update members on the current situation with regard to overall N24 proposals.

Resurfacing at Brensha, Emly

The Council considered the following Notice of Motion in the name of Cllr. Billy Shoer:-

“That tar and chip resurfacing be carried out from the main roadway to the drain at the entrance to the gate of the Hanley family at Brensha, Emly

as they are experiencing ongoing difficulty”.

The public road at this location was strengthened and raised a number of years ago. Accommodation works, as agreed with the Hanley family, were carried out at the time following completion of the road works.

There are no plans to surface dress the private driveway as requested.

Cllr. Shoer requested that officials from the Council talk to the Hanley family regarding alternative solutions.

Correspondence (a) Reply dated 22nd March, 2011, from Office of the Taoiseach.

Resolutions from other Local Authorities **North Tipperary County Council**
“That North Tipperary County Council call on all Councils to work together in order to retain the rights for the delivery of Water Services in Ireland”.

Monaghan Town Council
“Iarrann an Chomhairle seo ar an Rialtas nua-tofa agus go h-áirithe ar a Thaoiseach cinntiú go gcaomhnófar céad teanga oifigiúil na tire seo agus go gcinnteoidh said starraiceacht s’aici sa chóras oideachais”.

“That this Council calls on the newly elected Government and particularly it’s Taoiseach to ensure the preservation of our first official language and promote its prominence in the education system”.

Votes of Sympathy

- Sheila Moloney on the death of her mother Kitty
- Mairead Cooney on the death of her father Pat Bourke
- Pat Holland on the death of his father in law John O’Donnell
- Colm O’Donnell on the death of his

brother John O'Donnell

- Pat Cronin on the death of his mother Breda
- Ann Power on the death of her mother Josephine
- Geraldine Troy on the death of her sister Margo
- Noreen Buckley on the death of her husband James

The meeting then concluded.

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

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