

South Tipperary County Council

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

In the Chair	Cllr. Michael Fitzgerald
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, B. Fitzgerald, M. Hanna Hourigan, D. Leahy, S. Lonergan, S. McCarthy, L. McLoughlin, R. Molloy, M. Murphy, MI Murphy, J. O'Brien, D. Ryan, T. Wood.
Apologies	E. O'Meara, B. Shoer
In attendance	B. McEvoy, S. Keating, C. Curley, J. Harney, D. Holland, A. Fennessey, J. O'Mahoney, P. Holland,
Meetings Administrator	Mr. John O'Mahoney
Cathaoirleachs Address	<p>The Cathaoirleach, Cllr. M. Fitzgerald opened the meeting by extending good wishes to Cllr. Darren Ryan who was recently appointed as Mayor of Clonmel Borough Council. Members in turn congratulated Cllr. Ryan and wished him well during his term.</p> <p>Cllr. Fitzgerald extended congratulations to organisers of the Clonmel Show and the EU Charter celebrations in Cashel which had been the cultural capital of Europe for the last few days.</p> <p>Cllr. Ryan thanked everyone for the good wishes and said he looked forward to the year ahead and extended his congratulations also to the organisers of the Clonmel Show and the EU Charter celebrations in Cashel.</p>
Casual Vacancy	It was proposed by Cllr. D. Ryan Seconded by Cllr. S. Lonergan And resolved:-

“That pursuant to the provisions of Section 19 of the Local Government Act, 2001, Bobby Fitzgerald be appointed to the Casual Vacancy which exists on South Tipperary County Council.

The Cathaoirleach declared Bobby Fitzgerald elected and wished him every success during his term as a member of South Tipperary County Council. Members welcomed Cllr. Fitzgerald.

Minutes

On the proposal of Cllr. Ml. Murphy seconded by Cllr. J. Brennan the Minutes of the Council Meeting held on 13th June, 2011 were adopted.

Matters Arising

Cllr. P. English referred to the Ministers unexpected visit to St. Michaels where she met with staff, he hoped that there would be a positive outcome from the visit but that he was disappointed that the members had not been invited to the meeting.

Cllr. Ryan stated that the Minister had been open and receptive and hoped that Minister Lynch would see the necessity to retain the unit and that he too was disappointed at the lack of prior notice.

Cllr. Molloy expressed his disappointed that the Minister didn't meet representatives and suggested that the members again write to Minister Lynch to request a meeting, this was seconded by Cllr. Ambrose and agreed.

It was also agreed to write to the Minister of Health, Dr. James O'Reilly to request a meeting with a delegation of representatives.

Conferences

On the proposal of Cllr. J. Brennan and seconded by Cllr. L. Ahearn, it was agreed that:-

Cllrs. Richie Molloy and Siobhan Ambrose be nominated to attend conference organised by Celtic Conferences entitled "Time Management,

Media & IT Skills Conference to be held at the Celtic Ross Hotel, Rosscarbery, West Cork on 8th – 10th July, 2011

Cllrs. Jimmy O'Brien, Jack Crowe and Michael Anglim be nominated to attend a conference organised by Kadenza Consultancies entitled "Effective Representations through Radio, TV Press, Facebook, Twitter" to be held at the Silver Tassie Hotel, Letterkenny, Co. Donegal on 8th July – 10th July, 2011

Cllr. Seanie Lonergan be nominated to attend conference organised by Superior Training entitled "The Councillor & the Local Government Environment Service" to be held at Hyland's Hotel, Ballyvaughan, Co. Clare on 22nd – 23rd July, 2011

Cllrs. John Crosse and Richie Molloy be nominated to attend conference organised by MacGill Summer School entitled "Transforming Ireland 2011 – 2016: The First Hundred Days, The Next Five Years" to be held on 24th – 29th July, 2011

Cllrs. Jimmy O'Brien, Joe Donovan, Eddie O'Meara and Siobhan Ambrose be nominated to attend conference organised by Esperanza Enterprises entitled "Local Government Health and Safety, Risk Assessment and Insurance" to be held at the Kingsvalley Hotel, Merlin Park Dublin Road, Galway City on 29th – 31st July, 2011

Cllr. Joe Donovan be nominated to attend conference organised by Esperanza Enterprises entitled "Legislation for the reform of Local Government " to be held at Westport Plaza Hotel, Castlebar Street, Westport, Co. Mayo on 12th – 14th August, 2011

Cllr. Sean McCarthy be nominated to attend conference organised by Cumann Merriman entitled "Merriman Summer School 2011 – Changing Irish Childhoods" to be held in Lisdoonvarna, Co. Clare on 17th – 21st August

**Section 183
Notices:**

**Disposal of
lands at
Marlhill, New
Inn**

It was proposed by Cllr. Liam Ahearn
Seconded by Cllr. Seanie 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 0.0234 hectares (0.058 acres) at Marlhill, New Inn, Cashel, Co. Tipperary to Michael and Jennifer Boland, Garranlea, New Inn, Cashel, Co. Tipperary in accordance with the terms of the Notice under the above Section as circulated on the 20th June, 2011.

**Disposal of
lands at
Shanballyduff &
Templenoë,
Cashel**

It was proposed by Cllr. Louise McLoughlin
Seconded by Cllr. Joe Brennan
And Resolved:-

“That in accordance with the provisions of Section 183 of the Local Government Act, 2001, we hereby approve of the disposal of 1.471 hectares (3.635 acres), at Shanballyduff & Templenoë, Cashel, Co. Tipperary to Patrick & Marian O’Connor, Shanballyduff, Cashel, Co. Tipperary in accordance with the terms of the Notice under the above Section as circulated on the 20th June, 2011.

**N24 Cahir-
Bansha Public
Display**

Mr. Pat Slattery, Director of Services advised the members that amendments to the Preferred Route of the N24 Cahir to Bansha corridor will be on public display and available for inspection from Monday 18th July, 2011 to Friday 12th August, 2011 at South Tipperary County Council’s Area Office, Erasmus Smith House, Church Street, Cahir. Brochures outlining the Preferred Route Corridor Will be available at the display along with copies of brochures outlining the amendments. Members welcomed the fact that work is continuing on this part of the N24 project. Mr. Slattery responded to queries raised by members in relation to the Carrick on Suir and Pallasgreen/Bansha elements of the scheme.

Bathing Water Quality Regulations 2008

Sean Keating, Director of Services made a presentation to the Council in which he outlined the requirements of the Bathing Water Regulations 2008. He advised that none of the four locations on the River Suir at Ardfinnan, Cahir, Clonmel or Carrick on Suir, traditionally used as swimming areas, met the water quality standards required by the Regulations. He referred to further issues in terms of Health and Safety and infrastructure which did not meet required standards. Against this background and following on from discussions at previous Strategic Policy Committee and Council meetings legal advice was sought in relation to the continued use of the areas for swimming under the supervision of County Council appointed lifeguards. This advice strongly confirmed that the Council would have a significant exposure to liability in the event of an illness arising from the use of the locations as bathing areas under Council supervision. It was also noted that the lack of infrastructure, access and other Health and Safety issues were of concern. Because of these factors the Council will not be in a position to appoint lifeguards to the locations in question. It was intended to provide signage drawing people's attention to the fact that the locations were not suitable for swimming and to have personnel located at these areas for a number of weeks to hand out information leaflets to draw the attention of would be swimmers to the fact that the locations were not suitable for swimming.

A lengthy discussion ensued during which a number of members expressed serious concerns at the withdrawal of the lifeguard service. Many members however noted that given the requirements of the regulations and the lack of infrastructure, coupled with the legal advice received, the Council had no option but to proceed as recommended by the Director of Services. It was agreed to investigate other ways such as localised leaflet drops, bringing attention to the fact that the locations are considered unsuitable for swimming.

**South Tipperary
County Council
Climate Change
Strategy
Introduction**

Mr. Denis Holland introduced Ms. Siona Daly to give a presentation to the members on the South Tipperary County Council Climate Change Strategy which was prepared by the Council's Climate Change and Energy Management Committee and The Tipperary Energy Agency in 2008 and advised the members that energy efficiency and renewable energy projects play a vital role in the strategy.

**Presentation by
Ms. Siona Daly,
Tipperary
Energy Agency**

Ms. Siona Daly gave a presentation to members on the Climate Change Strategy Review of South Tipperary County Council. In it Ms. Daly outlined the Council's targets to reduce energy consumption and carbon emissions and the steps that are being taken to achieve the targets as set out in the National Climate Change Strategy 2007-2012, explaining that public sector must lead by example and improve their energy efficiency by 33% and outlined the projects completed to date. Ms. Daly went on to explain that South Tipperary County Council remains on track to the meet the 2020 targets.

Members complimented Ms. Daly on her excellent presentation and agreed that energy efficiency was of paramount importance especially in areas such as public lighting and were pleased to hear that South Tipperary County Council was meeting it's targets in this regard.

**County
Managers
Orders for June,
2011**

County Managers Orders for the month of June were noted.

**Notices of
Motion**

**Footpath at
Derryvoher,
Ballylooby**

The Council considered the following Notice of Motion in the name of Cllr. Marie Murphy:-
"That South Tipperary County Council in the interest of health and safety, build a footpath from the new houses at Derryvoher, Ballylooby, to link up with

existing footpaths in Ballylooby Village”.

The length of footpath required from the new houses at Derryvoher, Ballylooby to Ballylooby is 400 metres long and the estimated construction cost excluding land acquisition is €72,000.

There are no proposals in the 2011 Cahir Area Roadworks programme to provide a footpath in this location.

The installation of a footpath at this location can be considered in future years as part of the Cahir Area Discretionary Improvement Scheme, subject to agreement at the Cahir Area Roads Meeting and the availability of funding.

Resurfacing of roads at Shanbally, Clogheen

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

“That road numbers 7418 and 7419 at Shanbally, Clogheen be resurfaced as they are in a very poor state of repair”.

The roads referred to in this Notice of Motion are not included in the 2011 Cahir Area Roadworks Programme for resurfacing works and are not included in the 2011-2013 Road Strengthening Programme.

The position can be reviewed and considered for inclusion as part of the 2012 Cahir Area Roadworks Programme, subject to the availability of funding.

Ordinary maintenance repairs will be carried out, as necessary.

Draft Directives currently before the EU

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

“That South Tipperary County Council asks the Department of Environment, Community and Local Government to advise this Council as to what Directives which may affect the operation of Local Authorities are currently before the EU”

It was agreed that this Motion be circulated to All Local Authorities.

**Resolutions
from other
Local
Authorities**

Galway County Council

“That Galway County Council is opposed to the transferring of the processing of Higher Education Grants from Local Authorities to Dublin City Vocational Educational Committee”

Galway County Council

“That Galway County Council is opposed to the transferring of the issuing of Driving Licences from Local Authorities to Central Government”.

Members supported this Motion and John O’Mahoney, Meetings Administrator advised that there was a Working Group currently examining this at present.

Kilrush Town Council

“That this Council would ask the Minister for the Environment, Heritage and Local Government, the Minister for Equality and Law Reform and An Taoiseach to bring forward proposals that would extend the postal vote to our emigrants abroad”.

Kilrush Town Council

“That this Council ask the Minister for Department of Environment, Heritage and Local Government to review the payment system of the Non Principle Private Residence NPPR in order to lessen the burden on many stretched household budgets by introducing a facility of installed payments also to review S 254 of the Planning and Development Regulations 2001 in relation to the fees payable for licensing of table in public places with the intention of abolishing a national fee and empowering local government local governments with the ability to set more appropriate rates”.

Dublin City Council

“This City Council acknowledges the 30th anniversary of the death of 10 Irishmen on hunger strike in 1981. This event acted as a

catalyst for the Peace Process in the 1990's and this Council pays tribute to all those from all traditions who have worked so hard to ensure peace in our county in the years since this event".

Dublin City Council

"That this Council supports the Justice for Magdalenes (JFM), survivor advocacy group's calling on the Irish state to offer a formal state apology for all survivors of the Magdalene laundries and that the Government immediately establishes a statutory inquiry into these abuses. To do otherwise is to cause additional pain and suffering to the women and girls thereby bringing further shame on our nation. The women and their children deserve justice now".

Votes of Sympathy

- Peter Britton on the death of his mother Mary Prior

Votes of Congratulations

- Minor Football Team on winning the Munster Football Final against Cork
- Ballyporeen GAA Club on securing Gillian Quinn as their mentor's in this year's celebrity Banisteoir
- Cahir Youths Soccer Team for winning the Delaney Cup

A.O.B.

The Cathaoirleach read a letter of thanks from former Councillor Susan Meagher for the vote of sympathy received from members following the death of her sister

Date for next meeting

It was agreed that the next Council Meeting would be held on Monday 4th September, 2011.

The meeting then concluded.

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

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

